

1. Context: The Conservation Services Programme

The Conservation Services Programme (CSP), administered by Department of Conservation (DOC), is a programme of research focused on understanding and mitigating the adverse effects of commercial fishing on protected species in New Zealand waters.

The CSP vision is that “*commercial fishing is undertaken in a manner that does not compromise the protection and recovery of protected species in New Zealand fisheries waters*”, as identified through relevant legislation. As such, the following CSP Objectives have been identified:

- A. Proven mitigation strategies are in place to avoid or minimise the effects of commercial fishing on protected species across the range of fisheries with known interactions.
- B. The nature of direct effects of commercial fishing on protected species is described.
- C. The extent of known direct effects of commercial fishing on protected species is adequately understood.
- D. The nature and extent of indirect effects of commercial fishing are identified and described for protected species that are at particular risk to such effects.
- E. Adequate information on population level and susceptibility to fisheries effects exists for protected species populations identified as at medium or higher risk from fisheries.

The research undertaken via CSP is defined as ‘conservation services’ in Section 2 (Interpretation) of the Fisheries Act 1996, as:

“outputs produced in relation to the adverse effects of commercial fishing on protected species, as agreed between the Minister responsible for the administration of the Conservation Act 1987 and the Director-General of the Department of Conservation, including—

- (a) research relating to those effects on protected species;*
- (b) research on measures to mitigate the adverse effects of commercial fishing on protected species;*
- (c) the development of population management plans under the Wildlife Act 1953 and the Marine Mammals Protection Act 1978”*

effect means the direct or indirect effect of fishing; and includes—

- (a) any positive or adverse effect; and*
- (b) any temporary or permanent effect; and*
- (c) any past, present, or future effect; and*
- (d) any cumulative effect which arises over time or in combination with other effects— regardless of the scale, intensity, duration, or frequency of the effect; and also includes—*
- (e) any potential effect of high probability; and*
- (f) any potential effect of low probability which has a high potential impact*

Further details on the scope, mandate and objectives of the CSP, and the annual planning processes used, are described in the CSP Strategic Statement 2020¹.

¹ Available to download from <https://www.doc.govt.nz/our-work/conservation-services-programme/csp-plans/csp-strategic-statement/>

2. Purpose: the role and scope of the Research Advisory Group

The purpose of the CSP Research Advisory Group (CSP RAG) is to convene a forum through which participants can share scientific, technical and strategic advice to inform the development of CSP Annual Research Plans².

The Plans comprise an annual programme of research aligned to the CSP mandate that is agreed between the Minister of Conservation and the Department of Conservation. The RAG is held annually in February / March and is timed to meet release of the CSP Annual Plan for the following financial year each July.

The RAG will discuss and review science in order to:

- Prioritise science and ensure that proposed research is fit for purpose prior to inclusion in the CSP Annual Plan;
- Ensure that prioritised research aligns with strategic direction of CSP as outlined in the CSP Strategic Statement and Medium Term Research Plans (MTRPs);
- Ensure the contents of each Plan are informed by up-to-date knowledge and science; and
- Ensure that subsequent management decisions made by Government are based upon the best science available.

Science that will be reviewed falls within three CSP thematic areas being (1) interaction, (2) mitigation and (3) population research, as described in the CSP Strategic Statement, and may include, but is not limited to:

- Direct and indirect impacts of fishing at individual, population and ecosystem levels
- Use, design, implementation, and efficacy of mitigation measures
- Population demographic and genetic assessments, and population monitoring
- Distributional, behavioural and biological trait research in consideration of fisheries risk
- Species distribution modelling to inform risk assessments
- Developing best practice mitigation guidelines

The role of the CSP RAG is to:

- Facilitate discussion on research relevant to CSP between the CSP team and stakeholders;
- Discuss technical input and advice into proposed research projects, including methods and outcomes
- Review and refine the prioritised shortlist of projects and their scientific merit in line with CSP objectives for the upcoming CSP Annual Plan;
- Provide advice and recommendations into prioritisation of the proposed projects for inclusion in the CSP Annual Plan in accordance with the guidelines outlined in the CSP Strategic Statement;
- Review and discuss the CSP Medium Term Research Plans; and
- Discuss alignment and potential research synergies with external research providers and government agencies

² [Conservation Services Programme plans: Marine Conservation Services publications \(doc.govt.nz\)](https://www.doc.govt.nz/publications/marine-conservation-services-programme-plans/)

Out of Scope:

The role of the RAG is not to:

- Review progress in specific CSP projects completed in the previous year (with the expectation that such discussions occur on a project-by-project basis through Technical Working Groups);
- Provide a forum for CSP to present bycatch issues for which research solutions are sought;
- Evaluate the research planning process;
- Identify and prioritise research gaps within the CSP mandate;
- Discuss policy or strategic direction of CSP or DOC; and
- Make decisions on fishery management settings.

