

Report

Hokianga Accord

Whitiora Marae Hui

A hui to provide for the input and participation of tangata whenua having a non-commercial interest in fisheries, an interest in the effects of fishing on the aquatic environment and having particular regard to kaitiakitanga.

6 – 7 April 2006



*“Tangaroa, te kaitiaki o te moana, nga
ika me nga kaimoana”*

Tangaroa, the guardian of the sea, the fish and seafood

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(Front cover: Picture courtesy of The Bay Chronicle)

Executive Summary

This document represents the record of the Hokianga Accord hui held at Whitiara marae, Te Tii, Bay of Islands on the 6th and 7th of April 2006.

The Hokianga Accord is the mid-north iwi Forum established by Ngapuhi, Ngati Whatua, Ngati Wai in conjunction with the Ministry of Fisheries to meet its obligations to tangata whenua and provide for the input and participation of tangata whenua having a non-commercial interest in fisheries, an interest in the effects of fishing on the aquatic environment and having particular regard to kaitiakitanga.

The Accord is an iwi Forum and includes the full participation of many other non-commercial fishing interest representatives.

The discussions reported from this hui cover a diverse range of subjects including eel (tuna) management, concerns about Ministry of Fisheries' processes, the Shared Fisheries Policy project, Fisheries Plans and marine protection issues.

This report was commissioned by the Hokianga Accord and was written by Trish Rea. The report is taken from material recorded electronically throughout the hui. Sonny Tau, Scott Macindoe and Bruce Galloway reviewed the report prior to its publication.

Introduction

Anticipation of a productive hui was high amongst the sixty people waiting to be welcomed onto the Whitiara Marae, in Te Tii, Bay of Islands on the morning of April 6th. Maori community leaders from the mid-north had come to share the two-day Hokianga Accord hui with recreational fishing representatives from around the North Island.

Included in the waiting group was a team of eight from the Ministry of Fisheries led by Mark Edwards, MFish Manager of Fisheries Policy. Carl Ross, leader of the Customary Relationship Unit (CRU), Te Tari o te Kahui Pou Hononga, was accompanied by Graeme Morrell and George Riley, the Pou Hononga for Te Tai Tokerau.

Tracey Kingi from the Ministry's Nelson based Extension Services team was also at this hui. This team had been specifically established to implement initiatives from the Deed of Settlement programme and to assist tangata whenua to have input and participation into fisheries management.

The Manager, Jodi Mantle, and Stephanie Hill represented the Ministry's Inshore management team. Completing the MFish team was Jonathan Peacey, the National Manager of Fisheries Operations, who had joined the hui to discuss fisheries plans.

Tainui's Tom Moana could not be at the hui so he sent his apologies and a series of questions to be put to the Ministry officials during the question and answer session planned for later in the hui (Appendix One). Tom is co-chairman of the Waikato

Forum, Nga Hapu O Te Uru, and had been very involved in previous Hokianga Accord hui and the Executive Forum for leaders of all the iwi Forums from around the country.

Both Keith Ingram and Bill Ross of the New Zealand Recreational Fishing Council sent apologies and their endorsement of what the Hokianga Accord is trying to achieve. These were read to the hui during the Whakawhanaungatanga session (Appendix Two and Three).

Leading the New Zealand Big Game Fishing Council team was their President, Jeff Romeril. Northland members at the hui included John Chibnall, Paul Batten, Jerry Garrett, John Holdsworth and Brett Rathe.

Jeff also introduced the recreational fishing representatives to the hui during the formal welcoming session. This team included Paul Barnes, Scott Macindoe, Trish Rea, Steve Sangster, Paul and Remi Smit of option4. Bill Bell was attending as a representative of the Whangarei based Northland Outboard Boating club. Lorraine Hill, the Russell based Ngapuhi representative on the Recreational Fishing Ministerial Advisory Committee was also present at the hui for both days. Kerikeri's Mark Feldman, a long time advocate for sustainable fisheries management, particularly of kahawai, was attending his first Hokianga Accord hui.

Tepania Kingi was representing Ngati Whatua's interest in the discussions during the course of the hui.

Two long-term Board members of Ngati Wai attended the hui. Himiona Munroe and the fisheries manager, Allan Moore, represented the Ngati Wai people, the Board and their chairman Laly Haddon. Laly sent his apologies for not being at Whitiara.

Also at the hui was Matu Clendon of Ngati Kuta. His contribution and extensive knowledge of the Bay of Islands marine environment was most welcome.

Consistent contributions from Ngapuhi board members Judah Heihei, Paul Haddon, Joe Bristowe, and Ruby Winikeri have assisted in the development of the Hokianga Accord, from the beginning.

It did not take long for Larry Baldock's wife Barbara to find her way into the kitchen and become one of the ringa wera. Barbara felt honoured to be allowed into the kitchen to help out. Meanwhile Larry did his best to keep the Ministry officials honest by insisting they answered the questions that were put to them.

Bruce Galloway and Vern Tonks are members of the Guardians of Mimiwhangata's Fisheries and Marine Environment Incorporated /Nga Kaitiaki o Nga Ika, Nga Kaimoana Me Nga Ahuatanga Takiwa o Te Moana o Mimiwhangata. They gave a valuable insight into the process they undertook to establish their group and the progress they have made working with tangata whenua and local communities on alternative marine protection to the marine reserve proposed by the Department of

Conservation in 2004, for the coastal waters at Mimiwhangata on Northland's north-eastern coast.

Also at this hui was a group of students studying for their diploma in fisheries management, with their tutor Paul Maxwell. The Whangarei based students have just started their two-year course.

Last minute changes to the very full agenda meant the important Whakawhanaungatanga (apologies, messages) session was moved from the commencement of the hui to the second day. This was a mistake that will not be repeated at future Hokianga Accord hui.

The chairman of Te Runanga A Iwi O Ngapuhi, Sonny Tau chaired the first day's proceedings. Scott Macindoe of option4 chaired the second day of the hui.

Background

'Short line-out' Hui and Correspondence

At the last Hokianga Accord hui, in November 2005, it was agreed that the Working Group or 'short line-out' would meet as soon as possible to progress the Kaupapa Whakahaere. In December the 'short line-out' met with MFish officials in Auckland to develop the Memorandum of Understanding (MOU). Reports from both of these hui are online¹ at http://option4.co.nz/Fish_Forums/hokianga.htm.

The December hui was well prepared and designed to arrive at an "agreement" on the MOU and Terms of Reference between the Ministry and the Hokianga Accord. Unfortunately, little progress was made on the MOU and Terms of Reference. The Hokianga Accord offered the Ministry a draft alternative iwi relationship model and requested their earliest feedback.

A very frustrating, complex, expensive and inconclusive engagement had occurred with the Ministry in the four months since December. In hindsight, it seemed the 'short line-out' had been naïve in expecting cooperation, flexibility and encouragement from the Ministry. In March the 'short line-out' were dismayed to receive a letter² from the MFish Deputy CEO, Stan Crothers (Appendix Four) stating,

"The Hokianga Accord would not be the vehicle to provide for the input and participation of iwi into fisheries processes. This role would be carried out by way of a Regional Forum. The Regional Forum would not include recreational fishers as parties or signatories, however, recreational representatives could be invited to observe and participate in discussions."

¹ November report - http://option4.co.nz/Fish_Forums/har1105.htm

December report - http://option4.co.nz/Fish_Forums/har1205.htm

² Letter dated 17th March 2006 from Stan Crothers, Deputy CEO, Ministry of Fisheries

“In our view, renewed efforts should be undertaken to ensure that the iwi in the Mid-North, and the two mentioned hapu groups [Te Roroa and Te Uri O Hau], are aware of the opportunity to participate in a Forum, and that all those groups be involved in the development of the MOU and Terms of Engagement for that Forum.

“In view of the difficulty that has been encountered by both parties in some of the previous meetings with the Hokianga Accord, we think it would be useful to formally set out how iwi and the Ministry will work together at Forum meetings and in the interactions that arise from those meetings.

“The Hokianga Accord is not a Regional Forum and is therefore not a body that could be funded under the purchase agreement. Similarly, funding iwi to meet among themselves, separate from a meeting with the Ministry, would also appear to be inconsistent with the current purchase agreement between the Minister and the Ministry. In this circumstance the Ministry is not able to fund meetings unless they are between a Regional Forum and the Ministry.”

In light of the planned hui on the 6th and 7th of April the 'short line-out' responded to Stan Crother's letter on April 4th (Appendix Five). The letter addressed the Ministry's concerns and concluded,

“The hui called to date by Ngapuhi, Ngati Wai and Ngati Whatua to which non-Maori non-commercial fishing interests have been invited, comply in essence with the MFish Regional Forum model, and therefore qualify for and are entitled to the government agreed funding of \$20,000 per annum for input and participation by tangata whenua in respect of those hui. Additional funding will be sought to provide for input and participation on particular sustainability measures.”

The Ministry replied with a commitment to send a more detailed letter within ten days, a list of concerns setting out the criteria by which MFish staff would participate in the hui and concluded the letter (Appendix Six) with the statement,

“I would like confirmation prior to Thursday that the hui will be conducted in a professional manner and that the proceedings will not be videoed or recorded and that media will not be present. I look forward to your reply.”

The Hokianga Accord awaits the promised detailed response to the initial letter and some clarification on the above statement implying previous hui had been unprofessional.

Sonny responded immediately, on April 5th, answering the challenges raised in Stan's letter to the Hokianga Accord (Appendix Seven). In keeping with the Accord's policy of openness and transparency the hui was recorded on video.

Sonny Tau

Chairman, Hokianga Accord and Ngapuhi

Sonny extended a warm welcome to the Pakeha recreational fishing representatives at the hui. The term Pakeha was used in terms of all non-Maori present and was not meant to be a derogatory phrase. The Hokianga Accord was grateful the Ministry of Fisheries had made an effort to attend and contribute to the discussions.

The hui was advised that two television crews were present to record the meeting, Maori Television and TVNZ. Both are making documentaries on how Maori and Pakeha are working together on fisheries management issues and the involvement of Ministry in these discussions. Also recording the hui was Steve Sangster, on behalf of the Hokianga Accord, for reporting and future reference requirements.

Ngapuhi's position was clearly stated when Sonny explained,

“80% of Ngapuhi's income comes from the sea, through our fisheries asset. 100% of the time that Ngapuhi go fishing to feed our babies and continue to feed our whanau, we look to the sea. So it is natural that we spend much time getting this thing right, with the Ministry of Fisheries help of course, to make sure the sea continues to feed us into the future”.

It made little sense to have iwi Forums discussing the same issues as the regional recreational fishing forums and Sonny suggested to the hui that all those involved in the regional and Ministerial forums should be urging the Ministry to have only one Forum, in the mid north region. Not segregated as per the Ministry agenda. This is acknowledgement that 99.99% of the time that Maori fish they are regarded as recreational fishers. *“We need to be sitting in the same room, talking about the same things, sustainability of the resource is the korero.”*

After a round up of the issues from Sonny, Mark Edwards was invited to present the MFish deputy CEO, Stan Crother's response to the proposed Hokianga Accord structure (Appendix Eight).

Engagement with MFish

Mark Edwards, Fisheries Policy Manager, Ministry of Fisheries

Mark introduced each of the MFish team and gave a brief description of their role. A special mention was made of the Pou Hononga team present, Carl Ross, Graeme Morrell and George Riley, and the great job they were doing as relationship managers for the Ministry of Fisheries.

MFish had considered a range of options on how they might improve their engagement and meet their legislative obligations to Maori. MFish had promoted the formation of iwi forums around the country. The Ministry believed they were in a difficult position as they do not have a large number of staff, are not overly resourced and there were a very large number of iwi throughout the country.

“We needed a mechanism that allowed us to engage with Maori in an efficient manner, but in a meaningful manner, because we recognised that what you could call consultation to that date, largely paper-based with the odd meeting, was not meeting the obligations as we saw them.”

MFish realised Maori have extensive interest in fisheries, customary, recreational and substantial commercial interests. *“Our engagement response has been to encompass all of the fisheries management issues that concern Maori.”*

“This engagement to meet our obligations, our statutory obligations with Maori is different but linked to the concept of an MOU (Memorandum of Understanding). We need to have that engagement in any case.”

Government had clear guidelines as to what was required in an engagement that is designed to meet complex obligations, what is expected of Government departments, who they engaged with, their responsibilities and what they were trying to achieve. The MOU and Cabinet guidelines helped this process. Any MOU the Forum signed would be a formal agreement between the Government and Maori.

Mark agreed with Sonny’s point about the Ministry engaging with a range of stakeholders who were involved in fisheries management, in the same forums, to reach a common understanding on what the goals were, a common information base, to develop shared objectives and to discuss any “trade-offs” that needed to take place when different interests were involved.

Ministry viewed Fisheries Plans as the way to fulfil the need for sustainable fisheries management and engaging all stakeholders in one Forum. Fisheries Plans are included in the MFish Statement of Intent.

“An important part of those is that we have all of the concerned stakeholders in the same place discussing the constraints, the objectives, the information we have and trying to agree, if possible, or have decisions made, but in an informed way that has involved all relevant parties to achieve the fisheries management objectives that Sonny referred to. Ultimately, the sustainability of our resources but importantly provide for the utilisation of all different sorts.”

Mark believed the Hokianga Accord’s fisheries management goal was the same as the Ministry’s goal. The Accord’s goal is:

“More fish in the water”
“Kia maha atu nga ika i roto te wai”

Ngati Wai Involvement

Himiona Munroe, Trust Board member, Ngati Wai

Ngati Wai acknowledged the relationship they have with Ngapuhi. They appreciated the opportunity to listen to the korero, gain an understanding of what was happening but had not come to the hui to give a position.

Himiona accepted that they still had some work to do to bring all of Ngati Wai together and advised MFish they had not reached total agreement yet. Ngati Wai do not believe they have a good relationship with the Ministry of Fisheries but acknowledged the work of the Pou Hononga and the MFish staff they had dealt with.

Eel (Tuna) Management

Hirini Henare, Ngapuhi

The sustainable management of eel (tuna) in inland areas was one of the first subjects raised at the hui. Ministry's interpretation of sustainability and changes to the regulations had non-commercial fishermen limited to taking six eels per day. In contrast, commercial fishers were permitted to set as many nets as they could in the same rivers the locals gathered their daily sustenance from. If the Ministry were intent on establishing one Forum to discuss sustainability then eel management discussions must be part of the wider Forum issues.

Sonny endorsed this sentiment and agreed those discussions were relevant to this Forum.

Mark Edwards

Fisheries Policy Manager, Ministry of Fisheries

MFish had different and very specific obligations to Maori as opposed to other stakeholders. Section 12 of the Fisheries Act 1996 clearly spelt out that the Ministry must not only have consultation with Maori but also provide for the input and participation of Maori in fisheries management.

In respect of getting all stakeholders together in the same Forum, he agreed. *"We are interested in progressing fisheries plans."*

Jonathan Peacey was at the hui to discuss Fisheries Plans and what fisheries they would cover.

The Ministry had moved into a different management regime for eels. There was now a constraint on total take of eels to ensure sustainability. Eel management was not as straightforward as other species, as they had licences and characteristics that meant output controls didn't work. Within the system the Fisheries Act provided for allocations to be made to different sectors. Commercial fishers had been allocated a quota.

“The recreational allowance or allocation is a quantification. The way the Crown manages that is generally by setting controls, the most important of which is the bag limit. And that’s the six that applies to, I assume it applies to, your take of eels under the recreational limit.”

“Of course, as Maori, there are other options that are available as a result of the Settlement in terms of the customary regulations, and the ability to authorise greater levels of take. Customary regulations exist in freshwater in the South Island but not, as yet, in the North Island. That is something that is subject to ongoing discussion with the Crown.”

Concerns about MFish Processes

Regional Forums

Jeff Romeril, President, NZ Big Game Fishing Council

The NZBGFC were pleased to hear Mark endorse the Hokianga Accord’s view of greater amalgamation of the regional forums. From the Council’s perspective there seemed to be some mistrust of the current regional recreational fishing forums structure. While they were viewed as an attempt to get feedback from the community, the Ministry of Fisheries were leading most of the forums.

The Ministry had invited well-intentioned people onto those forums but many were not as knowledgeable as they could be on matters affecting recreational fishers. Forum members were taking advice from MFish personnel, who they perceived were offering rational options, with some very important management options being omitted from that advice.

Part of the mistrust stemmed from feedback received from some Council members who had participated in various regional recreational forums. The recording of some of the Forum meetings was less than desirable; the records were taken by MFish staff and were not minutes, purely notes that were circulated. There was an issue of transparency and recording, which left the process and meetings open to criticism.

There was an imbalance of information and the knowledge base of some of the participants in the forums was lacking.

Jodi Mantle

Northern Inshore team Manager, Ministry of Fisheries

Minutes had been taken at the Forum meetings Jodi had been involved in. The draft minutes had been distributed amongst Forum members for comment and verified as being correct at the next meeting of the group. Problems with the new internet site had caused delays in having the Forum meetings minutes posted online. Jodi believed MFish processes were transparent in the forums that she had dealt with.

Public Awareness

Judah Heihei, Ngapuhi Trust Board member and Bay of Islands kaitiaki

Judah explained to the Ministry representatives the frustration felt by his hapu when they had tried to establish a mataitai in the Bay of Islands area. He did not consider MFish had been helpful with the attempted implementation of the Marangai Taiamai management plan. The Ministry had left Maori to face public opposition on its own, without any assistance in public education or awareness.

It also seemed the Ministry of Fisheries were doing their best to prevent the Hokianga Accord from succeeding and having recreational Pakeha and Maori fishers working together for sustainability of the resource. He felt they had received more information from the recreational fishing sector than from their own Treaty partner, the Crown.

“Please help us so we can help you. But if you continue to go down the track you are going there is no future for all of us.”

Mark Edwards

Fisheries Policy Manager, Ministry of Fisheries

Mark acknowledged Judah’s korero and recognised his frustration at being let down by the system. MFish acknowledged the need for more education of the public regarding fisheries issues, management and also the Crown’s obligations to Maori. There was a lot of misunderstanding and suspicion about mataitai and Maori customary tools and the Ministry accepted they needed to try and address that lack of understanding, *“so the tools can be used constructively, as they were intended”*.

When asked directly about when MFish would be providing the Marangai Taiamai management committee with funding for public awareness Mark responded, *“In the first instance that would be our [MFish] role, we don’t expect you to take that on”*.

Ministry were encouraged to give the funding to the Hokianga Accord so the Forum could complete the public education role. The presence of many of the Bay of Islands recreational fishing representatives at the hui was an encouraging start to try and get the message out to the wider Bay community.

Scott Macindoe

option4

Recreational fishing representatives acknowledged tangata whenua and other iwi at the hui and their acceptance that the Pakeha representatives present could add value to the discussions. Pakeha had learnt a great deal since working with the Hokianga Accord and tangata whenua. It was now the job of those representatives to share that understanding with the wider community.

Many of the fishing representatives did not believe the Ministry had the capacity or capability to educate the public about customary management tools. Past fisheries

management decisions were evidence of how poorly MFish conducted this factor of their business.

