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Indicator Review
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SUBMISSION ON INDICATORS TO MEASURE SECTOR OUTCOME PERFORMANCE

Introduction

1. This submission is from Te Ohu Kaimoana in its role as corporate trustee of Te Ohu Kai Moana Trust (Te Ohu) and responds to the letter from the Ministry of Fisheries (MFish) dated 17 June seeking review and advice to assist with the development of a set of indicators to monitor fisheries sector outcomes outlined in Fisheries 2030.
2. The letter further states that the indicators are intended to help MFiSh, tangata whenua and stakeholders evaluate performance against Fisheries 2030 outcomes. MFiSh proposes to use indicator information for a variety of tasks, including planning and reporting, prioritising activities, benchmarking performance and setting performance goals.
3. In making this submission Te Ohu does not seek to undermine any submission that you may receive from iwi or their representative organisations.
4. Our comments regarding the usefulness of indicators in general and specific groups of indicators are contained below. However, to assist MFiSh develop the indicators further we consider it would be helpful to hold a workshop of interested submitters. Many of our concerns relate to the underlying relevance of certain indicators for their related outcomes. The workshop would therefore focus on clarifying questions about relevance before moving into the development of appropriate indicators. We are keen to be further involved in the process, including being involved in any workshops or face to face discussions.

General Comments

5. Te Ohu supports the development of indicators as a useful tool to measure performance against pre-determined outcomes. We acknowledge the Ministry's invitation for review and advice with the development of the draft indicators and take this opportunity to highlight a number of concerns we have with the current set of draft indicators.

6. Although iwi have interests in the entire set of draft indicators, the bulk of our submission focuses on indicators 9 to 12 and 25 to 28 which support the outcomes USE3 and GOV1 respectively:
 - (i) *Thriving customary fisheries, managed in accordance with kaitiakitanga, supporting the cultural wellbeing of iwi and hapu; and*
 - (ii) *The Treaty partnership is realised through the Crown and Maori clearly defining their respective rights and responsibilities in terms of governance and management of fisheries resources.*
7. First however, while we wish to make our own comments in relation to the proposed indicators for the above outcomes, Te Ohu generally supports the comments made in the submission made by SeaFIC about the need for indicators to be objective quantitative measures of performance, and not reliant on public perception surveys or the completion of MFish tasks and processes. We wish to highlight and support - in particular - their comments on indicators for USE 2 ("High quality amateur fisheries that contribute to the social, cultural, and economic well-being of all New Zealanders") and USE4 ("Healthy fisheries resources in their aquatic environment that reflect and provide for intrinsic and amenity value").
8. We note that Fisheries 2030 specifies outcomes that relate to each of the three fishing sectors: commercial, customary non-commercial and recreational. However the way they are specified is inconsistent. The outcome that relates to the commercial sector focuses on the sector itself – a "profitable seafood industry...". Those that relate to customary non-commercial as well as recreational focus on "fisheries" rather than "fishing" suggesting that each has a separate fishery which in general is obviously not the case. We do not consider that there is an objective measure of value; rather each sector understands how it measures value and what measures can be taken to increase that value as they see it.
9. The quality of fisheries is something that applies equally to commercial, customary and recreational fishers but each sector's reasons for and experiences in accessing and utilising the common resource varies. Ultimately, while the combination of indicators "read" at a particular time might suggest that one sector is doing well, but others not so well (perhaps because some can't get access to the quality of fish they want) this may have nothing to do with the overall quality of fisheries but more to do with different perspectives on what quality means. Ultimately there is still the outstanding question of how conflicts in aspirations or objectives between the sectors might be resolved.
10. In the Fisheries 2030 document, the government has made a commitment to "develop and implement an allocation policy for shared fisheries" (action 1.1). As you may be aware, Te Ohu has supported an approach that enables each of the three sectors to make trade-offs between themselves. One thing that would contribute greatly to this kind of approach is the development of information systems that each sector can use and combine (where they wish) to give a complete picture of the size and spread of total catch taken from particular areas over time. Armed with these types of tools, each sector would have a firm basis for resolving between themselves how they might wish to share available catch in different fisheries.

