Customary management of a customary fishery: Time to try something new old
Customary Fisheries Management Areas

Tangata whenua can manage culturally important fisheries under customary fishing legislation.

Taiāpure Local Fisheries are managed by a committee that is designated by the local hapū.

They can conduct management in ways that best fit their local practices.
The East Otago Taiāpure

Established in 1999 by Kāti Huirapa Rūnaka ki Puketeraki

25 km of estuarine and coastal habitat

Community-driven efforts to address declining pāua populations

Bag limits reduced and areas closed

Use law to give effect to lore
Te Maramataka
The Māori lunar calendar

Huriawa Peninsula, Karitāne
Te Maramataka
Interviews with the local community

“primarily through the lunar phases of Tangaroa is when we do all our fishing and gathering”

“Whiro new moon is probably not a time that I would gather kaimoana [seafood, shellfish]”

“it’s that kaupapa [policy, principle] that will allow our fisheries to be around for a lot longer”

“Kāti Huirapa were... coastal people, they gathered mahinga kai [traditional resources and gathering places] out here”

“I can see the benefit of using the maramataka because you’ve... only got five out of... however many days... that you would be able to fish, so if you could limit it to those five days... then that will help the fishery”

“whereas once upon we did it by feeling and knowledge, you now have to do it by business or government rules and regulations”

Huriawa Peninsula, Karitāne
Wading-only proposal

Simple to understand
Return to tikanga Māori
Protect deeper populations
Allows some fishing and associated customs to continue
Requirement for declining stock
Support from local stakeholders
Reinforced by scientific data
Constraints to effective co-management

- Worldviews and political attitudes
- Inability to introduce customary mechanisms
- Inequitable power sharing
- Requirement for conventional science
- Bureaucratic processes
Figure 1. The United Kingdom, English Channel, and north-west Europe. Insert: Jersey, Channel Islands.
2 Restriction on underwater fishing

(1) Except as provided in paragraph (2), it is an offence for any person, while totally or partially submerged and breathing with the aid of breathing apparatus, or wearing a face visor, a mask or goggles, to take any shellfish from the sea.

(2) Paragraph (1) does not apply to –

   (a) any person taking shellfish from the sea under the authority of the Minister, for the purpose of scientific investigation or for the purpose of transplanting shellfish from one fishing ground to another; or

   (b) any permit holder taking scallops from the sea in accordance with any conditions applicable to the permit.
4 Restrictions relating to ormers

(1) Subject to paragraph (2), no person shall, at any time other than on a permitted day –
(a) fish for or take ormers (*Haliothis tuberculata*);
(b) retain fresh ormers in his or her possession; or
(c) export fresh ormers from Jersey.

(2) Paragraph (1) does not apply to any person –
(a) acting with the authority of the Minister, for the purpose of –
   (i) scientific investigation, or
   (ii) transplanting ormers from one fishing ground to another; or
(b) exercising a right of fishery conferred by a licence issued by the Minister pursuant to Regulation 3(1) of the Sea Fisheries (Establishment and Regulation of Fisheries) (Jersey) Regulations 1998.⁴

(3) In this Regulation “permitted day” means any day which –
(a) falls between 30th September and 1st May next; and
(b) is the first day of a new moon, the first day of a full moon, or –
   (i) for the purposes of paragraph (1)(a) and (c), one of the 3 days immediately following such a day, or
   (ii) for the purposes of paragraph (1)(b), where the possession is on a vessel, one of the 3 days immediately following such a day and where the possession is on land, one of the 5 days immediately following such a day.⁴

(4) No person shall export from Jersey an ormer that is not a fresh ormer.⁴
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