

Kahawai Challenge Team

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Golden summers and more fish

Preparation of the Kahawai Legal Challenge appeal case to be heard in the Supreme Court at Wellington on 12 February is well underway.

While the focus is on restoring kahawai abundance the outcome sought is clear directions on how the Minister of Fisheries 'allows for' recreational fishing interests, as required by section 21 of the Fisheries Act, and what principles are to be applied when managing fisheries of importance to non-commercial fishers.

Spearheading the Supreme Court appeal are the New Zealand Big Game and Recreational Fishing Councils supported by option4, Ngapuhi, Ngati Whatua and thousands of supporters nationwide.

Diminishing abundance of traditional species such as snapper, crayfish, paua, scallops, blue cod and kingfish has had an immeasurable impact on our Kiwi way of life.

Many of our older generation who grew up in times when catching a good feed of fish for whanau and friends was taken for granted now think twice or may not bother taking their kids fishing because of the low returns. What will this mean for their grandchildren? The old couple nextdoor who cannot afford to buy fish now miss out on a few fillets from the neighbour's catch. How many backyard smokehouses remain disused and filled only with cobwebs?

Amongst all the fish-related arguments golden nuggets have emerged, most notably the legal team.

Stuart Ryan of Hesketh Henry Lawyers, who assumed the reins from David O'Connor, and Lyn Stevens QC, now Mr Justice Stevens, Alan Galbraith QC, and Bruce Galloway of Kirkland Enright.

All of the legal team are mindful of the 'public good' aspects of the case to which they have directed their legal expertise to the arguments in order to clarify how the Minister must make fisheries management decisions that provide sufficient fish to meet people's needs.

Although kahawai is the subject of this appeal, the outcome of the case will be significant for other prized species such as snapper, trevally, kingfish, blue cod, paua and crayfish.

There are multiple interests in having abundant kahawai schools again. For some it is food, for others it is important to have sufficient abundance so the kids taste success when wharf fishing. In conservation terms the desired outcome is more fish in the water and a return of the sizeable schools of kahawai surrounded by wheeling, diving, screaming flocks of birds.

An encouraging aspect of this landmark case is the Courts earlier recognition that sustainability is the bottom line and that non-commercial fishing interests, both customary and amateur, must be provided for before any commercial allocation is made.

Restoring fisheries for all these and other reasons will add an extra glow to our golden summers while providing a few fish for the table.

If you value your fishing please make a contribution. Post a cheque to the 'Kahawai Challenge Fund', c/o NZ Fishing News, PO Box 12-965 Penrose, or simply dial 0900 KAHAWAI for a \$20 donation or visit www.kahawai.co.nz.