

Australian Fisheries National Compliance Strategy 2022–2026

Prepared by the National Fisheries Compliance Committee
(NFCC) of the Australian Fisheries Management Forum



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Introduction

Australia's fisheries are a valuable natural resource. They are accessed by, and important to, sectors with diverse interests - commercial (wild catch and aquaculture), recreational, Indigenous and conservation - and they require careful and considered management.

In 2016/17, commercial fisheries production in Australia was valued at over \$1.71 billion and in NZ at over \$4.18 billion. The recreational and charter fishing sectors also make a significant contribution to the economy and lifestyle of many Australians and visitors.

Commercial fisheries have value through the production chain - fishers, processors, marketers and consumers - whilst recreational and Indigenous fishers value the lifestyle and community/cultural benefits and quality experiences obtained from fishing and related activities.

There is a high level of community expectation that our fishery resources will be maintained at sustainable levels, shared fairly amongst user groups and that aquatic habitats will be protected. Above all, the community wants to be assured that incentives for illegal activity are minimised. The Commonwealth, States and Territories have legislated to this effect.

Successful fisheries management depends heavily on achieving optimal compliance. This is almost always achieved when there is close and ongoing cooperation

between fishers and compliance agencies, a high level of awareness and understanding about management arrangements, and perhaps most importantly, a sense of shared responsibility and stewardship for the sustainability of marine resources.

This strategy outlines the objectives that Australian fisheries agencies will pursue to promote voluntary compliance and create effective deterrence to illegal fishing activity. Voluntary compliance is when the regulated community chooses to willingly comply with rules.

It outlines the principles that agencies under the umbrella of the National Fisheries Compliance Committee (NFCC) will use when planning the delivery of cost-effective and efficient fisheries compliance programs. It also acknowledges the need to complement Australia's National Plan of Action against Illegal Unreported and Unregulated (IUU) fishing.

It also acknowledges that differences in legislation, policy and management apply across Commonwealth, State and Territory fisheries and recognises their varied nature and location.

At the heart of the Strategy is the need to achieve collective responsibility and stewardship among stakeholder groups and the community.



Mission

The Optimal Level of Compliance

'...is that which holds the level of non-compliance at an acceptable level, which can be maintained at a reasonable cost while not compromising the integrity of fisheries management or ecological sustainability and ensuring ongoing social licence and legitimacy.'

This is underpinned by the following strategic objectives:

- Working in partnerships and building relationships;
- Risk based compliance approaches, including mitigating the risk of organised crime;
- Fair, reasonable and cost effective compliance approaches with a focus on outcomes; and
- A safe work environment and professional development for fisheries officers.



The Operating Environment

The management of most Australian fisheries is widely regarded as among the most advanced and progressive in the world, although significant challenges remain for compliance agencies and stakeholders alike. These include the risk of overfishing, organised crime in fishing, growing complexity of management arrangements and constraints on compliance resources.

Some Australian commercial fisheries have experienced over-capitalisation and over-capacity, resulting in economic inefficiency and reduced profitability. Some commercial fishers may contemplate breaking fisheries laws, necessitating close monitoring and surveillance by fisheries officers. Security of access and cost effective, transparent management systems will mitigate against this and facilitate strong stewardship of the resource across all users.

Recreational fishing continues to be an important focus and contributes significantly to regional economies and to the social fabric of many communities. Recreational fishers value diverse and quality recreational fishing experiences and are also seeking to secure their share of the resource.

The various activities of commercial and recreational fishers, and in the growing aquaculture sector, often have different management approaches and different operating environments requiring flexible compliance approaches. The need to ensure integrity of sector catches and monitoring is also an emerging challenge for compliance as jurisdictions increasingly move to the use of explicit harvest strategies and rights-based frameworks with catch allocations.

Continued support and engagement of first nations peoples in cultural fishing access and management of fisheries resources will need to be a major focus of all agencies.

Growth in technology and emergence of social media requires management agencies to adapt their systems and processes, including a need for faster response times, working in close partnership with relevant stakeholders, identifying new ways of doing business and allocating resources to areas of highest need and risk.

Biosecurity and strong community interest in habitat protection and restoration are growing issues in some jurisdictions which also require different skill sets and compliance approaches.

Australia's system of governance, whereby the States/ Northern Territory have responsibility for certain fisheries and the Commonwealth for others, means that there are sometimes significant differences in legislation, policy and fisheries management arrangements from one jurisdiction to another. The physical size and geography of jurisdictions and variations in weather and geographic conditions also results in differing compliance strategies and deployment of resources.