11. As you may be aware, we have commenced work to develop information and reporting systems for the customary non-commercial sector that may also be adaptable for the recreational sector. In our view, a better approach to gathering information about the recreational sector is to establish practical systems for quantifying catch as well. In the longer term catch reporting systems are the best way to record extractions from the non-commercial sectors, providing the basis for the most accurate means of gaining information about total extractions and trends over time.
12. Surveys are one thing, but we consider that by 2030, the goal should be to have more specific reporting systems in place. It is on this basis that each of the sectors themselves would be in a position to deal with question of allocation amongst themselves as well as provide accurate information to a set of national indicators that show total levels of extraction over time.

Specific Indicators

Supporting Outcome USE3: Thriving customary fisheries, managed in accordance with kaitiakitanga, supporting the cultural wellbeing of iwi and hapu.

Indicator 9: Number of iwi fisheries plans (IFPs) (number)

13. We note that the “intervention logic” for indicator 9 states that *“IFPs are a way of incorporating Maori world views into fisheries management and are broader than developing specific goals for customary fishers. This, in conjunction with abundant fisheries of appropriate quality, will support cultural well-being”*. While we would agree with this statement – it is not clear to us that it relates directly to the outcome being measured and whether “thriving customary fisheries” is intended to reflect the full range of iwi fishing interests. We consider further work is needed to clarify this matter.
14. One of the primary drivers behind the Ministry promoting the development of Iwi Fisheries Plans (IFPs) is to assist iwi to integrate their interests in customary commercial and customary non-commercial fishing (and perhaps even “customary recreational” fishing). Therefore IFPs are not just about customary non-commercial fishing but are also a means to signal the priorities that iwi see in respect of all their fishing interests including commercial, non-commercial and even recreational fishing.
15. This integration will need to happen at a number of levels: regionally (broadly within areas relevant for fisheries management, and therefore inter-iwi) and within individual iwi (intra-iwi). For practical purposes, it may be more efficient for iwi to work collaboratively to develop strategies that relate to fisheries management areas in which they all share an interest. These can then help provide direction for more specific IFPs if iwi so desire.
16. The development of fewer IFPs by iwi working collaboratively according to tikanga and based on whakapapa relationships may well provide for higher quality outcomes in respect of fisheries than a high number of individual IFPs where iwi work in isolation. The nature of common fisheries dictates that working collectively over a shared resource could provide more integrated outcomes than through working as individual iwi. For example in respect of

customary non-commercial fisheries, a single regional IFP covering the entire Bay of Plenty / Mataatua rohe moana is expected to be more beneficial to iwi and help promote better management of customary fishing than 8 or 9 individual IFPs. Thus, the indicator should be focused on the geographical coverage under IFPs as a proportion of total space within the New Zealand Exclusive Economic Zone (EEZ), rather than the number of IFPs.

17. At the same time, given that the actual outcome being measured appears to relate to “customary non-commercial fisheries”, the relevant indicators may need to relate more specifically to the management of this activity.
18. As noted above, we consider further work is needed to refine this indicator as well as the outcome it is intended to measure. It would be appropriate to measure the area, relative to the whole EEZ, over which iwi have identified management objectives for customary non-commercial fishing – or for that matter all of their fishing interests if that is what the outcome is intended to reflect. So for instance there may be at least two related indicators as follows:

Indicator 9a: The geographical area covered by authorised IFPs as a proportion of the total EEZ area.

Indicator 9b: The proportion of the area covered by IFPs within which iwi have identified objectives for customary non-commercial fishing.

19. It may also be beneficial in understanding the contribution of customary non-commercial fishing (or for that matter commercial and recreational?) to social and cultural wellbeing to have some way of measuring how far these objectives are being implemented, monitored or reviewed.
20. Finally, outcome USE 3 refers to the concept of kaitiakitanga. It is not clear whether the Ministry is assuming that kaitiakitanga is only expressed in relation to customary non-commercial fishing. Clearly it is a concept that applies to all Maori interests in fishing but the problem here is partly a consequence of the unclear scope of USE3, as noted in paragraph 13 above. We consider further work is also needed to identify an indicator for the expression of kaitiakitanga in its fullest sense.