Part of the learning had been in relation to how little legislative support there is, aside from section 21, for recreational fishers, and how much statutory support there is regarding the Crown's obligations to tangata whenua. How that message is portrayed to the public had yet to be determined.

Scott empathised with Judah and his Marangai Taiamai management team. It was almost the "*shifting goalposts*" syndrome.

Public awareness is the key. Ministry had made no effort to educate the public regarding alternative management tools, including customary. The hui participants were the conduits for this message and MFish were asked to empower the Forum so that everyone could go out to their communities and educate people on the fisheries management tools available and alternatives to marine reserves.

Recreational Fishing Forums

The Ministry, through the establishment of the politically appointed Ministerial and regional recreational fishing forums, had treated people who had worked voluntarily for decades to secure a better fishing future with maximum disrespect.

The establishment of those forums did not take into account the NZ Recreational Fishing Council, whose executive and membership had tried for many years to represent the public. Keith Ingram, John Hough (deceased), Ross Gildon and Bob Burstall were acknowledged.

The NZ Big Game Fishing Council and their executive including John Chibnall, Jeff Romeril and Richard Baker had also done their best. Ministry had ignored that effort, to their shame.

Fisheries Management

John Holdsworth, Fisheries scientist, NZ Big Game Fishing Council

The Hokianga Accord worked well because Maori and Pakeha had similar interests in non-commercial fisheries, not necessarily customary and recreational separately.

Many of the concerns expressed at the hui related to fisheries management on a scale that was too large to address local concerns. There had been talk of localised depletion in the Bay of Islands, Te Puna inlet and local rivers. The Snapper 1 (SNA1) management area includes the marine area from North Cape to Cape Runaway on the East Coast. This large-scale management was not delivering good outcomes for some of the people at the hui.

The following questions were put to the Ministry team -

1. Is the Ministry committed to dealing with localised depletion issues?
2. How do MFish propose to deal with these issues?
3. How are the Ministry going to resource outcomes to better provide for people's non-commercial fishing interests?
4. Regarding commercial fishers and Ministry engagement with them, what was the nature of their engagement?
5. Is there a northern regional fishers association that the Hokianga Accord could be dealing with, or are the organisations more nationally based?

The Ministry team were advised that they were more likely to get buy-in from the public when their processes started delivering results for the people, instead of more meetings.

Mark Edwards

Fisheries Policy Manager, Ministry of Fisheries

MFish considered the Shared Fisheries Policy Development process currently underway would address local issues. Ministry had identified that managing some fisheries at the Quota Management Area level was not sufficient to provide for people's needs. There were some mechanisms provided for in the Fisheries Act 1996, and some of which related specifically to providing obligations to Maori - spatial tools and also section 311, which provided for the exclusion of commercial methods from particular areas.

Currently MFish were dealing with national commercial fishers organisations but there was some work underway to form commercial stakeholder organisations (CSO's) that would represent quota holders in a particular area. There are no associations that were comparable to the scale of the regional recreational fishing forums.

Crown's Obligations

Larry Baldock, United Future Party Representative

This was Larry's third attendance at a Hokianga Accord hui and he was stunned by the Ministry's comments. MFish explained their obligation to consult with Maori and yet the first principle of consultation was listening to what the other party had to say. More so since Maori were a Treaty partner and the Crown had a statutory obligation to do more than just listen.

"There are many of us who believe the Treaty was about a marriage not a partnership. It's meant to be so much more exciting than a cold hard contract. But the Crown fails to understand that, often. And it's being replicated here.

"Those of us who have been coming on this journey to the Hokianga Accord have actually started to fall in love with tangata whenua. It's actually really exciting. The people who used to say, 'bloody Maoris' are now saying, they're out mates. We are

actually really excited about what they are about because it's actually what we are about too. And yet the Ministry come in and listen to the leaders of this Hokianga Accord, tangata whenua, and they are saying we want to consult with our manuhiri as well, and the Crown is saying no.

"Did I hear you right? You will not sign an MOU that includes Pakeha? I just cannot fathom that. It's going to do your job for you.

"Are you saying that you will not let tangata whenua, who you are statutorily obliged to communicate with, tell you how they want that communication to take place? Because if you are saying that I think you are missing something really important."

Mark Edwards

Fisheries Policy Manager, Ministry of Fisheries

"I think I understand what you are asking. But I think you are misinterpreting what I am saying.

"What we are saying is, we have different sorts of obligations set out in the Fisheries Act. And a range of processes by which we try and keep things. We are discussing a mixture here, by default, of the audience and the context.

"We have been talking Ngapuhi principally, but we would like to expand that to the other hapu in the mid-north about an engagement to effect our obligations to tangata whenua and separately but in a related way, of this idea of an MOU which there is this Government approved framework for engaging.

"The situation has got more complex because Ngapuhi have invited recreational fishers to be part of the Forum. We've acknowledged throughout this process that of course that's their prerogative to do that. Certainly we can't prevent it nor should we necessarily wish to prevent it. But to the extent we are going to use those Government guidelines about MOU with Maori to have a formal agreement that's the process by which we will use.

"We also have an ongoing intent, consistent with what we are doing across the country, to meet our specific and different obligations to tangata whenua through the regional Forum, to progress that model....that doesn't discount future models. Our future model for achieving even wider discussion with everybody who's concerned about fisheries management through Fisheries Plans."

Hokianga Accord Status

Sonny Tau, Chairman, Ngapuhi

There seemed to be some confusion surrounding the status of the Hokianga Accord so the Ministry were asked a series of questions to provide some clarification of the Ministry's view of the Forum. Mark Edwards responded, as noted in italics below the questions.

1. Will MFish continue to engage, including assist in paying for hui for this Forum?

“Will you continue to assist with a Forum with the mid north iwi to meet our obligations to tangata whenua? Yes, that is our intention and that is the model we are using throughout the country.”

2. Can all the issues pertaining to your obligation to tangata whenua and recreational fishers generally, be discussed at this Forum? Or is there some secret where we need to separate them for certain portions?

“Will you discuss all fisheries management issues at the Forum? Yes we will. That is our intent as I explained earlier...our intent is to use this as a platform to allow tangata whenua to engage with Ministry processes quite wide.”

3. Can Ngapuhi, Ngati Wai and Ngati Whatua invite who they want, as manuhiri, to this Forum?

“Can you invite who you want on your marae? I think the answer is, of course.”

4. Is the name Hokianga Accord legislatively wrong therefore you can't make an MOU with that? If so, we will change it.

“Is your name legislatively wrong? No, there is absolutely no legislation that prescribes what we can call this particular Forum. The only point is from the Ministry's perspective, we need to make sure that it does a good job trying to meet our obligations for engagement with tangata whenua.”

Mark continued,

“Going back to your first question, does this meet the test of an iwi Forum? It's a good start. To explain, some of the things that we think that would make it into an iwi Forum that we envisaged. We would like there to be satisfaction for the iwi and hapu of what we call the mid north, Ngapuhi, Ngati Wai, Ngati Whatua, and the hapu Ngati Hine, Te Uri O Hau, Te Roroa are all engaged and happy that their needs are being met for engagement. If everyone is here then we are well on the way.

“There are other things that are relevant. I think the Ministry considers that these forums are at a pretty early stage of development. For example, lots of people in the audience have expressed dissatisfaction about the level of information that's

available. You have certainly expressed views about, concerns you have about the state of the fisheries and your ability to discuss and influence those decisions.

“I don’t think where we are currently meets anyone’s test for satisfaction with the current arrangements.”

Sonny reiterated it would be ideal if the Hokianga Accord became the mid-north recreational and Maori Forum that dealt with all issues that were important to both recreational and customary fishers.

Jonathan Peacey

Fisheries Operations National Manager, Ministry of Fisheries

Jonathan appreciated the warm welcome to the marae and wanted to make some comment on the previous discussions. He believes that everyone had to work within constraints, even the hui participants with a mandate to speak had limitations on that mandate.

As servants of the Crown the Ministry of Fisheries and their staff worked within constraints and guidelines such as:

- Certain requirements need to be met before an MOU can be signed with a Crown agency
- The Fisheries Act regulations
- Deed of Settlement agreements
- Funding targeted for specific things had to be used in a certain way

“What you are hearing from Mark, what you are seeing and will see in the correspondence between the chairman [of the Forum, Sonny] and Stan Crothers tends to work through how we can work within those constraints to achieve what we want to achieve. Yes we agree we need to bring people together to work together, we want that to occur. It has to occur at the moment within the constraints we have.

“Please appreciate that it is not a lack of goodwill in wanting to work together. Simply that we have constraints we have to work within.”

Public Awareness

Jonathan did not accept the previous assertion that the Ministry of Fisheries had done nothing to educate the public regarding mataitai. The Ministry had spent some time explaining customary tools to the public. The following week many South Island Ministry staff would be involved in “difficult” meetings that would require in-depth explanations about customary tools. While the Ministry accepted they could have done better than they had, they were trying to fulfil their education role.

Bruce Galloway***Guardians of Mimiwhangata***

This was Bruce's third time to the Hokianga Accord hui and he was very pleased to be participating in the discussions. Much of the previous discussion had focussed on *"matters of form and not substance. The substance is the provision of input and participation and getting on with the job, sustainability and getting more fish in the water"*.

The real question for the Ministry of Fisheries was, when was the provision for input and participation going to start?

Mark Edwards***Fisheries Policy Manager, Ministry of Fisheries***

The Ministry recognised the need to better provide for the input and participation of tangata whenua, hence the process that had led to the iwi Forum initiative and other measures being offered through the Customary Relationship Unit (CRU), Te Tari o te Kahui Pou Hononga. The Ministry were working hard to develop more face-to-face relationships in consultation through the iwi forums rather than relying on the paper-based consultation processes of the past.

Jonathan Peacey***Fisheries Operations National Manager, Ministry of Fisheries***

It was clearly the view of the hui that there were not enough fish in the water. Jodi's inshore team and the Ministry's science group were working hard to address that. The Ministry had been left in no doubt there was increasing dissatisfaction about current biomass levels. There had also been plenty of debate about what level fisheries should be managed at.

Once again reference was made to Fisheries Plans and the ability of that process to deliver the outcomes that stakeholders wanted.

Paul Haddon***Trust Board member, Ngapuhi***

There was frustration at Ministry's inability to provide direct answers to questions that were being asked. The Hokianga Accord had agreed to put forward a draft new model of Hokianga Accord structure. The "short line-out" hui had given this draft to MFish in December 2005 for feedback (Appendix Eight). No direct feedback on that structure had been received from Ministry.

Mark Edwards produced a copy of the draft model and explained the different components to the hui. When it was explained to Mark that the costs of consultants and invoices would not be borne by the Ministry his immediate response was, *"on the basis of that we don't appear to have a problem with this diagram [draft structure]"*.

Shared Fisheries Policy

Mark Edwards, Fisheries Policy Manager, Ministry of Fisheries

Since the December hui the Ministry had released the advice paper given to the Minister regarding the Shared Fisheries Policy Development process. This document was made available at the beginning of Mark's address to the hui. Insufficient copies of that advice were provided to the hui and the Ministry were reminded to bring at least 100 copies of any documentation to the next hui.

The full 19 page advice paper given to the Minister is available online at http://option4.co.nz/Fisheries_Mgmt/documents/shared-fisheries-policyadvice.pdf
A three-page summary was also presented to the hui (Appendix Nine).

The Minister had agreed to the scope and objectives of the process and it was now the Ministry's job to engage with stakeholders at the initial phase of the project. The Ministry had already discussed the project with a range of stakeholders, some of whom were present at the hui. Mark explained the process so everyone would have an understanding.

The initial phase of the Shared Fisheries Policy project was not a stage the Ministry always conducted. MFish were looking for stakeholders to identify the nature of the issues they had regarding allocation of shared fisheries and mechanisms they considered would address those issues. Meetings had been held with commercial fishers, the Bay of Plenty iwi Forum earlier in the week, three regional recreational fishing forums and other representatives before the hui.

The Ministry had completed around two-thirds of the work required to complete the first phase of the process. MFish believed they had taken care not to impose their ideas on the process, as they did not want to preclude any options that may resolve the issues presented.

In the next phase of the project the Ministry of Fisheries would provide the Minister with a range of options that he would need to discuss with his Government colleagues. Following that, the agreed options would be put out for wider consultation with stakeholders and the public, after July this year.

Beyond that extensive consultation process there would be an analysis of submissions and advice given to Government. The Government would make a decision on how they wanted to proceed, based on the input received.

"In our view, this is part of the view we are being transparent about is that we are unlikely to resolve these problems without legislative amendment, particularly to section 21 [of the Fisheries Act 1996] and in respect of some other elements that I will mention in the presentation."

Some elements of the process:

- The brief provided to the Minister in December 2005 contains –
 - Background information
 - Problem description
 - Key challenges
 - Suggestions to achieve the objectives
 - Discussion about scope of the project.

Mark then elaborated on the scope of the options provided to the Minister.

The Ministry wanted to engage with the Hokianga Accord and get people's views on the issues that needed to be resolved and options to resolve them.

The Shared Fisheries Policy initiative would build on previous reform processes such as *Soundings* (2000), the Ministerial Consultative Group (2001) and the Reference Group (2003).

The Ministry of Fisheries wanted to improve the capacity of non-commercial stakeholders to have input into the process and more discussion was required on how that would be achieved. *“We want, desire, a lot more engagement by iwi and hapu in fisheries management.”*

The constraints contained in the Cabinet Paper following the Ministerial Consultative Group process in 2001, still applied to this Shared Fisheries Policy Development process. A copy of the Cabinet Paper had been included in the December advice paper to the Minister.

option4's Involvement

Paul Barnes, option4

option4 had met with the Ministry three times to discuss the allocation issue. The first meeting with Robin Connor, the Ministry's senior policy advisor, was held on 21st February 2006. Robin is tasked with writing the draft policy paper for public consultation later in the year.

The February meeting was more of an introductory meeting that opened the lines of communication but essentially had no tangible outcome. A report of that meeting is online at http://option4.co.nz/Fisheries_Mgmt/sfsr206.htm

option4 gained the impression from Robin that the Ministry do have a preference for a proportional allocation system for shared fisheries, with some criteria surrounding it. Although Mark Edwards disagreed with this assessment later in the hui.

Proportional Allocation

Proportional allocation means that all sectors - commercial, recreational and customary would have a clearly defined share of the fishery. If the fishery yield

improved all sectors would get a gain; if the fishery yield decreased all sectors would have a catch reduction. This allocation process would be conditioned by the constraints mentioned in the Cabinet Paper referred to by Mark, including provision for adjustments due to population increases (or decreases) in the recreational and customary sectors.

Problems could arise when the proposal went through the Select Committee process, on the way to legislative change. The danger lies in the criteria being removed leaving the non-commercial sector with only the baseline proportional allocation model of allocating shared fisheries.

The last time proportional allocation was proposed, in *Soundings*, option4 decided the risks of accepting this allocation model far outweighed the benefits.

option4 believe the current legislation had not been fully explored and this was one of the main reasons they had supported the Kahawai Legal Challenge. “*So that we can better understand what rights we have now, before we allow for any change to legislation*”.

The Maori population of recreational fishers is growing faster than any other sector. It would be Maori children who would be most affected if the project had an adverse outcome for recreational fishers.

This proposal is very similar to the *Soundings* paper released in the year 2000 <http://option4.co.nz/option4/soundings.htm>. option4 were hoping the next meeting with Robin would reveal alternative options other than those that had already been debated since *Soundings*.

option4 and the Ministry had already agreed that they would work through the proportional allocation document³ presented at the last Hokianga Accord hui. The document details a list of serious issues with proportional allocation that need to be addressed before this system would be acceptable to non-commercial fishers. One of those issues is double jeopardy.

Double Jeopardy

Previous proportional allocation decisions in shared fisheries had left non-commercial fishers vulnerable to a double jeopardy situation. The most recent example of this was the snapper 8 (SNA8) decision for the west coast snapper stock.

The snapper fishery had declined through commercial overfishing. Commercial fishers continued to maintain their catch through increased effort and using more efficient methods. On the other hand, customary and recreational catch had reduced due to the lower biomass, as there were less fish in the water available to be caught.

³ http://option4.co.nz/Fisheries_Mgmt/proportions.htm

When it came to decision time, the reduction in snapper catch for non-commercial fishers was not taken into account. Neither were the conservation efforts of recreational fishers. Previous agreements to reduce bag limits, increase minimum size limits and reduce the number of hooks on longlines were not accounted for when the Minister decided to reduce all sectors' catch by the same proportion, in August 2005.

If recreational fishers accepted any proportional allocation system without criteria non-commercial fishing, both customary and recreational, would become subservient to the Quota Management System. This situation would not deliver the outcomes that non-commercial fishers were seeking.

Participation

It was very important recreational fishers agreed on the desired outcome from the Shared Fisheries Policy Development process. option4 welcomed the input of tangata whenua and the Hokianga Accord into the process.

option4 had recently written to the Hokianga Accord, the NZ Big Game Fishing Council and the NZ Recreational Fishing Council suggesting all groups should work together on the project. If all the groups were working together there would be less likelihood the Ministry could take parts of each group's different ideas and produce an outcome that did not meet anyone's requirements.

It was critical non-commercial fishers were united as the process developed. If there was no agreement then these groups needed to identify where the differences were and examine whether there was a way those differences could be resolved.

To assist in the consultation process option4 had undertaken to video the meetings attended so that they could be converted to a DVD and made available to anyone who wanted to view it. This was the most viable way the option4 team could communicate with as many people as possible, in the time available to discuss the project. Feedback and any questions were welcome.

Second Meeting with Officials

The next meeting to discuss the project was with Stan Crothers (deputy CEO) and John Glaister, CEO of the Ministry of Fisheries. Representatives of option4, the NZ Big Game Fishing Council and the NZ Recreational Fishing Council attended the meeting held on March 8th. It was very short, too many people were involved and therefore the meeting never managed to discuss the finer details of the process that needed to be thoroughly thrashed out.

However, there were two very important outcomes of that meeting:

1. Stan Crothers agreed the Ministry would work through the policy aspects of the proportional allocation document.
2. John Glaister agreed to do a stocktake/case study scenario on several important shared fisheries to explore how past management decisions had influenced the current status of those fisheries. Mark Edwards disagreed with this assessment later in the hui.

This approach would allow the commercial industry to see the downside to a proportional approach as well as any benefits. Snapper 2 (SNA2) was a good example of why proportional allocation would not have benefited the commercial sector compared to their current allocation. Crayfish and paua were other examples.

It would also allow non-commercial fishers to do the same.

option4's intention was to continue to engage with Stan and the Ministry on the issues raised in the proportional allocation document and the stocktake. Those meetings would need to be kept small to be effective. option4 would be recording those meetings.

Third Meeting

On March 17th Paul Barnes and Trish Rea of option4 met with Lindie Nelson and Robin Connor from the Ministry's policy team and Arthur Hore, an analyst from Auckland MFish. Kim Walshe was also at this meeting.

