

Media Statement: Public robbed of crayfish through unfair practices

New Zealand Sport Fishing Council

28 March 2012

Recent Ministerial decisions allocating more of Gisborne's crayfish quota to commercial interests have outraged both the community and New Zealand Sport Fishing Council. The decisions apply from 1 April this year.

Mismanagement already has the locals feeling robbed of reasonable access to crayfish. There are fears quota increases could be applied in other areas.

Hilton Webb, the NZ Sport Fishing Council's Gisborne representative, believes the 17 percent increase is unjustified.

"The 29 tonne quota increase, combined with the ongoing concession that allows commercial fishers to take crayfish smaller than the amateur limit, means it will be a long time before we are likely to have a healthy stock around Gisborne."

The Gisborne-Tatapouri Sports Fishing Club has spent years of effort, time and money lobbying local Maori leaders, the Ministry of Fisheries and Government for improved management.

"David Carter's decision is a slap in the face for many locals and the Council", added Mr. Webb.

Mark Connor, President of the NZ Sport Fishing Council, agrees with suggestions that commercial interests have taken control of the National Rock Lobster Management Group, the statutory body charged with representing all interest groups.

"Contrived Management Procedures have been applied and used in advice to the Minister, who is obviously willing to risk increasing commercial catch at the earliest signs of a rebuild. This decision is a sad outcome for club members, the community and their children's future.

"In 2009 the Supreme Court made it plain that the Minister, when managing a fishery, must make an allowance for the public that meets both quantity and quality thresholds.

"The current recreational allowances applying around Gisborne are meaningless if commercial interests are capturing the majority of crayfish before they are even of legal size."

The NZ Sport Fishing Council is consulting its members before deciding how to respond to this latest decision.

A more equitable management regime that enables effective local input into decisions and greater numbers of fish is required.

New management decisions apply to Rock Lobster around Wellington/Hawke Bay, Marlborough and Otago.

ENDS

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Background

Rock lobsters are highly valued by commercial and non-commercial interests. Non-commercial interests include environmental concerns, recreational and customary fishers.

These fish are variously referred to as Crayfish, Rock Lobster or Spiny (Red) Rock Lobster.

In February 2012 the New Zealand Sport Fishing Council submitted against the proposed commercial catch increase in the Gisborne Crayfish 3 (CRA 3) area.

<http://nzsportfishing.org.nz/index.cfm/pageid/299/ViewPage/2012-Submissions>

The New Zealand Sport Fishing Council considers that the Management Procedures used as a basis for catch increases are contrived formulae that enable greater commercial catches without confirming increases in actual fishable stock.

The New Zealand Sport Fishing Council advocates a more precautionary approach is taken in managing the Rock Lobster fisheries given their importance to the marine ecosystem and all sectors of the community.

CRA 3 quota increase

For stocks within the Quota Management System the fisheries Minister is obliged to firstly set the Total Allowable Catch (TAC) and then make allowances for customary and recreational interests, and for fishing-related mortality. The Minister then sets the Total Allowable Commercial Catch (TACC). These catch limits and allowances are reviewed periodically.

Table 1: Details applying in the CRA3, Gisborne fishery are described in tonnes (t):

	Total Allowable Catch (TAC) (t)	Customary Allowance (t)	Recreational Allowance (t)	Allowance for Other Mortality (t)	Total Allowable Commercial Catch (TACC) (t)
Current	293	20	20	89	164
From 1 Apr 12	322.3	20	20	89	193.3

Concessions

Concession areas are specific Fisheries Management Areas where regulations authorise commercial fishers to harvest Rock Lobster at a smaller size than the 54/60mm tail width minimum legal size. There are three concession areas in New Zealand: CRA3 (Gisborne), CRA7 (Otago) and CRA8 (Southern).

In September 2011 the New Zealand Sport Fishing Council submitted that all Rock Lobster concessions ought to be removed immediately.

http://www.option4.co.nz/Fisheries_Mgmt/crayfish.htm

Supreme Court ruling

From 2005 to 2009 the New Zealand Sport Fishing Council spearheaded the Kahawai Legal Challenge. Hearings were heard in the High Court, Court of Appeal and Supreme Court.

NEW ZEALAND RECREATIONAL FISHING COUNCIL INC AND ANOR v SANFORD LIMITED AND ORS SC 40/2008 [28 May 2009].

In 2009 the Supreme Court delivered a majority decision that recognised recreational interests were broader than just catch. In particular, "...the notion of people providing for their wellbeing, and in particular their social wellbeing, is an important element of recreational interests". [54]

<http://www.option4.co.nz/kahawai/kahawai.htm#legal>