The key output of the CSP RAG will be to provide advice to DOC on the scientific content of research to be delivered as Conservation Services, or through other means such as partnerships, in the form of a prioritised set of research recommendations that will inform the forthcoming Annual Plan.

3. Participation

CSP engages with a large, closed stakeholder group through a distribution list. To facilitate transparency and to maximise engagement with the scientific community, the RAG is open to participation from any interested parties on that list who commit to the principles of engagement outlined below. However, it is expected that those participating will contribute to scientific discussion and/or offer context/operational expertise within CSP's scope and mandate.

This RAG includes representatives from:

- o the CSP team (the manager, science advisors and programme coordinator)
- o Te Tiriti o Waitangi Partners
- o external government agencies (e.g., MPI, MfE)
- o commercial fishing industry
- o environmental organisations
- o research providers (academics, Crown Research Institutes, independent consultants)

Principles of engagement:

RAG Participants must commit to:

- o open participation in the discussion;
- o support free and frank discussion;
- o apply scientific and technical expertise in discussion of projects and issues;
- o following up on action points and agreements;
- o adopting a constructive approach;
- o facilitating an atmosphere of honesty, openness and trust;
- o listening to the views of others, and treating them with respect;
- o respecting the role of the Chair;

- maintaining the confidentiality of CSP RAG discussions and deliberations within the group (unless otherwise agreed in advance, and subject to the constraints of the Official Information Act); and
- non-disclosure of all RAG discussions and outputs to any media or social media channels.

Participants in CSP RAG meetings must declare, during opening introductions, their sector affiliations and contractual relationships to the research under consideration and must declare any substantial conflicts of interest related to any particular issue or scientific conclusion.

Participants who use CSP RAG papers inappropriately, or who do not adhere to the principles of engagement may be requested by the Chair to leave a particular meeting and/or be prevented from attending future meetings.

4. Role of the Chair

DOC will appoint the Chair. The Chair will be the CSP Team Manager or a CSP Science Advisor and is responsible for:

- ensuring that CSP RAG participants are aware of, and adhere to, these TOR contained herein;
- facilitating open and constructive discussion;
- approving and adhering to the agenda;
- preventing deviations in scope from the purpose of the RAG;
- approving documentation of relevant discussions, advice, and action points;
- if applicable, striving for consensus and where this cannot be met; fully documenting discussions and the rationale behind those decisions;
- if applicable, where consensus within CSP RAG is not achieved, deciding on the membership of and need for convening a subcommittee in order to attempt first order dispute resolution; and
- seeking resolution of any disputes.

The chair may also provide technical input during the meeting, in addition to the tasks above.

5. Technical and Administrative Support

Technical and administrative support will be provided by the CSP team. This will include:

- preparation and distribution of the agenda, reports and presentations as detailed in Section 6 of these Terms of Reference;
- record keeping, as detailed in Section 7 of these TOR;
- guidance on the discussion and planning processes used by the CSP RAG; and
- technical input to discussions.

Other relevant government agencies, in particular the Ministry for Primary Industries (Fisheries New Zealand), will be invited to provide technical support and input to the CSP RAG.

A mailing list will be used to notify Participants of upcoming meetings, key reporting outputs and other relevant matters. Interested parties who wish to participate should ensure their current email address is registered on the mailing list, by sending a request to csp@doc.govt.nz.

6. Reports and Presentations

Agendas and background papers will be made available to Participants prior to the meeting via email or the relevant meeting page on the CSP website (www.doc.govt.nz/cspmeetings). If preferred, and if the meeting is held in person, hard copies may be requested by participants prior to the meeting to be provided to them at the RAG. Presentations and any other relevant documentation will be made available on the CSP website following the meeting.

7. Record Keeping

Notes and meeting minutes will be taken by DOC support staff, and approved as an accurate reflection of the meeting by the Chair. Draft notes will be posted on the CSP website for comment no later than two weeks after the meeting and will be available for comment for two weeks before being finalised. CSP will also accept written feedback on proposed research for two weeks after the meeting.