It was a very interesting session that compared the proportional allocation system to the option4 principles⁴. One outstanding issue is that there are currently no incentives for either commercial or non-commercial fishers to conserve in shared fisheries. Those at the meeting discussed the conservation objectives that the Ministry were trying to achieve. Those objectives would be more achievable under a non-proportional approach to allocation than through their 'preferred policy' of proportional allocation.

Fisheries Plans

The main questions regarding fisheries plans were:

1. Should they be joint plans between commercial and non-commercial fishers, where the gain or pain is shared proportionally, regardless of who had created the need for reductions or who had conserved?
2. Are single sector plans in a non-proportional system better, where those who conserve are rewarded and those who have wasted are punished?

Not surprisingly, the conclusion was, if you had a system that was fair - where the sector that had conserved was recognised for that effort and those who had squandered fish were punished, it would create incentives for people to conserve fish.

The meeting also discussed a 'land all fish' policy for commercial fishers. This is where there would be no minimum legal size limit and all fish caught would have to be landed. That would create an incentive for commercial fishers to avoid areas that had high numbers of small fish because small fish are worth less than larger fish. Also, the fish that were wasted would be taken off their quota. Compliance through

⁴ http://option4.co.nz/Fisheries_Mgmt/fmmrec505.htm#princ

aerial surveillance would be made simpler as the dumping of unwanted fish over the side of the boat would be easier to detect.

The meeting agreed that this concept had merit although the public may have other levels of acceptability. Having very small fish for sale in shops would be unacceptable to some people.

If it was possible for commercial fishers to apply the 'land all fish' policy and target larger fish the recreational sector is likely to agree to allocate more quota to the fishing industry, in recognition of their conservation effort. Estimation could be made of the amount of fish that would be conserved. Half that amount could be given to commercial fishers as extra quota. The other half could be left in the water to grow. Everyone would win under this scenario.

The fishing industry were not likely support such a policy if they thought the non-commercial sector would be rewarded with an increase in their allowance. Similarly, the recreational sector were not likely to agree to increase size limits and using larger hooks to avoid wastage if they thought commercial would receive an increase in quota through their conservation effort.

Cooperative fisheries plans provide all sectors the least incentives to conserve. Single sector plans created the most incentives.

There are existing examples of single sector plans including one that applies to a shark fishery on the east coast of the South Island. Commercial fishers are likely to adhere to their own plan, as they would benefit from any gains in productivity. option4 understand the plan still needs to go through the Ministry process, be consulted on and gazetted.

Once a plan is gazetted the Minister has to take that into account when making management decision. This is another benefit to be derived from having a plan in place.

The planning mechanism already exists in legislation in section 11A of the Fisheries Act 1996. It was important the non-commercial sector considered planning for the future.

If a baseline proportional allocation system was introduced there would be no incentives for the non-commercial sector to introduce fisheries plans, as the gains would not accrue to the non-commercial sector alone.

There was no disagreement from those involved at the meeting that joint fisheries plans lacked incentives to conserve by the individual sectors and single sector plans generated incentives to conserve.

To achieve more fish in the water there were two options:

- Take fish off all sectors to reduce catch levels
- Give sectors the opportunity to implement a strategy that will allow planning for the future.

Recommendation

The recommendation was to use single sector plans to achieve the outcomes that non-commercial fishers wanted for their fisheries. These plans would not be achievable under a proportional allocation system.

Input Controls

Under the current system the Ministry of Fisheries seemed to be concentrating more on counting fish rather than managing the fisheries. In the meeting with Lindie, Robin and Arthur recreational representatives discussed past active management by the Ministry and why there seemed to be less emphasis on that aspect nowadays.

Controls such as increasing mesh sizes or the type of nets used to avoid juvenile mortality (the killing of undersized fish), changing hook sizes, design and other gear limitations seemed to have been left to the users to decide. The outcome of this strategy was that there had been very little change in technology used by the commercial sector since the introduction of the Quota Management System in 1986.

As the Shared Fisheries Policy process develops option4 would support more active management by the Ministry. Encouraging, although not overwhelming support was received from the Ministry on this point. MFish did indicate they were not averse to input controls.

Having Ministry actively applying input controls and sectors being able to implement single sector plans would go a long way to achieving the goal of the Hokianga Accord of “*more fish in the water*”.

Area Right

Previous hui discussions had focussed on the limitations of how much area could be dedicated to taiapure, mataitai, marine reserves and other marine uses. Under current legislation the total area set aside for these uses cannot prevent a commercial fisher from taking his quota within a Quota Management Area (QMA). The Ministry use a test to measure the adverse affect on commercial fishers to achieve their catch entitlement, when deciding whether to approve these area tools.

An area right that did not interfere with a commercial fishers ability to land his quota is required. During the third meeting with MFish the blue cod 7 fishery (BCO7) was discussed. This is a fishery with similar issues to the Kaipara fishery –

- The recreational fishery is concentrated in a small area, i.e. the Marlborough Sounds
- The area is depleted and has been for a very long time

- The recreational sector requested commercial quota cuts
- The Ministry's stance was there was no sustainability issue for BCO7, there was plenty of blue cod in the whole Quota Management Area (QMA)
- The depletion was localised due to heavy fishing pressure in the Sounds

A way to resolve this would be through the implementation of an area right that would only ban commercial fishing for blue cod, in the Sounds. That would allow several things:

1. Commercial fishing for other species could continue within the Sounds.
2. Commercial fishing could continue for blue cod to allow for the catch of quota, outside the Sounds.
3. The onus would go on the recreational sector to manage the fishing effort within the Sounds to achieve a rebuild of the blue cod stock.

The impression gathered from Ministry personnel at the meeting was that this would be a feasible approach to management. Work needs to continue to develop this concept.

The commercial sector had already exercised its ability to implement area rights, in the orange roughy fishery. The eight QMA's have been subdivided into seventeen smaller management areas with limitations on how much fish could be taken out of each area, at different times. This type of agreement can be achieved through the agreement of 75% of quota holders of that stock.

One of the criteria option4 has stipulated in the proportional allocation document is that all stakeholders should have equally strong rights.

In the case of the Kaipara Harbour recreational fishers could determine the level of agreement from the recreational sector for subdividing the Kaipara; if there was sufficient support they could -

- a. Advise the Ministry recreational fishers want to exercise their right to divide the Kaipara into smaller areas, for important species such as grey mullet and flounder.
- b. Commercial fishing could be banned for these particular species in the area.
- c. Commercial take of these species could continue in other areas within the whole QMA.
- d. This would allow the continuation of commercial fishing for other species within the Harbour.

Recreational fishers needed tools that would address the issues in shared fisheries. Allocation alone is not going to resolve all the outstanding grievances regarding access to important fisheries. Tangata whenua and Pakeha need to be aware the issues are a lot more complex than what the Ministry are sometimes portraying.

Recommendation

The analysis of the proportional allocation document must be completed with the Ministry, to ensure that any initial allocation of shared fisheries is fair, regardless of the outcome of the Shared Fisheries Policy process.

Work also needs to continue on the stocktake document. This would provide the case studies to enable the implications of different allocation models to be measured.

It would be unwise to continue with the Shared Fisheries Policy without completing both of these tasks.

Conclusion

option4 encourage the involvement of tangata whenua and the Hokianga Accord in this process. The invitation has been extended to tangata whenua and other representatives to work together on this project. The dangers of not asking for the same outcome leaves all non-commercial fishers vulnerable to receiving less than what is desired from the Shared Fisheries Policy process.

The Select Committee process opens the door for serious erosion of what recreational fishers would be seeking from this project.

The Ministry, through the Shared Fisheries Policy process, are trying to determine how to allocate to recreational fishers without the benefit of the High Court's decision on the strength of the current right to fish.

All recreational fishers need to understand what rights exist now before agreeing to any change. The Kahawai Legal Challenge is an opportunity to test the strength of that right.

Question and Answer Session

The following are statements made during the hui and also direct transcripts of the questions and answers put to the Ministry, including their response.

Sonny Tau, Ngapuhi

Q. "Why haven't you [the Ministry] spoken to us about this [Shared Fisheries Policy]? This is the first we have heard about it. Why haven't iwi been involved in this round of talks?"

Tangata whenua representatives including Ngapuhi, Ngati Wai and Ngati Whatua confirmed they had not been approached about this project.

Mark Edwards, Ministry of Fisheries

A. "Because of the nature of the process and the timeframes we are trying to meet to have legislation enacted by 2008, which is the goal the Minister wants us to work to, this initial stage of the process of talking with people about issues and

options is taking place and started in February and it's still going now. This happens to be the first time within that timeframe we've had the Forum."

From Tom Moana, Tainui

Q. "Why is the Ministry not working on a meaningful shared fishery like Snapper 8 when developing "proof of concept" fisheries plans, when at the same time you are working on the Shared Fisheries Allocation project?"

Jonathan Peacey, MFish

A. "We have to learn to walk before we run. We picked three fisheries that were relatively straightforward, Southern Blue Whiting, Foveaux Strait Oyster fishery and Coromandel Scallop fishery. They are all probably smaller than what in the longer term we want to deal with, and they are relatively simple.

"We have a limited timeframe and this is a learning experience, we are trying to learn from it. So, we look forward to working on snapper 8 once we have got a few of the skills that these fisheries come across. Two out of the three fisheries we are talking about are shared fisheries. The Foveaux Strait oyster fishery and Coromandel scallops, they may be relatively simple but the different stakeholders are working together on them."

Scott Macindoe, option4

"We don't accept that answer as the Shared Fisheries Policy Development paper given to the Minister in December 2005 clearly identifies Fisheries Plans as the mechanism that will be used to address issues in shared fisheries.

"We Pakeha have been accused of getting in the way of customary forums. There is a great deal of suspicion within Maoridom of what our motivations are for being in a relationship with tangata whenua. We have nothing but respect for, and a growing understanding and awareness of the urgency for gazetting rohe moana and appointment of kaitiaki.

"What we are acutely conscious of is the fact that this Shared Fisheries allocation process is the war. And it's now. And it's finite. We will either win it or lose it. This most fundamental cutting of the cake between commercial and non-commercial interests is now. Our fear is that tangata whenua will wake up after the cut have occurred, having spent that time buried in customary spaces talking about customary things.

"So it's here and now, there is no question about the urgency."

Background

In order to ensure the hui clearly understood what the current debate was about Sonny briefly explained the Quota Management System (QMS).

The QMS was introduced to control commercial overfishing that had devastated fish stocks. As the stocks reduced commercial fishers started to focus on Maori customary and recreational harvest.

Sonny described proportional share, *“Instead of the fella that did all the damage fixing it up and him losing his lot, they have gone and jumped over the fence and said we will make these Maori and recreational fishers pay equally. In layman’s terms commercial [fishers] had caused the depletion. They introduced the QMS to curb that.”*

“It’s just like a fella robbing a bank. The other fellas that had nothing to do with it have to help to put the money back in the bank. That’s why I am so passionate about our ability to feed our children.”

Vern Tonks, Guardians of Mimiwhangata

“We should be fishing here for our whanau, for the kaupapa, that’s what its all about. Government is supposed to listen to us. So, kaitiakitanga is what is needed. The Hokianga Accord and other accords right throughout New Zealand need to go back to the Ministry and tell them this is what is needed.”

Jeff Romeril, President of the New Zealand Big Game Fishing Council

- Q. “How deeply ingrained is the proportional allocation doctrine within the Ministry? When did the Ministry adopt that doctrine and was there any consultation about it with the public?”

Mark Edwards, MFish

- A. “There were a number of elements in Paul’s presentation that misrepresented the situation and I disagree with but we can’t take the time to discuss all of those points, as it was quite a long presentation.

“If you listened to what I said at the beginning of the presentation about where the shared fisheries project is at, [I] didn’t mention proportionality once. I talked at a much higher level about how we design a system that deals with allocation under the TAC, spatial management situations, deals with the biomass levels at which we manage stocks and the relative benefit that gives to different sectors.

“Issues that this reform process is not based on proportionality. We are not promoting and I strongly suspect that Robin [Connor] has been misquoted. That’s not the situation we are in, we have a much more open agenda in this reform process in considering the options.

“There is one other point in Paul’s presentation I needed to respond to because it is not correct. I thought there had been some interchange on this, maybe I am wrong, but the idea that John and Stan had undertaken to do an intensive twenty-year stocktake, I happen to know that is something they have not agreed to. It is definitely not the case.

“In regards to Scott’s comments, the Ministry are looking to have a more certain allocation process. Currently there is huge uncertainty and all stakeholders seem to agree on that point. The Ministry acknowledge there are finer scale spatial management issues that are not being addressed through the current system, they are hoping this new process will identify was these issues can be addressed.

“The third and most major issue is, where do you set the TAC? We have section 13 [of the Fisheries Act 1996]. It is not, we would suggest, a good enough tool to allow the range of biomass levels that people want to manage fisheries at to achieve different objectives.

“All of those three reasons are reasons why we need this reform project, hopefully to be concluded, before we can really make a lot of progress in shared fisheries.”

John Chibnall, Bay of Islands NZBGFC representative

- Q. “What benefits can non-commercial fishers expect from this Shared Fisheries Policy Development process?”

Mark Edwards, MFish

- A. “I am a bit caught here, of course I could talk more specifically because the Ministry of Fisheries isn’t without ideas on how to resolve some of these issues but that’s not the point of our talk here today. And it’s something that concerns me quite a bit about the discussion today. We came here to hear the views of the iwi and hapu of the mid-north about what they saw as the issues, what they saw as the options and I haven’t heard too much of that.”

Mark explained the objectives of the Shared Fisheries Policy project as:

- a. Increase certainty in processes to set, adjust, and manage the allocation of the TAC to each sector;
- b. Ensure trade offs made between the values of different sectors are transparent and add overall value to the fishery; and
- c. Give each sector opportunities and incentives to invest in enhancing the value of their share of the fishery.

Paul Haddon, Ngapuhi

Paul expressed the frustration of many at the hui when he asked why the Ministry had not consulted with Ngapuhi previously on the Shared Fisheries Policy, particularly considering Ngapuhi’s interests in both commercial and non-commercial fishing. He did not believe the Ministry had been listening to the messages that Ngapuhi and the Hokianga Accord had clearly articulated since last year.

Mark Edwards, MFish

Mark assured the Hokianga Accord that this was not the only opportunity for the Accord or Ngapuhi to have input into the Shared Fisheries Policy project. The Ministry viewed the Hokianga Accord as the vehicle for MFish to talk with Ngapuhi and hapu from the mid-north in the process. *“This is very early days in the development of the policy and Ngapuhi and the Accord were welcome to have input at any stage.”*

Fiona Reihana Ruka, Ngapuhi

Fiona was at the hui to represent her non-commercial fishing whanau from Taheke, Hokianga. She and her whanau used to make regular trips to surfcast from Waimamaku beach. Over the past five years their catch had been reduced from around two dozen fish to one or two fish for a whole weekend’s fishing effort.

“What I am interested in, it appears that we are being asked to compromise our fishing by limiting us in favour of commercial fishing to enable them to catch more fish.”

- Q. “My question to you is, if you are making this proposal surely you have thought about it before you get input from us, how you are going to enforce, police and monitor this limitation on non-commercial fishing?”

Mark Edwards, MFish

Mark’s response initially focussed on customary fishing. When advised by both Fiona and Sonny that she was referring to non-commercial ‘recreational’ fishing, fishing for food, Mark went on to discuss depletion and access for recreational and customary fishers. After some time Mark was asked to clarify whether he was answering Fiona’s question.

- A. “As I have tried to explain earlier, the Ministry is in the business of fisheries management. We’ve got lots of ideas of different approaches that you could use to improve the situation in respect of shared fisheries and adjust the legislative framework. But it’s not the purpose of this meeting; we are not at that point at the moment deliberately, because to propose our ideas and solutions is inappropriate at this stage. We have tried to hear what other people’s issues are. There is plenty of time for us to put our ideas down.”

Tepania Kingi, Ngati Whatua

When compared to the global market our fish exports made very little contribution. Tepania suggested it was in the region of 0.5 to 1% of total global fisheries exports. With that in mind it seemed a better proposition to have New Zealand’s fisheries supply local needs before export orders are filled.

In reference to Mark’s point about Ministry wanting to speak with both iwi and hapu about the Shared Fisheries Policy project, Tepania assured the Ministry team that they

would need to consult with the Ngati Whatua iwi. If Ministry tried to deal with hapu alone they would be referred back to the iwi.

The ability of the hui to discuss details of the Ministry project was limited. Tepania suggested the 'short line-out' be tasked with dealing with the intricacies of the Ministry's proposal and formulating a response on behalf of the Hokianga Accord.

Paul Batten, Northern Regional Recreational Fishers Forum

- Q. "Last year in July, in Wellington, the then Minister of Fisheries, Mr. Benson-Pope, made a new policy statement, of managing shared fisheries above or for important shared fisheries, significantly above Bmsy. What is the status of this new policy? Is it still current? Is it going to be used for important shared fisheries?"

Mark Edwards, MFish

- A. "It's actually not an easy question to answer. You should be directing it to the Minister rather than the Ministry because you are talking about political party policy. But I believe it is written into Labour Party policy and therefore is their intent. However, as I explained before, being careful with my words, the ability to do that within the current Act framework, specifically section 13, is constrained. If you want to fully provide for that opportunity we suggest the legislation needs to be amended."

Bruce Galloway, Guardians of Mimiwhangata

- Q. "What specific sustainability measures can be taken to rebuild the fisheries in a particular area like the Hokianga Harbour? Larger mesh sizes, different trawler processes, and what constraints are there on the Ministry for introducing such measures immediately?"

Mark Edwards, MFish

- A. "In terms of the toolbox that's theoretically available, there are wide regulatory powers to introduce all sorts of measures and controls if that were to be the desired outcome. However, Paul is right in the way that he inferred that the Ministry has reservations about that.

"The concern that we have is that if we start introducing a suite of input controls that we will badly interfere with the best way the industry has to harvest fish. That's not to say we are not concerned about juvenile fish mortality and the implications of that for sustainability and the fact that mortality needs to be sheeted home to those who cause that mortality.

"The incentives are wrong. What we want to do is change the incentives so that they [commercial fishers] either avoid incidental mortality of juvenile fish or it counts against their entitlement so that they've got incentives to change their fishing practices. So that is a way we think we can deal with the

circumstances that you are talking about, at least in part, certainly not all of it.”

Larry Baldock, United Future Party

- Q. “Do you accept that the real pressure on the Ministry for the proportional allocation model is coming from the commercial sector, because it clearly isn’t coming from this [non-commercial] sector? In our opinion, it is the commercial sector that is driving this, would you confirm that’s where it comes from?”

Mark Edwards, MFish

- A. “Is the main pressure on us to consider proportionality from the commercial industry? I think you need to ask that question of the commercial industry. But there’s not much secret that their key concern, and its been in their submissions for more than a decade, and they took the Ministry to court over it in respect of snapper 1, is that they are concerned about what it termed ‘reallocation between sectors’.”

Larry Baldock, United Future Party

- Q. “And would you confirm today that it is off the table, which I think you said earlier? Would you repeat it again, that this current consultation round is not a means by just getting a variation of the proportional model into legislation?”