Indicator 10: Tangata tiaki/kaitiaki (number)

21. Again we consider that a better indicator would measure geographical coverage of kaitiaki as opposed to the number of kaitiaki. The number of Kaitiaki on its own means very little unless an ideal target number is first identified for comparison purposes. In setting the ideal number range one of the considerations is the size of the geographical area to be covered by a kaitiaki. For example, multiple iwi could agree to have one or two kaitiaki cover their combined region whereas other iwi could have 10 kaitiaki covering an area of similar size. A more accurate indicator would measure the geographical coverage of rohe moana by kaitiaki in proportion to the total EEZ area.
22. To take a further example, rohe moana and kaitiaki appointments would most usefully be structured in a manner that meets iwi objectives for customary non-commercial fishing. Long strips of rohe moana running from the coastline out to the EEZ border are not very practical for customary harvest purposes, for example if a commercial vessel is to be utilised to harvest under a customary

permit. In some cases iwi might determine that it would be better to split rohe moana into inshore and offshore zones and allow different iwi kaitiaki to authorise harvest within agreed areas. In that way, it could be possible to designate large “deepwater” zones as rohe moana that are shared between kaitiaki appointed by multiple iwi. Ultimately – no-one approach is more correct than the other: the choice rests with iwi and will depend upon what they wish to achieve.

23. Achievement of the outcome may thus require a good spread of kaitiaki over various rohe and iwi as opposed to a single iwi having a high number of kaitiaki while others have few or none. We propose:

Indicator 10: The geographical area covered by kaitiaki as a proportion of the total EEZ area.

Indicator 11: IFPs impact on national fisheries plans (number of IFP objectives given effect in national fisheries plans)

24. We think further work is needed to clarify what is being measured here. By measuring the impact of IFPs on National Fisheries Plans (NFPs), this indicator may give a sense of how well tailored IFPs are to NFPs, and in turn how responsive the Ministry is in inserting iwi objectives into NFPs. We believe this is a useful exercise in measuring how well MFish processes are working and how responsive they are to iwi, but we are not sure how well this will measure outcome USE3.
25. As noted earlier – we would welcome the opportunity to discuss this further.

Indicator 12: Customary fishery needs (catch)

26. The actual indicator is vaguely worded but the intervention logic suggests that it will also provide an indication of whether customary non-commercial needs are being met. A simple measure of catch will indicate how much fish is being extracted by the non-commercial customary sector but will not necessarily provide any indication of whether customary non-commercial needs are being met, unless it is simply assumed that iwi can catch whatever they need – which is then reflected in catch information.
27. We understand from iwi that the situation is more complex than that. For instance we are aware that in some cases, kaitiaki do not authorise take where they consider a fishery is not healthy. This does not diminish the needs of iwi and hapu but simply shows that iwi are willing to live with their needs not being satisfied to ensure sustainability of the resource.
28. The more specific way to assess need is for iwi to gather and manage information on what their needs are and whether levels of catch actually meet those needs. As noted earlier, Te Ohu is developing tools to assist iwi to carry out this type of recording and planning, through initiatives such as electronic reporting and mapping, and the use of pataka systems. Note that as part of the development of the pataka system we are looking at being able to capture and measure information around target species and volumes versus actual catch. In addition we are looking to provide for “catch per unit of effort” reporting.

29. As well as tracking actual catch through customary non-commercial reporting, it may also be worth exploring an additional indicator as a medium term measure of how many iwi have systems in place to identify their customary non-commercial needs over time (for instance by tracking the numbers of key events such as hui and tangi with some assumptions around attendee numbers) and to record associated catch.

Indicator 12a: Number of iwi with integrated systems/tools to record catch needs and actual catch

An indicator that reflects customary catch per unit of effort may also be of local value.

