

option4 Update #143

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Standby to protect your fishing access

Every New Zealander has the right to freely fish in the sea. For a decade recreational fishers have collectively managed to repel threats to this right. Earlier government proposals, Soundings (2000) and Shared Fisheries (2006), were rejected outright. Over four years thousands of Kiwis supported the Kahawai Legal Challenge, which achieved a favourable outcome in 2009. Now we are facing a new challenge, this time from within our own ranks.

Creating a statutory body to make policy decisions and representations on behalf of the public has become the summer's hot topic.

There are marked differences between the various proposals and much shadowboxing between the two main proponents, the NZ Recreational Fishing Council and a trio from Southland, but there are some similarities in their approach.

Licensing of fishers

Licensing is not discussed outright, but establishing a statutory regime with the legal clout to impose a membership fee on marine fishers is the inevitable outcome.

This is not a new concept.

Licensing was included in the Soundings discussions from mid to late 2000 and was a major catalyst for option4's formation that year.

By 2001 a record 100,000 people opposed the government's Soundings document and supported option4's principles of:

- ⇒ A priority right over commercial fishers for free access to a reasonable daily bag limit to be written into legislation
- ⇒ The ability to exclude commercial methods that deplete recreationally important areas
- ⇒ The ability to devise plans to ensure future generations enjoy the same or better quality of rights while preventing fish conserved for recreational use being given to the commercial sector
- ⇒ No licensing of recreational fishers.

A recent *New Zealand Fishing News* survey of 3000 respondents confirmed that over 70 percent would not pay a license fee under any circumstance.

This result reinforces option4's ongoing opposition to licensing and successive government's reluctance to broach this unpopular issue.

However, the reformers anticipate the widespread distaste for licensing can be overcome with a promise of self-management, assuming that objections will dissipate if the government is not seen as the licensor.

Free right to fish

Soundings and Shared Fisheries sought to "better define" the recreational fishing right. Given the Supreme Court's description of the recreational right it is fortunate both proposals were tossed aside.

In 2009 the Court found that while non-commercial fishers do not have a priority right across all species the Minister may decide that, on balance, the benefit to the nation may be greater for a fishery to be managed for the benefit of non-commercial fishers. Marlin is one example.

Moreover, stocks can be managed above the legal sustainable limit to improve fish abundance, as evidenced by the recent Ministerial kahawai decision.

Identifying and resolving issues

Undoubtedly the latest proposals need to be widely discussed, but after reviewing the available documentation it is clear that the foremost priority ought to be a proper analysis and prioritisation of the issues facing recreational interests. Appropriate solutions can only be designed after the problems are identified.

Examining how other non-commercial interest groups operate would also be helpful.

There are various environmental groups advocating fisheries issues, and the public is free to support one or more organisations that best represent their views.

It is obvious that those Non Government Organisations with firm principles to guide the activities of dedicated people achieve the best outcomes.

The government, industry and environmentalists know that none of those groups have outright mandate to speak on the public's behalf.

Public interest is ultimately represented by Parliament, whose members are elected by the people.

And it remains the Crown's responsibility to provide for every New Zealander's well-being, by sustainably managing fisheries. Establishing a statutory body for recreational interests would isolate the government from this role.

Legislative amendment will be required to give effect to a statutory body and that process will unquestionably be influenced by quota holders seeking to enhance their commercial interests.

Conclusion

There is no evidence of the need analysis or benefits of establishing a statutory organisation with compulsory membership (licensing). Nor is there any certainty that a statutory body would raise adequate funds and provide better representation compared to what we currently have.

There are an increasing number of groups working together now to achieve the best outcome for the public's non-commercial environmental and fishing interests, despite the disparaging claims by those seeking to promote these latest reforms.

option4 are not convinced that a tax on recreational fishers and the bureaucracy that this would generate, will provide the representation that the public want or deserve.

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