Mark Edwards, MFish

- A. “In terms of proportionality, the options that are being considered, at this stage of the process, is that the Ministry is definitely not promoting proportionality as some sort of ‘be all and end all’, the only option that we are considering. We are clearly, in our document, setting out, signalling, the willingness to consider, a wider range of options to address allocation of the TAC and spatial management tools and capacity among other things.”

Larry Baldock, United Future Party

- Q. “It was Labour Party policy to manage shared fisheries above or significantly above Bmsy, and they have become the Government, we would assume they have given some instructions to the Ministry in regards to their policy. Have you [the Ministry] had instructions that that is where you are now heading? In which case we will all be really thrilled that they are going to keep their promise. If you have had no instructions then you are right, we will need to ask the Minister but we would have assumed he would have said something to you.”

Mark Edwards, MFish

- A. “In terms of the answer to your last question, in a point in fact, as far as Jonathan and I know, we [the Ministry] have not received an explicit instruction recently on this.”

Himiona Munroe, Trust Board member, Ngati Wai

Ngati Wai has the largest percentage of marine reserves/protected areas within their rohe compared to anywhere else in the country. Ngati Wai object to the extinguishment of their customary rights within those areas. It now seemed that they were being asked to share their fish as well. MFish were left in no doubt that Ngati Wai would not hesitate to take the Minister of Fisheries to court to protect their access to fish.

Fisheries Plans

Jonathan Peacey, Fisheries Operations National Manager, Ministry of Fisheries

Jonathan had limited time to discuss Fisheries Plans with those at the hui as the Ministry team were due to leave within the hour, so Jonathan highlighted the points he thought were important.

A brochure 'Fisheries Plans - what we want from our fisheries' outlining the Ministry's vision for Fisheries Plans was given to hui participants as Jonathan explained why he thought Fisheries Plans were "*an important tool or vehicle for iwi forums and tangata whenua to use*". More detailed information is available on the MFish website at <http://www.fish.govt.nz/sustainability/fishing-plans/>

The steps involved in developing Fisheries Plans are:

1. Describe the fishery including biological, social and historical information. Why people value fisheries.
2. Ministry want to work with tangata whenua and other stakeholders to decide how we are going to get the greatest benefit from our fisheries.
3. Assess the fisheries in relation to whether it is meeting stakeholder's objectives and minimum standards set to fulfil Government obligations.
4. Decide on management measures to be used to meet those objectives, how much research is required and other controls such as enforcement.

The plans would be in place for a set period, possibly five years and some fine-tuning maybe required within that timeframe. The plan would be fully reviewed at the end of this period to ensure it was meeting its objectives or whether the objectives for that fishery had changed.

The Ministry had done a lot of preliminary work on these plans. Three 'proof of concept' plans were underway – Southern Blue Whiting, Coromandel scallops and Foveaux Strait oysters. Jodi Mantle was the best person to discuss the Coromandel scallop plan as her team had been working on that for some time.

There is another Ministry team developing standards. They would be consulting stakeholders soon on what they consider the standards should be, both in the interim and over a longer period.

MFish is building a good information base on fisheries, using their data. That information is available online at <http://services.fish.govt.nz/indicators/> and includes the status of each fishery. Ministry acknowledge they have limited data on some fisheries.

Jonathan concluded by describing the advantages of Fisheries Plans as –

1. Greater involvement of tangata whenua and other stakeholders in fisheries management.
2. More transparency in management.
3. Clearly linking management measures with the objectives to achieve the agreed outcome.

The Ministry welcomed feedback from tangata whenua. Both Jodi and Jonathan looked forward to receiving input from the Forum on the Fisheries Plans concept.

MFish Information

Jodi Mantle, Manager Inshore Team, Ministry of Fisheries

Following requests made at the last hui the Ministry had brought copies of information that would assist tangata whenua in understanding MFish processes. Jodi gave a brief overview of what had been provided and encouraged the Forum to provide feedback or ask for any clarification.

The information supplied included:

1. Comparative analysis of the customary management tools and marine reserves (6 pages).
http://www.option4.co.nz/Fish_Forums/documents/Comparisonofspatialtools306.pdf
2. A four-page bulletin providing an update on what Ministry are currently working on.
http://www.option4.co.nz/Your_Rights/documents/MFbulletin406.pdf
3. The official MFish brochure on the Marine Protected Areas Strategy (MPA) and a question and answer information sheet.
Question & Answer sheet
http://www.option4.co.nz/Marine_Protection/documents/MPAMFishsummary.pdf
More info from MFish
<http://www.fish.govt.nz/sustainability/mpa.html>
4. An explanation of the Ministry's concurrence role in terms of marine reserves.
http://www.option4.co.nz/Fish_Forums/documents/MFSummaryconcurrenceprocess.pdf
5. A map depicting closed areas around the North Island.
http://www.option4.co.nz/Fish_Forums/documents/NI_closed_areas_406.pdf
6. Overview of the regional recreational fishing forums.
http://www.option4.co.nz/Fish_Forums/documents/RRFFMFsummary.pdf
7. Three page brief on the Shared Fisheries Policy Development process. (Appendix Nine) http://www.option4.co.nz/Fisheries_Mgmt/sfsumf406.htm

Unfortunately the Ministry team had to leave the hui so there was no time for questions on the Fisheries Plans or the information Jodi had provided. Any questions could be directed to any of the Ministry staff later on.

Sonny thanked the Ministry team for coming to the hui and participating in the discussions. They were encouraged to consider staying overnight next time so their sessions did not need to be rushed. The MFish team were advised the next Hokianga Accord hui is likely to be within Ngati Whatua boundaries so hopefully that would allow them the opportunity to stay overnight.

Mimiwhangata Marine Reserve Proposal

Bruce Galloway, Guardians of Mimiwhangata

Both Bruce and Vern Tonks were at the hui and are members of the Guardians of Mimiwhangata's Fisheries and Marine Environment Incorporated /*Nga Kaitiaki o Nga Ika, Nga Kaimoana Me Nga Ahuatanga Takiwa o Te Moana o Mimiwhangata*.

The group was formed in December 2004 with objects to maintain, improve and enhance Mimiwhangata's fisheries and marine environment for recreational and customary fishing as well as the wider recreational use, ensure the sustainable use of Mimiwhangata's fisheries for the existing Mimiwhangata Marine Park, and to support that marine protection tool, or other marine protection tools, such as taiapure or mataitai, which are consistent with the society's objects.

The society is privileged to have as their patron Nupere Ngawaka, a kaumatua of Te Whanau Whero, the hapu whose area of influence borders Mimiwhangata to the south.

Mimiwhangata Marine Park

Mimiwhangata is 50km north of Whangarei, on the northeast coast of the North Island. The area had been classified as a marine park, with limited non-commercial fishing, since 1984. Commercial fishing ceased within the park in 1993.

The marine park was established under fisheries regulations and a Grant of Control under the former Harbours Act and later replaced by the Resource Management Act 1991.

The Ministry of Fisheries decommissioned the Honorary Fisheries Officers working on the north east coast in 2002. Apart from vigilant locals, there has been a lack of supervision of the marine park fishing rules since that time.

Marine Reserve Proposal

The Department of Conservation's marine reserve proposal document claimed a reduced number of fish within the marine park area and recommended a marine reserve to correct that.

The Guardians commissioned an independent marine biologist to examine DoC's research used to support their proposal. Graham Don of Bioresarches had studied Mimiwhangata for his thesis in the 1970's and knew the area well. His interim report advised the group that DoC did not have any grounds, scientific, fisheries management or otherwise, to justify a change in the status of the marine park.

The report also doubted DoC's favoured kina barrens theory, namely, that a reduction in the kelp forest was directly attributable to reduced numbers of large snapper and crayfish to keep the kina population in check.

The proposal attracted a large number of objections, particularly from the local community and people who fish in the area.

DoC subsequently announced the majority of feedback they received to their proposal was in favour of the marine reserve. The results did not include any submissions from Te Whanau Whero.

Kaitiakitanga

The feedback the Guardians had received over the past eighteen months from a number of local community members including tangata whenua, is that if they had known about the other marine protection tools that are available then they would not have given their support for the marine reserve proposal. They would have opted for the status quo, namely the existing marine park, or for tangata whenua led marine protection by way of taiapure or mataitai.

The Government has an obligation to Maori to observe the principles of Te Tiriti O Waitangi, which include practising kaitiakitanga (guardianship) of both sea and land resources to ensure abundance for future generations.

A marine reserve represents a confiscation as it deprives Maori the right to practise kaitiakitanga in their rohe (area). There would be no more gathering of kaimoana or catching fish. It would also deprive other New Zealanders the use and enjoyment of the area.

Developments

Bruce understands the reserve proposal has been removed from the present round of proposed marine reserves and is to be re-included for future consideration under the recently introduced Marine Protected Areas Policy Statement and Implementation Plan, although this needs to be confirmed.

Two significant events happened over the days leading up to the hui:

1. It had been reported that Ngati Wai had filed judicial review proceedings in the High Court against the Minister of Conservation and the Director-General concerning DoC's handling of consultation issues regarding several of their marine reserve proposals.

2. Bruce had also received notice of a proposed members bill for an amendment to the Marine Reserves Act on consultation.

Allan Moore

Trust Board member, Ngati Wai

Whirinaki Peninsula was one of Ngati Wai's main fishing grounds.

Ngati Wai had taken legal action against DoC in regards to Mimiwhangata, the Poor Knights Islands, several reserves within Whangarei Harbour plus the proposed reserve at Aotea (Great Barrier Island). Ngati Wai objected to the concentration of reserves within their rohe.

They were also mindful of their commercial fishing interests, as much of their fishing effort was concentrated on the coast from Mimiwhangata southwards.

The people of Whangaruru had talked with DoC about the proposal but they had no right to speak on behalf of Te Whanau Whero.

"So we are pretty strong on what we are doing. If we can't win it through this Forum we'll see them in court."

The correct pronunciation of Mimiwhangata was given as Mimiwhangata (Mimi-farnga-ta).

Guardians of the Sea

Bruce Galloway, partner, Kensington Swan

Bruce used a PowerPoint presentation to explain the proposed separate charitable organisation to assist Iwi/hapu to provide for their input and participation in fisheries management.

The main features of the proposed charitable organisation were that it would be separate from the Hokianga Accord, would have charitable objects and purposes, and would be for the benefit of the public.

The intention is that having gained the approval of the regulatory authorities, donations received by the proposed charitable organisation would not be taxable.

Depending on the level of assistance required by iwi/hapu and the donations received, there could be a need for a trust manager, secretary and other support including accounting and legal.

Whether the organisation was established as a charitable trust or society was up to the Accord to decide.

Recommendation

The recommendation was for a charitable trust administered by board of trustees.

Outcome

After some discussion, Judah Heihei moved the motion on behalf of Ngapuhi, “ that the Hokianga Accord establish a charitable trust ”.

Tepania Kingi of Ngati Whatua seconded this motion.

The hui supported this recommendation and motion.

Many names were suggested for the charitable trust and it was agreed it would be called “Guardians of the Sea/ *Nga Kaitiaki o Tangaroa*”.

Selection of Working Group – ‘short line-out’

Scott Macindoe, option4

Before the Working Group, the ‘short line-out’, could be appointed the Forum needed to establish what positions were required. A secretary and a media liaison/database management person were essential. A scoping exercise would be completed at the next hui of the ‘short line-out’ to determine the other roles.

option4 were willing to continue providing services to the Hokianga Accord, Trish Rea with secretarial services and Scott with his organisational and supporting role. Te Runanga A Iwi O Ngapuhi had been supporting their members in the Hokianga Accord and were willing to continue that sponsorship.

Indications from people about their availability to help out were welcomed in the meantime. Steve Sangster confirmed he would be available after the end of April.

Current members of the ‘short line-out’ include Stephen Naera, Paul Haddon, Judah Heihei, Trish Rea, Scott Macindoe, Sonny Tau, Graeme Morrell, Bruce Galloway and Richard Baker.

Those at the hui supported the suggestion to have co-chairmen for the Forum in recognition of the huge workload Sonny had been doing on behalf of the Accord.

Ngati Whatua and Ngati Wai were encouraged to be part of the ‘short line-out’. Neither Tepania Kingi nor Himiona Munroe could commit personally until they had consulted their runanga first.

Costs of providing services to the Hokianga Accord would need to be shared amongst the participant parties. With the limited support of \$20,000 per annum being offered by the Ministry of Fisheries the establishment of the new trust would be a priority.

Marangai Taiamai Management Plan

Judah Heihei, Ngapuhi Trust Board member and Bay of Islands kaitiaki

Judah and two of his kaitiaki explained to the hui Ngati Rehia's experience with trying to implement the Marangai Taiamai Management Plan for their area. Their rohe extends from Opuia in the Bay of Islands north to Takou Bay. They have thirteen hapu and ten marae in their rohe.

Problem Identification

The Te Puna and Kerikeri Inlets used to have good supplies of oysters, pipi, flounder, mullet and snapper. Kina and mussels were also a common catch in the area. Over the past ten to twenty years pipi abundance had been variable. There was a lack of funding to conduct any research into the causes of this variation but the kaitiaki suspect it is related to farm run-off.

They have been advised the inlets are now shallower and therefore warming. This would cause the shellfish to die off earlier. The lack of research makes these assertions hard to prove but there is no doubt about the lack of kaimoana in these inlets.

The locals have become frustrated by Ministry of Fisheries continued slow response to reports of offences being committed. This lack of enforcement had allowed people to abuse the resource by taking more than what was required to feed their whanau. The mataitai was seen as the solution that would give management to the locals.

In 1998 the Ministry of Fisheries suggested either a taiapure or mataitai for their area.

The Challenge

It was a challenge to achieve agreement from thirteen hapu but they eventually agreed to a mataitai plan for their rohe. The next challenge was trying to follow the interim MFish guidelines for mataitai establishment.

It was disappointing, after going through the establishment process to reach the stage of requiring resources for public consultation and the Ministry "disappeared".

The group's understanding is that the Ministry realised it was going to cost much more than what they envisaged to complete the plan so MFish decided they did not want to continue supporting the project. The Ministry never actually explained the reasons why they withdrew from the process but Maori felt "stranded".

Public Education

Their biggest challenge now is to educate the public, both Maori and Pakeha about the benefits of a mataitai. The realisation that this is necessary before trying to implement their mataitai plan has made them very conscious of what their next moves would be. The group were hoping the Hokianga Accord would support their initiative and help educate the public.

Judah introduced Alan Munro and Aro Rihari from the mataitai management committee so they could add their perspective to the korero.

Ngati Rehia Aspirations

Aro discussed the aquaculture aspirations of Ngati Rehia. They had followed the process to establish marine farms in two areas of the Bay of Islands but were thwarted by the imposition of the aquaculture moratorium and public opposition to their plans. This led Aro to ask the question, “*Are our Pakeha friends asking for our support because they need it? Or will they forget about us again once this [Forum] is up and running?*”

Alan added, “*Now that we are under the roof of this marae we are all in the one waka. We all want one thing most of all and that is the sharing of what Tangaroa gives to us*”.

Alan welcomed Pakeha to the marae and felt encouraged by the korero. He had lived in Te Tii all his life and could remember how good the fishing was when he was young. Sadly the john dory, kahawai, gurnard, trevally and shellfish were not as abundant as they once were.

While commercial fishers’ harvest had been discussed Alan also wanted to highlight the amount of fish taken by people on charter boats.

Their rohe only included half of the Bay of Islands so their management plan only applied to the northern side of the Bay. They hoped all Maori from the Bay would work together to protect the area and enhance the stocks for future generations.

Their management committee welcomed the support of the Hokianga Accord and in particular the boating and fishing representatives from the Bay of Islands area, to assist in the task of educating the public on the benefits of a mataitai and what could be achieved through Maori and Pakeha working together.

Ngati Kuta were urged to work with Judah’s team on formulating a joint plan for the entire Bay of Islands, once they had completed their rohe moana gazetting process for the southern area.

Local Input

Jeff Romeril added it was important for Maori to give the local Pakeha community an opportunity to have some input into the mataitai, so they would feel they were part of it. The big selling points would be the ability to exclude commercial fishing and also that it would be a counter to the Department of Conservation’s marine reserve strategy.

Regarding Pakeha support for tangata whenua, it was clear that Pakeha were beginning to understand Maori needs and the potential of working together to achieve good outcomes for all. The Department of Conservation had helped in this regard with their persistence of imposing marine reserves on coastal communities.

People were now more aware that other management tools could protect the marine environment without limiting tangata whenua's ability to exercise their customary rights. It was up to the Hokianga Accord to educate the public, as the Ministry of Fisheries did not seem to have any intention of fulfilling that need.

Iwi Forums

Graeme Morrell and George Riley, Pou Hononga, Ministry of Fisheries

It was encouraging the Ministry had confirmed during the hui that the Hokianga Accord was still considered to be the mid-north Forum.

Sonny and Scott were acknowledged for their input into the Te Matau A Maui Maori Fisheries Conference, held in Napier at the end of February. The Pou Hononga had received positive feedback from that event.

Freshwater Fisheries Forum

The Freshwater Fisheries Forum had met recently. The issue of funding was raised early in the hui. TOKM's Tania McPherson advised the hui that as a result of Te Arawa's stand during the 1992 Deed of Settlement formation, a pool of funding had been reserved for freshwater fisheries development. All the iwi at the freshwater Forum regard tuna (eels) as very important, as a 'status fishery'.

National Iwi Forum

Graeme acknowledged Ngapuhi's input into the National Iwi Chairpersons Hui as being of great value for all Maori. Ngapuhi, through Sonny, had been tasked with reporting and assisting other iwi on environmental, customary, recreational and commercial fishing issues plus aquaculture. Forty-one of the fifty nine iwi chairpersons were at the Wellington hui in early March to hear Sonny's presentation on fishing interests and marine reserves.

Marangai Taiamai Management Plan

Carl Ross, the leader of the Customary Relationship Unit (CRU), Te Tari o te Kahui Pou Hononga, had confirmed there would be some assistance to help the Marangai Taiamai management team with public education and any other outstanding issues. The kaitiaki were encouraged to finalise their plan as soon as possible so they could take advantage of this Ministry offer.

Other Iwi Forums

There was intense interest in what the Hokianga Accord was doing. Other forums were watching to see what tangata whenua and Pakeha could achieve by working together. There were currently five iwi forums including one on the Chatham Islands. The eight iwi at the top of the South Island had met once to discuss the Forum concept. The Pou Hononga appreciated the work the Hokianga Accord had done for all tangata whenua around the country.

Graeme confirmed the other forums submit their own agenda for hui, as the Hokianga Accord does, but those agendas are altered to fit in with Ministry's attendance at those hui. For the past six months tangata kaitiaki and the Forum members had taken the lead in respect of managing their own hui.

The establishment of the second Forum in Tai Tokerau was progressing slowly. Other priorities for some of the iwi involved had meant the formation of the Forum had to wait. However, they were taking an interest in the Hokianga Accord. June is the Ministry's target date for meeting their commitment; Muriwhenua and MFish were hoping to have an iwi Forum established by then.

Iwi in the far north would attempt to re-establish the Toheroa Accord in the last week of April. The Accord was originally established in October 2004. At that time tangata whenua decided not to issue permits for toheroa, in the interests of preserving the resource.