Ultimately, if the majority of iwi are shown to have such systems in place, iwi could, if they are willing, provide information directly as to how far their needs have been met through customary non-commercial catch.

Supporting outcome GOV1: The Treaty partnership is realised through the Crown and Maori clearly defining their respective rights and responsibilities in terms of governance and management of fisheries resources

30. In our view, the proposed draft indicators relate to processes or activities that the Ministry intends to carry out that do not necessarily signal the achievement of this outcome.
31. GOV1 is worded in such a way that it suggests agreements will be reached between treaty partners as to what their roles and responsibilities are. Taken literally, this outcome would be best measured by a simple calculation of the number of agreements the Ministry has in place with iwi organisations that defines their respective rights and responsibilities in terms of the governance and management of fisheries resources. Alternatively the indicator could measure the area (in proportion to the EEZ) over which agreements between iwi and the government have been reached on this matter.
32. In making this suggestion, we note that agreements will need to be mutually consistent and supportive (so for example an agreement with one iwi does not cut across the interests of others), and therefore we can see the benefit in developing an agreed policy framework within which agreements with individual iwi - or groups of iwi - can be reached. The process of developing the policy would clearly need to involve all iwi.
33. Our further comments on each of the proposed indicators are set out below.

Indicator 25: National level forum (established)

34. We cannot see how the establishment of a national level forum would indicate progress toward the stated outcome. What would the responsibilities and authorities of such a forum be? What role would it play, and what mandate would it have (if any) to define rights and responsibilities on behalf of iwi as Treaty partners? By whom would it be mandated? In our view, as a Treaty partner, iwi themselves should decide how they wish to be represented at a national level.

35. Unless the answers to these questions are clearly defined, the establishment of a national forum it does not make a good indicator for the stated outcome.
36. We would like to see greater clarity around the purpose of the proposed national forum before we can make any suggestions as to what an appropriate indicator might be.

Indicator 26: Integrated iwi fisheries plans (IFP numbers)

37. See comments on Indicator 9 above where we have recommended a shift in focus from numbers to geographical coverage. The indicator makes a “leap of faith” assuming that because an IFP has been developed by an iwi or group of iwi, that rights and responsibilities would be clearly defined and agreed with the government party. Thus to measure progress towards the outcome in this case, a supplementary indicator would also be needed that is simple and measurable.

Indicator 26: The proportion of area covered by IFPs in which iwi and MFish have clearly agreed roles and responsibilities in respect of the management of relevant fisheries.

Nevertheless, we do not consider it necessary to use IFPs to measure the outcome. A simpler calculation based on the number of iwi agreements (whether they be within an IFP or not) is probably enough.

Indicator 27: Satisfaction survey (defined rights and responsibilities)

38. Te Ohu does not support this indicator because we do not believe that satisfaction surveys make for good indicators. The number of actual agreements on these matters is more relevant.

Indicator 28: Iwi/hapu represented in regional forums (number)

39. Although this indicator is simple and measurable, it has little relevance to the outcome. Unless the proposed regional forums have the responsibility and authority to “clearly define (partnership) rights and responsibilities” as referred to in the outcome, iwi/hapu representation in regional forums is at best an indication of participation in a process. Comparisons can be drawn in terms of our comments above regarding the establishment of a national forum under indicator 25.
40. Finally, a problem with the wording of outcome GOV1 is that it suggests that the end point is agreement on roles and responsibilities. However it follows that fisheries management should be carried out in accordance with such agreements, and therefore further work should be done to develop an indicator that measures how far management is consistent with agreed roles and responsibilities. The resourcing of both parties for ongoing participation in the Treaty partnership will also need to be resolved.

Conclusion

41. The development of indicators is complex, and those initially proposed by MFish raise questions that cannot be resolved through a standard submission process. We would be very interested in participating in a process to further develop a set of indicators to measure progress towards Fisheries 2030.
42. If you have any questions about this submission please contact me or Maru Samuels at maru.samuels@teohu.maori.nz.



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