Northern Regional Recreational Fishing Forum

Paul Batten, Mangawhai Boating and Fishing Club

The northern Forum covers the area from Mangawhai on the east coast, across to Dargaville and all the area north of that line. Members at the last meeting were John Torr (Whangarei), Craig Worthington (Russell), Geoff Stone (Russell), John Holdsworth (Matapouri), Paul Batten (Mangawhai), Simon Howard (Kerikeri), Richard Civil (Kerikeri), Keith Edwards (Whangarei), Graeme Heapy (Kerikeri), Steve Radich (Kaikohe), Des Subritsky (Dargaville), Doug McColl (Mangonui), John Chibnall (Paihia) and two Ministry personnel Stephanie Hill and Todd Sylvester.

Paul considered the people at the Hokianga Accord hui were more representative of the Northland recreational fishing community than the regional recreational Forum. It would make more sense to have the regional recreational Forum and the Hokianga Accord combined into one Forum. Many members of the regional fishing forums do not have an in-depth understanding of the important issues facing recreational fishers.

Paul advised he would be happy to share information from the regional Forum meetings with the Hokianga Accord. There had been two meetings of the regional recreational Forum to date. Until now the Ministry had asked for agenda items and had managed the meetings.

Day's Conclusion

Due to the reorganisation of the day's agenda the following day's programme would be amended to include the presentations not already given during the course of the day. The hui closed for the night with a waiata, Te Aroha, and a karakia (prayer) by Larry Baldock

Friday 7th April

In recognition of the Ministry team's limited availability the previous day, the scheduled Whakawhanaungatanga session acknowledging apologies and messages from people unable to attend the hui was read out at the beginning of the second day. Around thirty people were in attendance for the beginning of the session with more arriving during the course of the morning.

Whakawhanaungatanga – Apologies & Support

Sonny Tau, Chairman

Tainui's Tom Moana had sent through an apology and a series of questions that were put to the Ministry personnel the previous day. Sonny read the apology from the co-chair of Nga Hapu O Te Uru Forum in full (Appendix One). Next was an apology and message of support from the New Zealand Recreational Fishing Council president, Keith Ingram (Appendix Two). Another encouraging message was read to the hui, this one from NZRFC Board member, Bill Ross (Appendix Three).

Apologies were also received and acknowledged from Richard Baker, Hugh Barr, Terry Beckett, Stuart Cameron, Geoff Cope, Jonathan Dick (MFish, Nelson), Don Glass, Naida Glavish (Chairperson, Ngati Whatua), Rendt Gorter, Laly Haddon (Chairman, Ngati Wai), Annette Hall, Robert Willoughby, Richard Jordan, Ron Hepworth, Lionel Sands (Haines Hunter), Mook Hohneck (Ngati Manuhiri), Peter King (Mayor, Kaipara DC & KHSMG), Mike Lee (Chairman, ARC), Richard Lintott, Geoff Manks, Clive Monds, Stephen Naera, Dave Pattemore (Forest & Bird), Steve Radich (reporter, Northern Advocate), Lew Ritchie (Northland Conservation Board), Rob Ritchie, Stuart Ryan, Pete Saul, Mark Solomon (Chairman, Ngai Tahu), Edward Sundstrum, John Torr, Metiria Turei (Green Party), Wiremu Wiremu and Tom Hunsdale.

Set Net Review

Paul Barnes, option4

There had been numerous concerns expressed about set netting and whether it was an appropriate method to catch fish. Around 1992 a taskforce was established to discuss the issue and Paul was part of that group.

The taskforce produced a set of recommendations including alternative mesh sizes and closed areas, particularly for sensitive reef areas. They secured a set net ban around the Mokohinau Islands and around parts of both Barrier Islands. A code of practice was suggested to reduce wastage.

The current review is to ensure the set net controls were achieving the objective of reducing wastage, and if not, what measures were required to address that.

Input and Participation - Working Group Process

Trish Rea, option4

Trish has been participating in the Ministry of Fisheries' Working Group processes for the past three years. With the assistance of John Holdsworth, Trish had represented recreational fishing interests at fifteen to twenty meetings. Not once had there been any input and participation by tangata whenua with a non-commercial fishing interest at those meetings. There had been the occasional attendance of Maori commercial interests, supported by TOKM.

While the meetings were very focussed on the science of fisheries management it was important tangata whenua participated and had their say at these meetings. John Holdsworth is the expert and is very helpful in explaining the more science-based arguments.

Reports are written after these meetings and are available for tangata whenua to read. Anyone wanting to receive the reports, to understand what was happening in fisheries of importance to non-commercial fishers, were encouraged to let Trish know directly so she could arrange for that to occur.

Environmental Interests

Clive Monds, of Thames, was acknowledged for his valuable contribution to the Working Group meetings. He had been involved in the sustainability processes since the early 1990's and had a great depth of knowledge of fisheries management and the environmental impact of fishing.

Working Group Process

Before tangata whenua could have meaningful input into fisheries management it was important to understand the processes that supported management decisions. Tangata whenua were encouraged to get involved.

The review of a fishery through the Working Group process usually occurred over several years. Depending on the outcome of the review the Ministry then decide whether to issue an Initial Position Paper (IPP) setting out their suggestions for management changes. The public, including tangata whenua, have a set timeframe (around six weeks) to write submissions in response to the Ministry's proposal. Submissions are collated, summarised in advice to the Minister and the Minister decides what management changes are required, based on the Ministry advice.

Generally IPP's are issued around January and May in order for the Minister to make decisions for the commercial fishing years beginning on April 1st and October 1st.

Part of the scoping exercise the 'short line-out' had planned could include a session on mapping out the fisheries management process to answer questions such as timing of IPP's and the annual sustainability round.

John Holdsworth

New Zealand Big Game Fishing Council

The Ministry manage the Working Group process for all stakeholders. The purpose of these groups is to:

- Request science or new information on fisheries
- Review this science or new information
- Incorporate this information into a Working Group report
- The Working Group report is reviewed annually, in May, at a Plenary session

At the last snapper Working Group meeting held in Auckland John was the only non-commercial fishing representative in attendance. Clive Monds represented environmental interests at this meeting. The remainder of attendees were research providers such as NIWA staff reporting back on research projects and Ministry of Fisheries personnel.

A greater understanding of fisheries is gained through attending these meetings that are chaired by MFish staff. John pointed out some interesting trends in Snapper 1 catch, the snapper stock on the east coast of the North Island from North Cape to Cape Runaway on the East Coast.

Snapper 1 (SNA1)

Less snapper are being caught by longliners and the trend is towards higher catches of snapper by trawlers. Trawling is a much more economical way of catching fish than longlining. The iki jime market for New Zealand snapper in Japan had collapsed so the demand for premium quality fish had declined. The Japanese are farming snapper to supply their own needs.

The trend to more trawling could be good for Northland as there were many areas off the north east coast that cannot be accessed by trawlers. Longliners have far more flexibility about where they can set their gear.

Another discernable trend is the shift of focus from the traditional Hauraki Gulf area as the main snapper fishery within SNA1, to the Bay of Plenty. As the Bay of Plenty fishery had recovered more fish were being taken commercially, from that area, than out of the Gulf or the north east coast.

The noticeable increase in the catch of smaller snapper in east Northland could be attributed to the increased longlining effort concentrated around the lower Northland coastline rather than in the far north. It was also likely that this was evidence of a strong year class coming through the fishery. This was probably due to a warm year with good sea conditions several years ago that resulted in more snapper larvae surviving and growing big enough to be caught.

Currently there are a good number of six-year-old fish coming through the fishery and becoming available to northern non-commercial fishers as 27cm fish. There is also a

strong year class of nine-year-old snapper so the future prospects for snapper fishing are looking relatively good for Northland fishermen.

Changes in catch rates for different methods could also be attributed to changes in fishermen's behaviour. The move from longlining to trawler caught fish could produce catch trends that could be interpreted as increasing catch rates for trawlers. Unless non-commercial fishers attend the Working Group meetings to point out this trend commercial fishers could easily argue the fishery was improving, when it was only a change in fishing patterns that had occurred.

The trend to more trawling could also improve the catch rates of longliners still in the fishery. With less competition in the areas suitable for longlining the catch trend is likely to increase. This trend could also be interpreted as an improvement in the fishery, when in fact it would only be a change in fishing patterns that had created the perceived increase in catch rates.

There had been some discussion about conducting a tag, release and recapture programme in Area 1. This would determine the size of the snapper population i.e. how many tonnes of snapper were in the fishery. Commercial interests were likely to object to paying the costs for this survey as it is an expensive exercise that they would be expected to contribute to.

Recommendations:

1. Non-commercial fishers endorse the need for a snapper tagging programme in area 1.
2. Non-commercial fishers highlight that the Hauraki Gulf and Bay of Plenty snapper stocks are currently below the target stock level that the Ministry require under the Fisheries Act 1996.
3. A stock assessment is urgently required in snapper 1.

Excess Catch

Industry had over caught their quota in Snapper 1 by 137 tonnes over the past year. In Snapper 2 (East Cape to Wellington) they had exceeded their quota by 26% over the same period. The over catch rate in Snapper 8 (West coast North Island) was 11% during the last fishing year.

Although the Ministry set quota catch levels the fishing industry were allowed to overrun these levels as long as they paid a penalty fee called a deemed value. Non-commercial fishers needed to highlight that snapper is an important shared fishery and a stock assessment is required to determine how many fish are in the water and the impact the excess catch is having on the sustainable level of snapper.

Input and Participation

There were other Working Groups that option4 attended on behalf of non-commercial fishers and John would welcome the opportunity to mentor anyone from the Hokianga Accord who would like to get involved in this process.

The opportunity exists for the Hokianga Accord to accept the reports written by John and Trish after the Working Group meetings and adopt or reject the recommendations contained within those reports. This would give John and Trish the ability to return to the Working Group process with a mandated position on behalf of the Accord.

Ngapuhi would discuss the need to have a presence at these Working Group meetings to gain an understanding and have input and participation, later.

Ultimately the cost of having a presence at these meetings would need to be shared. Currently option4 and the NZBGFC bear the costs and are happy to continue to do so. If the charitable trust discussed earlier in the hui is properly organised there may be an opportunity to have that trust support this type of activity as it would be provision of “input and participation” in fisheries management. Ngapuhi assured the hui that they would cover their costs of involvement.

Kahawai Legal Challenge

Jeff Romeril, President, New Zealand Big Game Fishing Council

The High Court hearing of the Kahawai Legal Challenge has been set down for June 6th this year and is expected to take four days to complete.

The hearing is to hear the claim from the NZ Big Game Fishing Council and the NZ Recreational Fishing Council, which Ngapuhi has supported with a very powerful affidavit. It would also hear the counterclaim recently issued by commercial interests namely Sanford Ltd, Sealord Group Ltd and Pelagic and Tuna Ltd. The Minister and Ministry of Fisheries are first and second defendants respectively.

While kahawai is the subject of the proceedings it is expected that the case would have far-reaching implications for the allocation of all inshore shared fisheries.

Key Issues

The key legal issues to be determined are:

1. Setting initial Total Allowable Catches (TAC's).
2. Allowing for non-commercial and recreational fishing interests
3. KAH1: The Hauraki Gulf Marine Park Act 2000
4. Information principles.

Timetable

In December 2005 a timetable was set for the process leading up to the June court date. While the legal team agreed to the timetable it was up to all the parties involved in the case to comply. The commercial fishers had been slow in supplying their evidence. This could be interpreted as a delaying tactic to force the postponement of the June 6th hearing date. However, the councils involved are determined the delays would not be used to defer the judicial review. At the time of the hui the legal team considered the delays were not at a point that would compromise the hearing date.

April 21st was set as the last day the recreational sector had to respond to the counter claims by commercial interests and the Minister/Ministry. Obviously that commitment would not be met due to the lack of complete evidence from commercial interests and no evidence from the Minister/Ministry.

The recreational councils believe the case is very strong and are confident in the evidence gathered to date, and the ability of the legal team to focus on the main issues and not be distracted by efforts to widen the case and divert attention away from the core issues.

Conclusion

Jeff explained that the claim seeks to obtain clear rulings from the High Court that non-commercial fishing interests are not limited to estimates of existing catch or some fixed proportion of total catch. The announcement of the Shared Fisheries Policy project made it important that non-commercial fishers obtain rulings that would be helpful to future policy development and future fisheries management decisions.

The real question needs to be asked of the Ministry and Minister as to why they were proceeding with the Shared Fisheries Policy allocation process before a determination had been given from the court on the meaning of section 21 of the Fisheries Act.

Doubtless Bay Marine Protection

John Kenderdine, Doubtless Bay Marine Protection Group

John had been based in Doubtless Bay, Northland since 1994. Around four years ago concerns were raised about the state of the Doubtless Bay marine environment. A meeting was arranged and over 100 people attended. The high turnout was later attributed to the perception the organisers were planning a marine reserve in Doubtless Bay. The group had no intention of doing that and accept they have no mandate to create a marine reserve.

Talks had continued with Ngati Kahu and a small group had been working on a management plan for the Bay. The group has a clear understanding that the outcome would be what iwi and the local community want, not what the group wants. Without community support no protection measures would work, irrespective if it is an initiative by Maori or non-Maori.

While there were some people in the group, including John, who believed marine reserves were a good protection tool “*one of the things we have promoted right from the start is mataitai. We are very strong supporters of that as being the ultimate, overarching tool for marine management right around the coast of New Zealand and we support that 100%*”.

The Challenge

Information and education are the challenge and the Hokianga Accord were doing a great job in bringing all interested parties together to discuss marine issues.

A draft document had been produced, the 'Doubtless Bay Marine Protection Group Discussion Document on Community Marine Management'. The document had taken years to produce and still needed improvement. Work was continuing to reduce the document to a ten-page booklet that would be distributed throughout the community for feedback.

In conjunction with the draft document the group had referenced to another document, the 'Intertidal and Sub-tidal Habitats of Doubtless Bay' including maps of the marine environment of the Bay.

As with most community groups, resourcing was an issue. The group was currently investigating the prospect of establishing an official entity such as an incorporated society. They may consider a charitable trust after listening to the earlier presentation on charitable bodies.

Another challenge is to get the Ministry of Fisheries to engage in assisting with the implementation of mataitai. Proof of their failure to assist local communities was evidenced in the existence of only two mataitai around the whole country, Moremore A and B in Napier and Raukokore on the East Cape.

During discussion following the presentation it was pointed out that the political will seemed to support the establishment of marine reserves over other protection measures, including customary tools. The Department of Conservation's focus on the outdated Marine Reserves Act (1971) had led to the imposition of marine reserves on local communities with little regard for concerns raised. This had caused unnecessary animosity throughout the country.

It was suggested to the hui that a meeting should be organised with Parekura Horomia to discuss the difficulties being encountered with the establishment of mataitai and other issues of importance to tangata whenua. As the Minister of Maori Affairs and Associate Minister of Fisheries it would be worth the effort to meet with him and try and enlist his support.

Ngapuhitanga Festival 2006

Scott Macindoe, option4

Stephen Naera offered his apologies for not being at the hui to present the Festival update. Stephen attended the Anniversary weekend event as a representative of the Hokianga Accord. Naida Glavish and Scott Macindoe also participated as representatives of the Hokianga Accord and the Kahawai Legal Challenge team. This was the Kahawai Legal Challenge team's second annual attendance at the Festival.

The impact of Pakeha standing in amongst tangata whenua supporting the kaupapa of "more fish in the water" was outstanding. The korero was invigorating, the event exciting and the opportunity to meet and talk with so many people was worth the effort. There were many highlights and plenty of support for the Accord and the Legal

Challenge. Naida's guidance throughout the event proved invaluable, coupled with her customary humour and no-nonsense approach, the event was a success.

Income and Expenditure Report

Scott Macindoe, option4

Ngapuhi had given substantial financial support to the Hokianga Accord. In addition they had allowed their chairman and board to be available to the Accord. It was hard to calculate the value of having Sonny Tau, Judah Heihei, Paul Haddon, Joe Bristowe and Ruby Winikerei totally committed to the kaupapa of the Accord. It was a huge investment on Ngapuhi's part, to the Forum.

option4 had also invested heavily in the Hokianga Accord. The support was unconditional and option4 were not looking for reimbursement from the Accord. Invoices had been amassed for around \$35,500. The investigation of the future structure of the charitable entity capable of accepting donations was an important aspect in the development of the Hokianga Accord.

Work completed by Trish Rea taking responsibility for reporting and coordination had been charged to the Accord.

option4 operated with contractors who delivered consistent and reliable outcomes, with recommendations. The website www.option4.co.nz is the repository for the information that had been gathered; over 7000 pages were already online with more to come.

Printing was another major cost but was necessary to get information out to the public. Without public awareness the objectives of the Hokianga Accord would not be achieved. option4 would continue to carry this cost but ultimately the costs would need to be shared by the Hokianga Accord. Ministry must also be acknowledged for their contribution to the production of reports of the Hokianga Accord hui to date.

Shared Fisheries & Fisheries Plans - Accord View

If it could be proven that commercial fishers had depleted the fisheries to an extent that it was having an affect on non-commercial fishers ability to feed their whanau then non-commercial fishers should not be asked, or expected, to prop up those unsustainable catches. In those circumstances any cuts that needed to be made should be taken from the commercial quota.

Prior to the introduction of the Quota Management System (QMS) commercial fishing was virtually unconstrained. The massive removals of fish had an adverse impact on non-commercial fishers' ability to catch a fish, as there were less fish in the water to be caught. Meanwhile commercial fishers maintained their catch through increasing their fishing time or using more efficient methods, such as trawlers and nets.

At the introduction of the QMS the people most affected by were the part time fishermen, many of who were Maori, and their local communities. They were pushed out of fishing as the QMS came in, with no compensation. It is was the larger companies such as Sanford Ltd that benefited from that action and they now hold the controlling interest in many important shared fisheries.

Many of the depleted fisheries had not rebuilt despite twenty years of the QMS.

Moyle's Promise was considered adequate to protect non-commercial fishing interests during the introduction of the Quota Management System.

Moyle's Promise –

“Government's position is clear, where a species of fish is not sufficiently abundant to support both commercial and non-commercial fishing, preference will be given to non-commercial fishing.”

This was clear recognition by the Government that commercial fishing rights were more powerful and could adversely affect non-commercial fishing. There was ample evidence that commercial fishers had caused the depletion in many of our inshore shared fisheries.

Now it seemed the Ministry wanted to take away that protection, by ignoring Moyle's Promise, and wanted to introduce a proportional allocation system that would deprive non-commercial fishermen the opportunities that had been promised.

The Hokianga Accord needed to consider very carefully what it wanted to replace Moyle's Promise with during the Shared Fisheries Policy process. Non-commercial fishermen could conceivably be worse off after the process to change legislation is completed.

Section 28N Rights

Apart from excessive commercial fishing another impediment to rebuilding shared fisheries were section 28N rights. These rights were given to some commercial fishers at the outset of the Quota Management System.

In lieu of accepting compensation to forego catch history, commercial fishers could take these rights and have them restored in the future as quota, if the TACC for that stock increased. If the fishery rebuilt the first to enjoy a gain would be the holders of these rights.

In the case of Snapper 8 there were around 900 tonnes of outstanding 28N rights. It is believed that Sanford Ltd hold the majority of these rights, so they would get a quota increase before any other commercial entity. Additionally, over 500 tonnes of 28N rights existed in Snapper 1.

These section 28N rights taint Maori fisheries quota. Even if Maori quota holders decided to conserve in a fishery such as Snapper 8, it was unlikely there would be any

gain once a rebuild occurred as the first quota increase would go to the companies holding these rights. This reinforced the belief that there are no incentives for commercial or non-commercial fishers to conserve, under the current regime.

Planning

Single sector fisheries plans offered some hope to both commercial and non-commercial fishers who wanted to conserve. Plans could be devised that reduced wastage and juvenile mortality. In recognition of their conservation effort commercial fishers could be given quota to harvest more fish due to the increased yield, the fishery would be rebuild and section 28N rights would not be applicable.

There was also the remote possibility that the Government would buy back section 28N rights from the companies that held them, to provide an incentive to conserve and rebuild shared fisheries.

Tangata whenua had to consider their multiple interests in fisheries. Any plan to reduce commercial harvest for the purposes of sustainability needed to be made in conjunction with other iwi that had an interest in the same stock. Snapper 8 involves all the west coast iwi from Wellington to North Cape. Maori needed to make sure that any agreed plan would not disadvantage them, as any cuts to commercial, customary or recreational limits would affect them the most.

Sonny clarified to the hui the Ngapuhi stance, *“we have been told by our people when we asked the question, do we sell our fish for crayfish bait in Australia and onto the tables of Chinese and Japanese [people] or do we look to feeding our tamariki and mokopuna first? The answer is clear. We feed our babies first. That tells me, whatever it takes for the fisheries to recover our commercial arm will take the beating”*.

Tangata whenua would have to give more consideration to the Shared Fisheries Policy and Fisheries Plans process to understand the issues, implications, risks and benefits. There was a need for more korero and hui before the Forum could give an official view to the Ministry.

General Discussion

A suggestion was put to the hui to consider recreational fishing reserves that excluded commercial fishing, as a solution to spatial separation of commercial and non-commercial fishers and to enhance recreational catch. A similar concept to a mataitai, but ‘recreational fishing reserve’ maybe more acceptable terminology to the public. Mataitai could easily be interpreted as benefiting Maori only. With the extinguishment of section 86 of the Fisheries Act the only way a reserve of this nature could be implemented was through an initiative from tangata whenua.

Without funding to pay for research it was difficult for tangata whenua to have the basis for implementing management measures such as mataitai or taiapure, which would protect a particular area.

Questions were also raised whether opportunities existed for Maori in developing aquaculture to supplement any cuts to commercial fishing quota.

Another suggestion was moana poitu, water that is left untouched for a period of time. The concept differed from a rahui as section 186A closures only applied to a specific species, a set area and had management regimes associated with that. Moana poitu is not contained within the Fisheries Act but was a measure Te Rarawa had used historically.

The Hokianga Accord should pursue the Ministry to manage important shared fisheries above or significantly above Bmsy. The likely outcome of this management strategy would be improved catch rates and better-sized fish available to be caught.

A direct approach to the Minister should be considered, to explain the Hokianga Accord's issues and objective of "more fish in the water". It was likely the Minister was not aware nor understood the approach the Forum was taking to address non-commercial fishing concerns. The Minister had previously indicated he would welcome reports from the Hokianga Accord being given directly to him, via the Pou Hononga Graeme Morrell.

The question was put to the Pakeha hui participants whether they supported Ngapuhi's negotiations with the Crown regarding the debate over the differences between the Treaty of Waitangi and what was agreed to under Te Tiriti O Waitangi. The majority of tauwi present did not have a good enough understanding of the differences to make an informed comment.

It was suggested that this topic be covered at the next hui so people had a basic understanding of the process that both Ngapuhi and Ngati Wai were currently involved in with the Crown.

Hui Evaluation

Participants were asked to provide a quick comment that summed up their view of the two-day Whitiara hui.

The Accord was gaining momentum and while many people were still learning it was great to be part of the exciting developments as Maori and Pakeha worked together.

The presence of so many of the game-fishing council northern-based members was appreciated. The NZ Big Game Fishing Council would encourage its members in other parts of New Zealand to establish similar relationships with iwi.

The challenge for the Accord was to not only focus on policy issues but also encourage people to start gathering information to support marine protection initiatives, so that when the opportunity arose the necessary data would be available.

The offer to guide and mentor an iwi representative through the Working Group process stood. The importance of understanding the fisheries management process was re-emphasised as that would enable more meaningful “input and participation” by tangata whenua.

Once again the hospitality of the Whitiara marae, from Ray and May Kapa and the ringa wera was outstanding and appreciated.

Tangata whenua appreciated the opportunity to gain more understanding and have their say on some of the more complex fisheries management issues confronting non-commercial fishers. The focus should now be on solutions rather than the problems. More discussion was required on using aquaculture as mechanism to support tangata whenua into the future. The Minister would be advised that tangata whenua were satisfied with the hui and felt they had gained value from it.

The Hokianga Accord had done well to get as far as it had. It had established criteria that would benefit all forums and was encouraged to maintain the standards it had set.

Another first timer to the hui environment expressed his appreciation for being invited and was keen to return for more discussion and to participate in the Accord’s progress.

An environmental studies student found it interesting participating in fisheries discussions. Being from a community who had very little faith in the Government and their processes it would be a pleasure to go back and tell the community how well the Forum was doing, and that Maori and Pakeha could work together to achieve positive outcomes.

The information shared during the hui was appreciated and the Ministry’s extension officer’s team looked forward to working with Ngapuhi.

It was great to see everyone back again particularly considering the Ministry’s reluctance to acknowledge the Hokianga Accord as the mid-north Forum. The Ministry of Fisheries team present the previous day had done a great job in avoiding answering most of the questions that were put to them. It was time for the Accord to start working together on the issues facing non-commercial fishers.

The kaupapa of the Accord was in good hands. A special mention was made of the input of Sonny, Scott and Trish, into the Forum. It was hoped that the next time the Accord got together there would be more mixing of tangata whenua and Pakeha, it seemed that there was still a bit of “us and them” even down to how all the Maori were gathered at one end of the wharenuui and Pakeha at the other.

It had been fascinating to watch the Hokianga Accord develop, listen and learn to the discussions over the course of the hui. “*It’s infectious, what’s happening here and I’m so glad I came,*” was one of many comments of this nature made by the students from the Polytech fisheries management diploma course present at the hui.

Tangata whenua must get together and prove to the Ministry that this Forum was viable. Ngapuhi, Ngati Wai and Ngati Whatua had to decide to stand together as a united front. The Accord would then be an undeniable entity that the Ministry of Fisheries would have no choice but to deal with.

The Hokianga Accord had made progress and it was now time to put some proposals to the Ministry to achieve tangible outcomes. It was great to have the opportunity to build relationships with Ngapuhi, Ngati Wai and Ngati Whatua.

Ngati Wai had not been aware of the existence of section 28N rights and the problems associated with them. Ngati Wai had thought that Maori could cut their quota to improve sustainability of the fishery. If the section 28N rights meant that Maori would not benefit from their voluntary quota cuts then the rights should be eradicated. Whether they were removed by buying out the rights themselves or whether the Government would pay needs to be determined. All iwi throughout the country needed to discuss the 28N rights issue in more detail.

Ngati Wai looked forward to being at the next hui and would confirm their status in regards to the Hokianga Accord then.

Ngati Wai acknowledged Ngapuhi's effort in maintaining the Accord and also the input of John Holdsworth and Pete Saul into helping Ngati Wai on various issues.

Ngati Rehia was honoured to have the Forum return to Whitiara marae. They were disappointed that more of their kaitiaki had not attended the hui, but the messages from the hui would be relayed to them. Unfortunately Ray Kapa had been busy in the kitchen for the duration of the hui so he had not had the opportunity to join in the discussions.

Closing

It is traditional for the last speaker to be from the local marae. Wiremu Heihei had made some interesting comments during the course of the hui and summed up the feeling of the meeting very well. He had been at the original hui in May 2005 and was pleased with the progress that had been made. Wiremu was glad to be in the same room with Pakeha with the same view as his, but realised that everyone had a big job to go out and convince their people that this Forum was working.

His closing comment reflected what many at the hui felt,

“Why am I here? So we can feed all our children. That’s what I’m here, for the future generations. I value what we teach our kids and you leave with the blessing of our tribes.”

“More fish in the water”

“Kia maha atu nga ika i roto te wai”

Appendix One - Letter of Apology from Tom Moana

5th April 2006

Tena Koe Sonny

I am more than a little upset I will not be able to attend the Hokianga Accord hui. I am upset because I cannot be there in person to tautoko the work that Ngapuhi and our Pakeha partners are putting in to this most excellent Accord.

I am also upset because I will miss the presentations from the MFish officials on the Shared Fisheries project followed by Paul Barnes and the panel discussion. I fear that this will be the only opportunity I get to hear first hand both sides of the arguments. I have only now come to realise how important this project is to our ability to feed our whanau. And then, only thanks to the information I received from the Hokianga Accord.

I have attended three Hokianga Accord hui, including the “short lineout” just before Christmas. I am dismayed at the lack of encouragement you are getting from MFish officials. I would have thought that they would have seized the opportunity that this Accord offers with both hands. After all, it is clear the major challenge facing tangata whenua lies in convincing the public that the kaitiakitanga that we tangata whenua have to offer and share is the most powerful management tool of all – if, and only if, wide spread understanding and public support happens.

I trust the Pakeha from option4 and New Zealand Big Game Fishing Council that I have met so far. They have impressive stamina and much valuable information and analysis to share with us. Please pass on my thanks to them for their aroha and manaakitanga.

For the question and answer session I have several questions I would like you to ask the officials if possible please:

- During the freshwater fisheries hui in Te Arawa on the 23rd/24th March I was informed that MFish did not recognise the Hokianga Accord as one of the Forums to allow tangata whenua to participate. Why not and when will MFish recognise this Accord as a Forum?
- Nga Hapu O Te Uru is still awaiting their MOU that has been with MFish for the past 6 years. The costs of this delay are hard to calculate. When will MFish approve this MOU?
- Why have Tainui not been fully briefed on the Shared Fisheries Allocation process yet? The formulation of the public discussion document must be almost complete and we have heard nothing. This is unacceptable to Tainui.

- Is there any intent to adequately provide for the input and participation of tangata whenua having non-commercial fishing interests into the development of “proof of concept” fisheries plans?
- Why are you not working on a meaningful shared fishery like Snapper 8 when developing “proof of concept” fisheries plans when at the same time you are working on the Shared Fisheries Allocation project?

Finally, I assume the hui will be videoed. May I please have a copy of the video of the presentations from MFish officials and the subsequent Q & A session?

All the best for a most constructive hui

Pai marire

Tom Moana
Nga Hapu O Te Uru Co-chair

Appendix Two - Letter of Apology from Keith Ingram

5th April 2006

Tena Koe Sonny

Please accept and table my apologies at the Hui. I had every intention on joining you all as the RFC representative and to give you all an update on where we are at with this year's regulation review.

- The RFC shares similar views on the allocation of shared fisheries project as Paul Barnes and option4 team and we have clearly given Robin our views on this issue.
- Of the fish plans and the view for the future, we have concerns and while we have entered discussions without prejudice, we have clearly stated that there are a number of unfinished business items on the agenda that must be addressed for the public to move forward on this issue.
- Proportional allocation and fish plans. Paul's paper clearly gives an excellent view of the problems and risks to the recreational share. These concerns must be taken into account and addressed by the Ministry before we can move forward on this. I have serious reservations that the Ministry will continue to try and lock us into the leftover's of a proportional system already depleted by commercial over fishing and wasteful practices. The rights for all New Zealanders to go down to the sea and catch seafood to feed their families must remain paramount. Be they Maori, Pakeha or new New Zealanders.
- The 1989 Labour Government recreational policy and Moyle's promise is now regarded by many as the public's treaty and this should be honoured in legislation.
- We remain in full support of the KLC although we have our own concerns with industry's direction in the case and the ever-increasing costs. I cannot acknowledge the work of the KLC team enough or the personal commitment of Scott to this cause on behalf of all of us.
- I personally acknowledge and support the principles of the Hokianga Accord and must give acknowledgement to Ngapuhi and your leadership in ensuring that both Maori and Pakeha who fish as recreational fishers to feed their families remain united as we move forward for the benefit of all New Zealanders.

Finally a quick note on the regulation review 06

We have met with the Ministry and have short-listed a number of items of concern we wish looked at.

The Ministry has stated that they only are able to look at 3 items this year. This being the case I raised two items from the last round of which the Minister was seeking more information on. These I regard as out side of this years allocation.

1. Coromandel scallop bag limit increase. The Ministry has been asked to provide the Minister with the available science data the Minister is seeking and that target dive surveys be done in the commercial exclusion areas as a verifier of the commercial data taken outside. We would suggest that given it is the same fishery this data will be similar.
2. Cray loops or lassoes. We have in association with the Ministry commissioned a small research project on the catch and mortality effects of the use of cray loops for taking rock lobster versus the frantic hand grab.

Review items. Unfortunately we find ourselves defending traditional practices from suspect Ministry or legal interpretations.

1. Define take? When is a fish or shellfish taken? If it is tagged or released so that some one else may take it later. Is it still defined as taken and must be counted as part of the daily bag.
2. a) Review the Minimum legal size for: Blue cod and standardise at 30cm nationally.
b) Investigate a new MLS for gurnard.
c) Introduce a new MLS for trumpeter.
3. Change the recreational scallop season nationally or northern only from; 15 July to 14 Feb by six weeks to; 1st September to 31st March.

There are two other items we have asked the Ministry to initiate and these are.

To start the process for a “National set net review” This is in response to the many concerns and variations of rules associated with set nets and the practices associated with them.

To start the discussion process with a view to remove the MLS off all fish caught by the bulk fishing methods of trawl, danish seine and set nets. The rationale behind this is to ensure all fish taken commercially is landed and counted against quota or by-catch. It will also remove the ability to high grade or dump. The current system of having a MLS on species taken by these methods of fishing is seen to legitimise high grading or dumping and thus encourages wasteful fishing practices.

Once again Sonny, please extend the very best to all who have taken the time to gather for this important hui.

Mauri Ora
Keith Ingram
President
NZ Recreational Fishing Council

Appendix Three - Letter of Apology from Bill Ross

5 April 2006

Dear Sonny

Please accept my apologies for being unable to attend the hui.

Again, work commitments preclude me being there in body.

I'd like to share this thought with you though.

The predictor of future behaviour and performance is past behaviour and the results achieved.

The saying that leopards don't change their spots applies. However, many recreational and amateur fishing groups and representatives HAVE changed their behaviour. That such a large gathering of interested and committed people is at the hui on the wonderful Whitiara marae is testament to that.

The organisers are to be applauded and congratulated. Your leadership and commitment is to be celebrated. I'd like to think that Ministry and government could follow this great example. The debate over fisheries management and the rights of stakeholders fishing under the amateur regulations and allocation model has been going on since the inception of the Quota Management System.

There's a reason for that.

We haven't seen the changes in behaviour and process that acknowledges the rights of kiwis to have a fair allocation of the fisheries, especially those vital inshore fishes. We've all seen the depletion of the resource in different areas and in different species. We know that we are seen as a problem by Ministry and the commercial operators to varying degrees. Sometimes it is as if we are the "enemy".

If we are to make progress and advance and achieve "more fish in the water" and maintain a reasonable daily catch limit then behaviours and performances have to change. Key to the success is that Ministry has to change its attitudes and behaviours to both customary and recreational stakeholders.

I was told that Ministry don't formally recognise the Hokianga Accord as a legitimate forum. That's a sign of bad behaviour. If they ignore the legitimacy they are discounting the value and commitment of those attending. It's lip service and its rude and insulting and a perpetuation of the disregard for the customary and recreational fishers in New Zealand.

I'd like us to issue a challenge to the Minister wherever he is and whatever he's doing. Come and listen to the voice of the people of New Zealand who are working towards securing a better outcome than will be achieved with proportional share and the continued depletion of inshore stocks of many species. Front up to this dedicated group of people who give freely of their time and money. Honour Moyle's promise and represent us.

To force the peoples of New Zealand into legal action to secure their rights is unconscionable. To have Ministry state that they measure their success by the number of legal actions against them is bizarre. To face the same old same old trite and politically expedient answers to every point we raise against their policy decisions is an insult. It's the same old behaviour with the same old outcome....no change. At least, no positive change for customary and recreational stakeholders.

It's clear that Ministry don't represent our interests and don't give any weight to our submissions. Time after time after time it's the same old behaviour. Lack of consultation, impossible deadlines, a total absence of recognition of the high capital costs involved and their certain knowledge that they can run us ragged with multiple submissions. Divide and conquer is the order of the day.

They've even taken to revenue gathering. It's a good trick. They print measuring devices to make sure the public don't take undersized fish. They make them inaccurate so that they can prosecute someone who used THEIR measurement tool! The offender pays \$250. Of course, their answer is as always, it's all care no responsibility and it's only a tool. There is, I can assure you, no disclaimer on this item advising the public that the information is inaccurate. A waste of my tax dollar and a travesty that they punish the hapless victim. Is it any wonder that we view the Ministry and their officials with suspicion? Any other business would be taken to court for misrepresentation.....but not the Ministry, they are above the law in this case.

How many prosecutions did the Ministry make against the commercial sector last year. How many prosecutions did they take against members of the public? I think we need to understand that there is a massive disparity in the emphasis on compliance in the fisheries between stakeholders. How many dumpings were reported last year and what were the outcomes? Who was prosecuted? What is the actual incidence of offences by the commercial sector and what were the outcomes?

To be respected and taken seriously you have to show respect and act responsibly. The fact is that I'm waiting.....the question is how long will it be? I think the Ministry have a great opportunity to build relationships and show that they take all stakeholders seriously. To treat our groups as secondary and as a nuisance and an inconvenience is no longer acceptable behaviour. To attend the hui and not give it any formal credibility or recognition is disrespectful in my opinion.

Sonny, I hope and pray that your commitment, passion, leadership and beliefs are broadcast far and wide. I hope that you can help make the changes necessary for fishos and food gatherers to be heard and our concerns recognised and addressed.

I would ask you for this favour.....ask the Ministry attendees to put their hands in their own pockets and pay the fine for the poor guy who was prosecuted and fined for the measurement offence. I'll bet \$50 they won't.....

Mauri ora

Bill Ross
Past President Bay of Islands Swordfish Club
Past Executive Board Member Rec Fishing Council
Member IGFA
option4

Appendix Four – MFish Letter to the Hokianga Accord

Ref: 12/4/3

17 March 2006

Mr Raniera Tau
Chairman
Te Runanga A Iwi O Ngapuhi
PO Box 263
KAIKOHE

Tena koe Sonny

ENGAGEMENT BETWEEN THE MINISTRY OF FISHERIES, IWI FORUMS AND THE HOKIANGA ACCORD

1. You have asked for a formal response from the Ministry of Fisheries (the Ministry) to the issues raised at the meeting in Auckland on 7 December 2005 between iwi representatives, recreational fishing representatives and Ministry staff. My understanding was that there were three principal issues raised at the meeting on which you sought the Ministry's views. These were:

- a) The status of the Hokianga Accord;
- b) That the Ministry initiate an Iwi Forum and MOU with Ngapuhi in the first instance, with other iwi joining later;
- c) That the Ministry should use the iwi and electoral college boundaries in the Maori Fisheries Act 2004 as the basis for establishing Regional Forums.

2. You also sought clarification of what the Ministry considers to be Terms of Engagement for interactions between Ministry staff and Regional Forums, as well as the funding criteria for meetings between iwi and recreational fishers which the Ministry does not attend. I will answer each of these matters in turn.

The status of the Hokianga Accord

3. I understand that the proposal is that the Hokianga Accord should not be a body in which the Ministry participates. The Hokianga Accord would be legally constituted as a joint body of iwi and amateur fishing representatives to enable those groups to work together on issues of common concern. The Hokianga Accord would not be the vehicle to provide for the input and participation of iwi into fisheries processes. This role would be carried out by way of a Regional Forum. The Regional Forum would not include recreational fishers as parties or signatories, however,

recreational representatives could be invited to observe and participate in discussions.

4. The Ministry agrees with the proposal you have suggested. Iwi and Ministry would develop a Regional Forum with iwi and establish a formal MOU and terms of engagement. The participation of third parties, like the recreational fishers, as invited observers at Forum meetings and as participants in discussions is permissible under the Cabinet guidelines for the development of Crown Maori Relationship Instruments, including MOU's. In our view the most appropriate way to record the involvement of recreational fishers as observers in meetings between Regional Forums and the Ministry would be in supporting documents attached to an MOU between the relevant iwi and the Ministry.

Establishing an Iwi Forum with Ngapuhi

5. The establishment of a Regional Forum with Ngapuhi only presents some difficulties. The Fisheries Act requires the Minister to provide for the input and participation of *hapu* and iwi in various fisheries processes. The government has treaty settlement commitments to two hapu groups (Te Roroa and Te Uri O Hau) to enable their governance entities to participate in any Regional Forum being established in the Mid-North. Both have indicated to the government that they are ready to participate in a Forum. Initial meetings between iwi and the Ministry at Whakamaharatanga Marae included representation from Ngati Whatua, Ngati Wai and Te Rarawa. I understand that representatives of Te Rarawa have continued to be regular participants at meetings of the Hokianga Accord.

6. From the Ministry's perspective it is important that iwi work together in the Forum's to enable them to understand each others views and where possible develop common responses to fisheries issues. Iwi in an area will then be able to develop their own management strategies and advocate those strategies into fisheries management processes with the Ministry. This is preferable to the Forums becoming simply a consultation platform between the Ministry and individual iwi, which is the likely result if the relationship is primarily between a single iwi and the Ministry. In our view, renewed efforts should be undertaken to ensure that the iwi in the Mid-North, and the two mentioned hapu groups, are aware of the opportunity to participate in a Forum, and that all those groups be involved in the development of the MOU and Terms of Engagement for that Forum.

Use of Electoral College boundaries to establish Regional Forums

7. The use of Maori Fisheries Act iwi electoral college's boundaries as Regional Forum boundaries presents similar problems for the Ministry as those applying the establishment of a Regional Forum with Ngapuhi. The electoral colleges only relate to iwi, not hapu, and in the Mid-North the government has specific treaty settlement obligations to some hapu. In addition, the electoral college areas link iwi with common whakapapa interests and do not necessarily reflect the fish stock boundaries and QMA's that, in our view, are better recognised in the approach taken by the Ministry in seeking to establish regional forums focused on areas of common fishery

interest. Finally, the Maori Fisheries Act 2004 sets up Ngapuhi as a separate electoral college because of its population, although its interests in coastal fisheries are inextricably linked to those of other iwi in the North.

8. The Ministry has been funded by the government to establish Regional Forums to enable hapu and iwi to work together and with the Ministry. One of the purposes of the forums is to address the statutory obligation to recognise and provide for input and participation by hapu and iwi into fisheries sustainability processes. In our view establishing Forums based on electoral college areas would not be consistent with the Minister's duties to provide for input and participation or the decisions taken by government to fund regional iwi forums on that basis.

Terms of Engagement

9. You have asked for confirmation of what the Ministry means by a Terms of Engagement. In view of the difficulty that has been encountered by both parties in some of the previous meetings with the Hokianga Accord, we think it would be useful to formally set out how iwi and the Ministry will work together at Forum meetings and in the interactions that arise from those meetings. This could be accomplished by Terms of Engagement that would be subsidiary to and support the MOU between the parties. In our view a terms of engagement could set out:

- a) the process the parties will use to agree on the dates, venue, participants and agenda for meetings to get best value for both parties;
- b) starting times of meetings to recognise the need for the Ministry (and iwi) to bring people from all over the country;
- c) processes for media participation at meetings and media releases from meetings;
- d) procedures for recording of meeting, including confirmation of minutes, video/audio recording and provision of prepared briefing papers and statements;
- e) discussion rules, including the right of both parties to decline discussion and report later on a subject where information or expertise is not available; and
- f) timeframes for providing responses and reports requested by the Forum or by parties to the Forum.

10. The Ministry is amenable to further discussions with you and the representatives of other Iwi on the development of terms of engagement.

Criteria for funding meetings

11. The government purchase agreement with the Ministry is to provide resources for the input and participation of hapu and iwi into fisheries sustainability processes through Regional Forums. The purchase agreement provides for the Ministry to fund four meetings a year between iwi and the Ministry. In addition, resourcing of the Iwi Forums through extension officers and information sharing is also available. The Hokianga Accord is not a Regional Forum and is therefore not a body that could be funded under the purchase agreement. Similarly, funding iwi to meet among themselves, separate from a meeting with the Ministry, would also appear to be

inconsistent with the current purchase agreement between the Minister and the Ministry. In this circumstance the Ministry is not able to fund meetings unless they are between a Regional Forum and the Ministry.

12. I hope this clarifies the Ministry's view on the matters you have raised. My staff and I are available to discuss these matters further if you require further information.

Noho ora mai

GT (Stan) Crothers
Deputy Chief Executive

Appendix Five - Hokianga Accord Letter to MFish

4th April 2006

Mr GT (Stan) Crothers
Deputy Chief Executive
Ministry Of Fisheries
PO Box 1020
WELLINGTON

Tena Koe Stan

Re: Provision for input and participation of tangata whenua in fisheries management – engagement between the Ministry of Fisheries (MFish) and tangata whenua.

1. Thank you for your letter of 17 March 2006 being MFish's response to the discussion between the MFish team and Hokianga Accord representatives who attended the hui at Almorah Place, Newmarket on 7 December 2005 (December, 05 hui).

Background

2. The report of the December 05 hui, dated 18 December 2005 refers, on pages 11 and 12 to the discussion concerning:
 - 2.1. who would be involved in the Hokianga Accord;
 - 2.2. with whom MFish would enter into a Memorandum of Understanding (MOU) which complied with the Crown Maori Relationship Instrument (CMRI) policy relating to fisheries management;
 - 2.3. MFish's preference for agreement with a collective of iwi and not with each iwi separately; and
 - 2.4. that MFish would look into the electoral college boundaries under the Maori Fisheries Act 2004 as a *possible* solution when considering clusters of iwi to engage in a formal MOU with MFish.
3. Unfortunately it appears that there has been some confusion between ourselves and MFish to date on what we have been trying to achieve in terms of our relationship with each other concerning the Minister providing for Ngapuhi's input and participation into fisheries management.
4. From Ngapuhi's viewpoint it is our intention to develop with MFish the most efficient process possible by which MFish can assist in providing for Ngapuhi's

input and participation into your decision making processes in order to meet the statutory requirements of the Fisheries Act 1996.

5. MFish teams at previous hui have referred to the cabinet guidelines for the development of CMRI's, including MOU's, which form the basis for your views of what an input and participation process may look like. We intend making our own inquiries in relation to those guidelines. *To assist Ngapuhi please provide us with the policies and guidelines you have referred to in your previous correspondence.*
6. In the meantime, we also set out a brief explanation of Ngapuhi's position to help MFish understand where we are coming from, and why some of the proposals MFish have put forward are unhelpful to us.
7. It is also important to note that the question for Ngapuhi is whether the process that is developed will provide for the substance of that process, namely, real input and participation into fisheries decision making in our rohe potae.

What is less important for us is whether this process meets a particular form or has a particular name attached to it. This may have resulted in your queries concerning the status of the Hokianga Accord.

Status of the Hokianga Accord

8. As you know, the Hokianga accord is the name given to the relationship that has developed between Maori and non-Maori non-commercial fishing interests in the mid North, all sharing common intentions of improving our coastal fisheries so that iwi and hapu can continue feeding their families and to that end putting *"more fish in the water."*
9. Iwi of the mid North, namely, Ngapuhi (including the hapu of Te Roroa and Te Uri O Hau), Ngati Wai and Ngati Whatua have called all four hui held to date with a fifth to be held on 6 and 7 April 2006, to which they have invited non-Maori commercial fishing interests to discuss and share views on current fisheries management practices and how best to achieve the above common intention.
10. As mentioned, Maori non-commercial fishing interests from outside mid North and non-Maori non-commercial fishing interests who attend these hui are manuhiri (guests and visitors) whom we have learned to respect and value the way in which they have shown a willingness to assist us in fulfilling our statutory right to make input and participation into fisheries management.
11. In a practical sense I see no good reason why MFish could not carry out the Minister's statutory obligations to provide for the input and participation of tangata whenua in fisheries management at and during the hui. This is because issues discussed at the hui are likely to be the same issues that are discussed at any separate meeting to provide for the input and participation of tangata whenua.

12. In essence we see these meetings being able to provide the outcome that both Ngapuhi and MFish are seeking under section 12 of the Fisheries Act even though they may not exactly fit the form that MFish might prefer.
13. However, as a compromise, with all parties present at the hui we could conveniently meet separately with the *MFish input and participation team* following this meeting. In that regard please note that Ngapuhi reserves the right to invite and have such consultants as Ngapuhi requires to assist the Ngapuhi team at such meeting. MFish may also wish to have its advisers attend as required by MFish.

Establishing an Iwi Forum with Ngapuhi

14. At the December 05 hui the MFish team expressed MFish's preference to a CMRI/MOU with a collective of iwi. You have repeated this in your letter by stating that the establishment of a regional forum with Ngapuhi only presents MFish with some difficulties not made immediately apparent from your letter.
15. The obligations on the Minister in section 12(1)(b) of the Fisheries Act 1996 require the Minister to *provide for the input and participation of tangata whenua having -*
 - i. *A non-commercial interest in the stock concerned; or*
 - ii. *An interest in the effects of fishing on the aquatic environment in the area concerned -*

– *And have particular regard to kaitiakitanga.*
16. The term *tangata whenua* is defined in section 2 of the Fisheries Act *in relation to a particular area, means the hapu, or iwi, that is Maori and holds mana whenua over that area.*
17. We note that MFish's obligation is simply to provide for input and participation of the iwi and hapu of Ngapuhi into fisheries management decisions. This obligation is not dependent or limited by the funding that might be available for this, nor is a particular process prescribed.
18. Therefore, as I have said previously and go on record again saying, the Minister's obligation under section 12 cannot, and must not be held up or delayed whilst MFish decides with whom it will meet to *provide for the input and participation of tangata whenua*, namely, Ngapuhi on its own, or with other mid north iwi in a collective.
19. I will talk with you about this *kanohi ki te kanohi* when I see you at the hui on 6 and 7 April 2006 but emphasise that for my part Ngapuhi is an iwi with whom MFish can enter into a CMRI/MOU now just as soon as the terms of those documents have been agreed.

20. In the meantime, as I have stated at previous hui and again go on record to state, successive Ministers of Fisheries have failed to provide for the input and participation of Ngapuhi in fisheries management in Ngapuhi's rohe (area) since the Fisheries Act was passed in 1996.

Use of Electoral College Boundaries to Establish Regional Forums

21. We have made our own enquiries on this issue.
22. As we understand it, the electoral college boundaries in that Act relates solely to electing Maori fisheries commissioners, and I agree that the use of electoral college boundaries under the Maori Fisheries Act 2004 to establish regional forums would be inappropriate for fisheries management.

Terms of Engagement

23. I disagree with your statement, namely, *the difficulty that has been encountered by both parties* in some of the previous Hokianga Accord Hui.
24. Nevertheless, we appreciate your wish to detail as far as possible the *housekeeping* issues relating to how the business of the Hokianga Accord hui will be conducted.

Criteria for Funding Meetings

25. As explained above, the series of Hui called by Ngapuhi, Ngati Wai, Ngati Whatua and hapu under the banner of the Hokianga Accord *do comply* with MFish's Regional Forum model, and as such qualify for government approved funding for input and participation.
26. As I explained earlier, the attendance by non-Maori non-commercial fishing interests is by invitation from iwi and hapu and does not in any way disqualify us from the government approved funding for such forums. We look forward to reviewing the policy papers I have requested to complete my enquiries on this point.
27. In this regard, I remind you that we consider that the provision by MFish of \$20,000 per annum towards the cost of the hui is quite insufficient to cover the cost of providing for input and participation by tangata whenua on particular sustainability measures as they arise from time to time. It would also be useful if you were able to provide us with the background policy behind this funding figure to explain the reasoning for it.

Summary and Conclusion

28. MFish has an obligation to provide for Ngapuhi's input and participation into fisheries management. To date this has not occurred, and we now have a means or process in place which could be used to meet this obligation. From Ngapuhi's

viewpoint we see no reason why we cannot begin to work together now to ensure that these obligations are met.

29. The hui called to date by Ngapuhi, Ngati Wai and Ngati Whatua to which non-Maori non-commercial fishing interests have been invited, comply in essence with the MFish Regional Forum model, and therefore qualify for and are entitled to the government agreed funding of \$20,000 per annum for input and participation by tangata whenua in respect of those hui. Additional funding will be sought to provide for input and participation on particular sustainability measures.
30. Ngapuhi, as the iwi having an interest in the effects of fishing on the aquatic environment in its area of influence, is entitled to have MFish provide for its input and participation as contemplated in the Fisheries Act in its own right. This obligation is not conditional on funding arrangements or the ability of other iwi to also participate.
31. I look forward to seeing you again at the hui at Whitiara Marae, Te Tii on 6 and 7 April 2006.

Mauri ora

Raniera T (Sonny) Tau,
Chairman,
Te Runanga A Iwi O Ngapuhi

Appendix Six - MFish Letter to the Hokianga Accord

5 April 2006

Tena koe Sonny

Thank you for your letter of 4 April setting out your views on options for engagement between tangata whenua and the Ministry of Fisheries.

The matters you have raised will be carefully considered and I will respond to you in more detail within the next 10 working days.

I acknowledge your confirmation that the Hokianga Accord is the expression of the relationship between Maori and non-Maori non-commercial fishing interests in the mid North. It is not an iwi Forum between the Ministry and Iwi.

We understand that the purpose of the hui of the Hokianga Accord to be held on 6 and 7 April at Whitiara marae will be for iwi and other non-commercial fishing interests to discuss and share views on current fisheries management practices and how best to achieve common objectives on those matters. We understand that the meeting will also consider a legal structure to formalise this relationship between iwi and other non-commercial fishing interests.

The Ministry understood, from the proposal you presented to us at the “short lineout” meeting in Auckland, that you proposed that the Ministry’s primary relationship to provide for the input and participation of tangata whenua in fisheries processes would be with iwi, through an Iwi Forum. Iwi would have a relationship with other interested groups to discuss issues of common interest separately through your engagement in the Hokianga Accord. It was always anticipated that iwi could invite others to listen and discuss issues at Iwi Forum, but that they would not be members of the Forum or signatories to any Memorandum of Understanding (MOU) or other agreement between the Ministry and iwi.

I understand that you now propose to conduct the business of any Iwi Forum through hui of the Hokianga Accord. This approach does have some implications for how the Ministry and iwi can work together, the matters that could be brought before a Forum at such a venue, the resourcing of the Forum and the construction of any MOU between the Forum and the Ministry.

We would like to discuss these matters with the iwi of the middle North in more detail. To advance this issue I propose to call a meeting of the Ministry and representatives from each iwi and the governance entities of Te Uri o Hau and Te Roroa (the hapu with which the Crown has direct Treaty settlement commitment’s) at the Ministry’s Whangarei office at a time that is mutually acceptable to all those parties. The purpose of the meeting will be to discuss the need for a Forum in the Mid North, the objectives of such a Forum and the manner in which it would operate to

effectively provide for the input and participation of tangata whenua into fisheries processes.

Your letter implies that a Forum would deal only with input and participation on sustainability measures from a non-commercial perspective. While that might be true if a model based on the Hokianga Accord is used, I think that approach is an inappropriate limitation of the role a Forum could play in the relationship between the Ministry and iwi, and the involvement of iwi not only in sustainability processes but in other aspects of the Ministry's operations. I do not see that a Forum should be limited to input and participation on non-commercial issues, although this is a key role for a Forum. A Forum can and should look at all aspects of Iwi interest in fisheries management, both commercial and non-commercial. In addition iwi, through a Forum could be involved in a number of the business processes of the Ministry where they have an interest, (such as the extent of fisheries services and research planning), where there is no legal requirement for input and participation, but in which the Ministry would like to extend its interactions with iwi. I would be interested in discussing these matters further with Iwi representatives in the development of any Regional Iwi Forum.

In respect of the next meeting of the Hokianga Accord, you have invited the Ministry to be present and participate in a number of items on the agenda. I am agreeable to Ministry staff participating in the hui on the understanding that there has been some confusion to date as to how the hui would be used to enable the Ministry to discuss with iwi a number of issues on the agenda. In my view it would be unreasonable to now seek an alternative venue to discuss these issues with iwi.

In future it should be clear that the Ministry will need to establish with iwi a formal forum and determine with all iwi how meetings of the Forum will be conducted and the matters that will be dealt with by that iwi forum

There are a number of items on the agenda that are exclusively the business of the iwi and non-commercial members of the Hokianga Accord. I am concerned that it would be inappropriate for Ministry staff to participate in those items or be in attendance during those items. In my view the only items the Ministry should be involved in are:

- the report back from previous meetings at which the Ministry attended;
- a presentation by the Ministry to Iwi representatives on the Shared Fisheries Project and the recording of their views on the key issues they consider should be included in the project (noting that the Ministry has already convened meetings with recreational groups on this issue and they have had the opportunity to put forward their views on the project);
- a briefing by the Ministry on Fisheries Plans.

Thank you for ordering the agenda to enable these matters to be addressed in the earlier part of day one of your hui. This approach will address my concerns over the need to separate the Ministry's participation from the private business of the Hokianga Accord.

However, I note there is still provision for a presentation to the hui on proportional allocation and fisheries plans and subsequent panel discussion on these items and the Shared Fisheries Project. This stage of the Shared Fisheries Project is intended to seek the views of interested parties on the issues that need to be addressed in the project. The Ministry is essentially there to listen to iwi views. There is as yet no formed policy on allocation. I do not consider that it would be useful for the Ministry to engage in speculation as to any particular approach that is not yet part of the matters up for discussion. Consequently the Ministry will not be involved these items.

As always, I am concerned to ensure that my staff are able to operate in a professional and safe manner. I would like confirmation prior to Thursday that the hui will be conducted in a professional manner and that the proceedings will not be videoed or recorded and that media will not be present. I look forward to your reply.

You have asked the Ministry to supply you with material on the Crown's policies and guidelines on Crown Maori Relationship Instruments and policy papers on the funding of Regional Forums. Some of this material originates from other agencies. We are enquiring as to its release and will respond to you on both issues in accordance with the procedures set down for the release of official information.

Noho ora mai

GT (Stan) Crothers

Appendix Seven - Hokianga Accord Letter to MFish

5 April 2006

Mr GT (Stan) Crothers
Deputy Chief Executive
Ministry Of Fisheries
PO Box 1020
WELLINGTON

Tena koe Stan

Provision for input and participation of tangata whenua in fisheries management – engagement between Ministry of Fisheries (MFish) and tangata whenua

1. Thank you for your prompt response to my letter to you of 4 April 2006.

Your Concerns

2. I note that your concerns with the iwi forum we have put together and called the Hokianga Accord are:
 - 2.1. That you do not consider that this forum complies with the MFish iwi forum model to enable MFish to discharge its statutory obligations to tangata whenua on fisheries management matters;
 - 2.2. That the iwi forum ought not be restricted to input and participation on sustainability measures from a non-commercial perspective;
 - 2.3. With the content of the agenda set for the hui at Whitiara Marae, Te Tii on 6 and 7 April 2006;
 - 2.4. With MFish's role at the hui concerning MFish's proposed proportional allocation and fisheries plans project;
 - 2.5. With the videoing or recording of the business discussed at the hui, and the presence of media.
3. Even though this is the eleventh hour, I will respond to each of your concerns separately in time to meet your deadline of "before Thursday."

Iwi forum

4. As you are personally aware, we adopted, at a previous hui, the name Hokianga Accord for the regional iwi forum of the mid north. Iwi in attendance at that hui were, Ngapuhi, Ngati Whatua and Ngati Wai.
5. I explained in my letter to you of 4 April 2006 that all non-Maori non-commercial fishing interests who have attended, and will in the future at our invitation attend these hui, are manuhiri (guests and visitors) of iwi.

6. As I also explained, we appreciate your wish to detail as far as possible the *housekeeping* detail as to how the business of the forum will be conducted including manuhiri invited by us. In this regard, if I understand you correctly, your suggestion is that a Terms of Reference relating to the relationship between iwi and manuhiri be attached to the MOU agreed between iwi and MFish.
7. Furthermore, if it assists you, I am happy to request iwi that they consider that our hui be held under the banner of Hokianga Iwi [*Accord/Forum?*] whilst recognising that, this concession to MFish, if granted by iwi, is of form only and not substance. The fact is that we already have an iwi forum in mid Te Tai Tokerau to discuss fisheries management issues.
8. For this reason as I see it there is absolutely no need for iwi to meet with MFish at MFish's Whangarei office to discuss the need for a forum in mid Te Tai Tokerau, the objectives of the forum, and the manner in which it will operate to discharge MFish's statutory obligations to tangata whenua on fisheries management matters.
9. As stated we already have an iwi forum attended by MFish representatives to date without issue and which, as I explained in my letter of 4 April 2006, complies with the MFish regional iwi forum model and as such qualifies for the Government agreed funding. Stan, nothing has changed.
10. I am always ready to meet with you on how we may best strengthen and develop our relationship so that MFish can fulfil its statutory obligations to tangata whenua on fisheries management matters, but I repeat that MFish must not hold up or delay its performance of the Government's obligations to tangata whenua whilst MFish decides with whom and where it will meet for that purpose.

Input and participation

11. I note that you recognise that input and participation of tangata whenua on non-commercial issues is a key role for our iwi forum but that it need not be restricted to the discussion of wider fisheries management issues that relate to iwi.
12. In that regard we welcome benefiting from MFish fisheries services and research planning offered by you and would be grateful if you could provide more detail.
13. As explained the iwi forum we have developed complies with MFish's own regional iwi forum model and is not as you put it a different model. I repeat, the forum comprises iwi of mid Te Tai Tokerau to which other New Zealanders with common interests in fisheries management are invited by iwi as manuhiri.

Iwi forum hui agenda

14. All matters on the agenda relate to fisheries management in which I expect MFish would be interested and keen to participate.

Mfish's Shared Fisheries Project And Fisheries Plans

15. Regarding Mfish's presentations on the Shared Fisheries Project and Fisheries Plans, I note that both of these items of business were included by Carl Ross in his email making suggestions for the agenda.
16. In your advice paper to the Minister (16/12/05) you clearly stated that Mfish would engage with tangata whenua in the preparation of the public discussion document.
17. Our understanding is that the public discussion paper is due to be released in June. For iwi participation to be meaningful, time is now of the essence.
18. Iwi believe that this hui will more than likely be our last opportunity to fathom the complex issues being considered. It is our wish to make good use of the manuhiri who have such an obvious wealth of experience in these complex issues. Furthermore, it is hoped that the panel discussion session will assist iwi in the formulation of our "view". You will note that the Friday agenda has time set aside for the initiation of the "view" that Mfish will receive in due course.
19. Iwi do not expect Mfish officials to "engage in speculation as to any particular approach". However, we DO expect senior Mfish officials to give accurate answers to well founded questions when they have completed their presentations. If you decide that this is outside the role of senior Mfish officials, so be it. A decision to forbid Mfish officials to participate in a robust question and answer session undermines any faith iwi might have that Mfish are sincere and intent upon engaging with tangata whenua on this kaupapa.

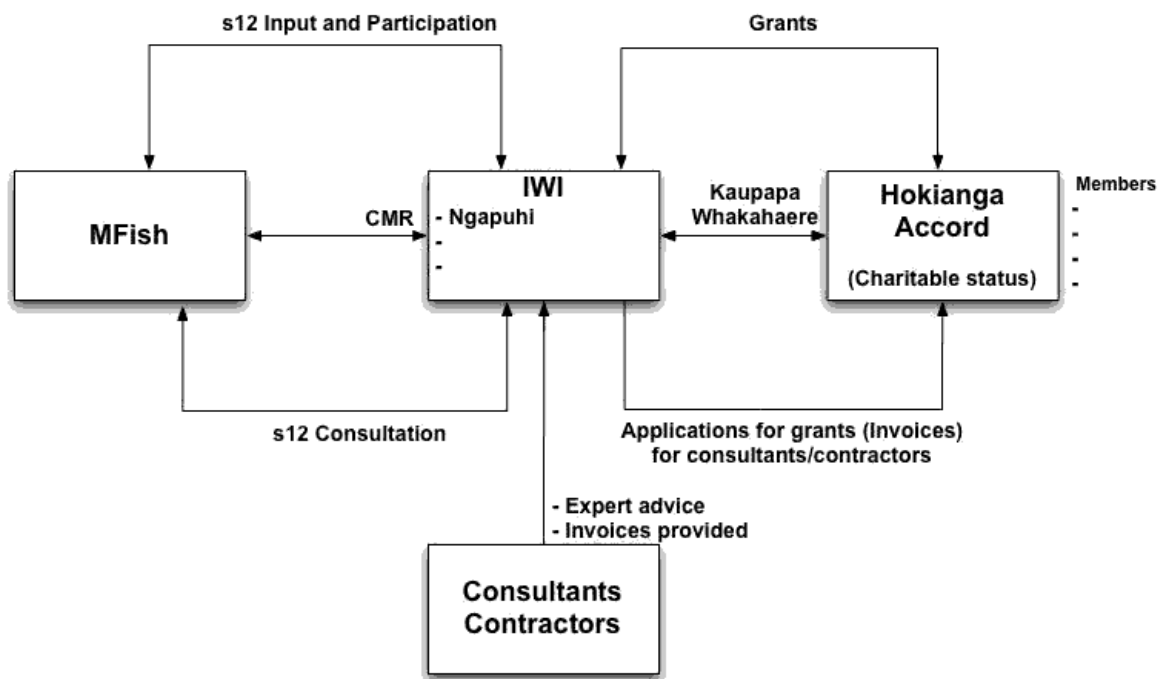
Videoring or recording iwi forum hui and presence of media

20. As you know, the policy of iwi is that all proceedings be righteous, truthful and transparent (te tika, te pono me te tuwhera). I am sure you agree with that.
21. With that in mind I would be grateful if you would explain your reasons for not wanting an accurate record of proceedings kept?
22. I look forward to receiving from you the cabinet guidelines for the development of CMRI's, including MOU's which form the basis of your views of what an input and participation process may look like.
23. Finally Stan, I would strongly advise that you re-read the letter from your then Minister, David Benson-Pope to Ngapuhi dated 12 August 2005.
24. I look forward to seeing you again at the hui tomorrow, or if you are unable to attend, your representatives.

Mauri Ora
Raniera T (Sonny) Tau

Appendix Eight – Draft Forum Structure

Draft Alternative Iwi Relationship Model December 2005



Appendix Nine – Shared Fisheries Policy Update

MFish Shared Fisheries Policy Initiative

April 2006

Introduction

- MFish is working on a new policy project to improve the management framework for shared fisheries. Shared fisheries are fisheries in which commercial, customary, and recreational fishers have significant interests and share the available catch.
- The project has been underway since late December 2005, when the Minister of Fisheries approved the scope and timeframe for the project.
- MFish has an overall goal of maximizing the value New Zealanders obtain from fisheries. To increase the value obtained from shared fisheries we need to:
 - a) Ensure trade-offs made between the values of different sectors are transparent and add overall value to the fishery;
 - b) Ensure each sector has opportunities and incentives to add value to the fishery, especially by conserving or enhancing the resource; and
 - c) Ensure a full range of management tools is available.
- The end result of the project will be a policy framework – a set of criteria, processes, and management tools that can be applied to particular shared fisheries, generally through the development of fisheries plans.

Project timeframe

- Preliminary discussions with key stakeholder groups – NOW
- Release of public discussion document ~mid 2006
- Period for public feedback - 4 months
- Government decisions on final policy ~June 2007
- Legislative change, Select Committee process ~mid-2008.

The preliminary discussions are an opportunity for stakeholder groups to give us feedback on whether we have correctly identified the key issues (as outlined on the following page) and provide suggestions for workable options to address these issues.

Key Issues and Challenges

1. Criteria and processes for setting the TAC
 - Need to strike a balance between commercial and non-commercial values – that is, yield on one hand, and catch-rates/fish-size on the other
2. Increased certainty in allocation of TAC
 - Includes setting and adjusting the customary, recreational and commercial portions of the TAC
 - Need to maintain flexibility to respond to changing demands (e.g. population)
 - Is important to secure benefits of the Quota Management System (QMS) through predictable and fair processes of adjustment
 - Increased certainty and reduced conflict should encourage sector groups to cooperate in the management of shared fisheries
3. Accessible management tools to allow for the enhancement of non-commercial values
 - For example, to provide for separation of commercial and recreational fishing effort in key areas or fisheries
 - Enable increased local participation in management where interest and values are high
4. Effective management measures to avoid overcatch
 - Ensure there are appropriate incentives for commercial and recreational fishing to be maintained within their portion of the available take
 - Especially important in fully developed shared fisheries
5. More cost-effective and reliable information
 - Knowing the extent of non-commercial fishing is important for all of the above issues, especially 1 & 2
 - Important to monitor (and respond to) changes in demand
 - Participation rates are a critical unknown factor

Are there other key challenges that we have missed?

Do you have any suggestions on how we can address any of these issues?

For further information:

Project Contacts

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The project has a page on the MFish website, where we post document and updates.
The website address is: www.fish.govt.nz/shared-fisheries

If you have any questions regarding the project prior to release of the discussion document, please send an e-mail to info@fish.govt.nz with the subject heading “Shared Fisheries”.

Appendix Ten - Glossary

May 2006

A

Aotearoa	New Zealand
Aroha	Sympathy, love
Awhi/awhina	Care, support, help

B

Bmsy	Biomass level, stock level that can produce the maximum sustainable yield.
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D

DoC	Department of Conservation
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H

Hapu	A collective of immediate families
Hongi	Press nose
Hui	Gathering, meeting

I

IPP	MFish Initial Position Paper, proposal document
Ika	Fish
Iwi	A collective of hapu, tribe

K

Kai	Food
Kaimoana	Seafood
Kaitiaki	Guardian, custodian
Kaitiakitanga	Guardianship
Karakia	Prayer
Kaumatua	Elder, elders
Kaupapa	Agenda, cause
Kaupapa whakahaere	Modus operandi or how the Hokianga Accord will operate
Kia maha atu nga ika i roto i te wai	“More fish in the water.”
Koha	Customary gift, donation
Korero	Speak, talk
Kotahitanga	Solidarity, united, togetherness

M

MFish, Ministry	Ministry of Fisheries
Mahi	Work, job
Mana	The spiritual power and authority that can be applied to people, their words and acts.
Manaakitanga	Behaviour that acknowledges the mana of others as having equal or greater importance than ones own, through the expression of aroha, hospitality, generosity and mutual respect. Prof. Whatarangi Winiata
Manuhiri	Visitors, guests
Maoritanga	Maori culture
Marae	Ancestral meeting ground
Mātaitai	Reserve
Mauri	Life force
Mihi	Greeting
MFish	Ministry of Fisheries
MLS	MFish minimum legal size of fish, shellfish
Moana	Sea, ocean
Moko/mokopuna	Grandchild, grandchildren, descendants
Motu	Island
MOU	Memorandum of Understanding, Kaupapa Whakahaere

N

NIWA	National Institute of Water and Atmospheric Research
Non-commercial fisher	Maori customary or recreational fishing person
NZBGFC	New Zealand Big Game Fishing Council
NZRFC	New Zealand Recreational Fishing Council

P

Pakeha	Non-Maori person
Panui	Message
Pou Hononga	MFish customary relationship manager
Powhiri	Welcome ceremony

Q

QMA	Quota Management Area
QMS	Quota Management System, NZ's fisheries management system

R

Rahui	Temporary closure of no fixed timeframe
Rangatiratanga	Sovereignty, autonomy, freedom, leadership
Reo	Voice, language

Ringa wera	Kitchen hand(s)
Rohe	Geographical area
Rohe moana	Geographical area along the foreshore and seabed
Runanga	Leadership council

S

'Short line-out'	Working group of the Hokianga Accord
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T

TAC, TACC	Total Allowable Catch, Total Allowable Commercial Catch
Taiapure	Customary management area of the sea
Take	Agenda
Takiwa	Geographic region
Tamariki	Children
Tangata	One person also used as many people on occasion
Tangata whenua	People of the land - in NZ means Maori
Taonga	Treasure, prized possession
Tauwi	Non-Maori
Tautoko	Support
Te mura o te ahi	The heat of the battle
Te Reo	The Maori language
Te Tai Tokerau	Geographic area from Rodney district to the Cape
“Te tika, te pono me te tuwhera”	Being righteous, truthful and transparent
Te Tiriti O Waitangi	The Maori version of the Treaty of Waitangi
Tika	Correct, right
Tikanga	Principles, way of doing things
Tikanga Maori	Maori principles, way of doing things
Tipuna/tupuna	Ancestor
Toheroa	Shellfish
TOKM	Te Ohu Kai Moana, the Treaty of Waitangi Fisheries Commission
Tuangi	Cockle
Tuatua	Shellfish
Tuna	Eel

W

Waiata	Sing, song
Wairua	Spirit
Whakapapa	Genealogical lines of descent, chronology of the unfolding of an event.
Whakawhanaungatanga, whanaungatanga	Relationships
Whanau	Extended family

Whare
Wharekai
Wharenui
Whenua

House
Dining hall
Meeting house
Land

Appendix Eleven – Hui Agenda

Hokianga Accord Hui 6TH – 7th April

DAY ONE

- 10.00am Whakatau (Powhiri-Welcome)
- 10.30am Cuppa Tea
- 10.45am Whakawhanaungatanga (introductions), apologies and messages from people unable to attend. Introduction to Agenda
- 11.15am Review of reports from the last Whakamaharatanga hui & the “short line-out” hui with Ministry in Auckland – questions and answer session
- 11.45pm Review of the MFish response to the proposed Hokianga Accord structure – Stan Crother’s feedback letter and Sonny Tau’s reply. Question and answer session – Mark Edwards/Jonathon Peacey
- 12.30pm Lunch
- 1.15pm Briefing by MFish on “*Allocation of shared fisheries project*” and Fisheries Plans – Dr Robin Connor/Mark Edwards
- 1.45pm “*Fish Plans a View of the Future*” - Jonathan Peacey
- 2.15pm “*Proportional allocation and fisheries plans – a risk analysis*” - Paul Barnes
- 2.45pm Panel discussion on “*Allocation of shared fisheries project*” and “*Fisheries plans*” – questions from the hui with answers from a panel of MFish and non-commercial fishers representatives
- 3.15pm Cuppa Tea – Team photo
- 3.30pm Panel discussion resumes
- 4.30pm MFish staff depart
- 4.35pm Discussion on recommendations for structure for Hokianga Accord – Bruce Galloway
- 5.00pm Adoption of a selected recommendation for the Hokianga Accord structure

- 5.30pm Selection and Appointment of Executive/Working Group
- 6.00pm Dinner
- 7.00pm “*Marangai Taiamai management plan*” – Judah Heihei and team
- 8.00pm Input and participation. Report on Snapper Working Group with recommendations – John Holdsworth/Trish Rea
- 8.15pm Input and participation. Report on Pelagic Working Group with recommendations – John Holdsworth
- 8.30pm Cuppa Tea
- 9.00pm Update on Kahawai Legal Challenge – Jeff Romeril
- 9.15pm Update on Hokianga Accord attendance at Ngapuhitanga Festival – Scott Macindoe
- 9.30pm Update on Guardians of Mimiwhangata – Bruce Galloway
- 9.45pm Update on Regional Customary Forums – Graeme Morrell
- 10.00pm Update on Regional Recreational Forums – Paul Batten
- 10.30pm Karakia-moe (sleep time)

DAY TWO

- 6.00am Karakia
- 7.00am Parakuihi (Breakfast)
- 8.00am Input and participation. Report on Snapper Working Group with recommendations – John Holdsworth/Trish Rea
- 8.15am Input and participation. Report on Pelagic Working Group with recommendations – John Holdsworth
- 8.30am Doubtless Bay Marine Protection Group - Update. John Kenderdine.
- 8.45am Income and expenditure report - Forecasting/Budgeting – Scott Macindoe
- 9.00am Summarise Hokianga Accord queries and concerns around “*Shared Fisheries Allocation Project*” and “*Fisheries plans*”
- 10.15am Evaluation of Hui
- 12.00pm Lunch - Wrap up hui.