With heightened accountability and many jurisdictions operating under cost recovery, agencies responsible for fisheries compliance are increasingly required to justify expenditure and quantify outcomes. As management arrangements continue to evolve, there is a need for an appropriate mix of training and skills, for liaison with stakeholders, and for planning and implementing fisheries compliance programs.

There is also a growing need for management arrangements to be simplified and streamlined whilst maintaining effective governance systems and for jurisdictions to seek opportunities for sharing of services and consistency of approaches.

Other issues which influence the operating environment include:

- Ongoing community expectations that fisheries resources will be wisely used and protected;
- Increased expectations among stakeholders to be consulted about matters impacting on their livelihoods and interests and to participate in the development of rules and regulations and management approaches;
- The need for the recruitment, selection, training and retention of skilled staff together with a commitment to build capacity and capability; and
- The need for comprehensive education, advisory and extension initiatives as integral components of successful compliance programs.

Compliance Values and Behaviours

The agencies responsible for this Strategy are committed to seven core values.



VALUE 1 Relationships and people

Develop collaborative relationships both internally and externally, built on trust and credibility.



VALUE 2 Working in teams

Share information and knowledge through superior systems, strategic alliances, teamwork, networking and analysis.



VALUE 3 Achieving results

Create an environment that encourages and recognises contribution, commitment and dedication to the achievement of the strategies outlined in this document.



VALUE 4 Leadership

Provide effective leadership, direction and policy advice together with the ability to:

- plan and set priorities,
- manage staff and resources efficiently,
- establish genuine partnerships with community and key stakeholder groups,
- achieve a high standard of service delivery, and
- maintain honesty and integrity as key principles in relationships.



VALUE 5 Governance and Accountability

- Employ practices that ensure independence and objectivity in compliance measures, and
- report on achievements and outcomes.



VALUE 6 Safety and wellbeing

A commitment to sound occupational health and safety practices.



VALUE 7 New technology

Work collaboratively to develop innovative solutions to compliance issues to ensure agencies remain modern, innovative and best practice regulators.

Strategies

Strategy 1

Maximising Voluntary Compliance

To generate and maintain an active willingness by all Australians to achieve the sustainability of our fisheries and protect the integrity of our marine environment

Provide clear rules and foster confidence in the rules by:

- Engaging with stakeholders;
- Developing and simplifying rules through a risk-based approach;
- Enabling real time access to the rules; and
- Providing e-Business support (eg licensing, fishing returns, quota, mobile apps, etc).

Understand social and community drivers to support compliance outcomes by:

- Recognising community and cultural values in compliance planning;
- Supporting community advocates and champions; and
- Recognising customary fishing and Native Title rights and interests.

Promoting the benefits of responsible fishing and broader environmental management by:

- Encouraging ethical and responsible fishing behaviour;
- Defining rights and responsibilities of fishers; and
- Communicating results to the community.

Strategy 2

Effective Deterrence

The application of strategies to create an environment that discourages non-compliance

Develop Legislation, Policy and procedures that support:

- Responses to fisheries non-compliance, including the use of innovative tools;
- Utilising the mainstream and social media to promote campaigns, apprehensions and prosecutions;
- Collaborative approaches for multi-jurisdictional compliance issues; and
- Risk based approaches to compliance.

Establish strategic compliance initiatives for:

- The measurement of compliance effectiveness, as a key component of fisheries management, against desired outcomes;
- Data management, exchange and analysis; and
- Shared service opportunities across jurisdictions.

Minimise organised criminal involvement in the fisheries sector by:

- Sharing of intelligence across jurisdictions;
- Establishing both investigative and response capacity and capability; and
- Developing strategic alliances with other relevant agencies.

Strategy 3

Organisational capacity and capability to respond and adapt to changing circumstances

Planning to meet current and emerging risks in fisheries compliance

Build capacity and capability by:

- Investing in new and emerging technology and platforms to support compliance outcomes, as a key component of the fisheries management process;
- Identifying and utilising innovative and best practice law enforcement tools and methodologies to detect and deter offending;
- Exploring opportunities for alternative compliance delivery models (quality assurance and audit, self-assessment, co-management, regional joint management, marine rangers); and
- Ensuring there is a skilled, diverse, ethical and safe workforce through:
 - Appropriate recruitment and professional standards, and especially integrity;
 - Professional development and training;
 - Engendering a positive workplace culture; and
 - Workforce planning and retention.

Ensure an effective and sustainable compliance function by:

- Participating in the development of appropriate management systems, including legislation;
- Integrating fisheries compliance in the broader fisheries management process;
- Gathering information from, and working with, clients, to help develop flexible compliance and fisheries management approaches (eg levels of knowledge and understanding or rules, reasons for non-compliance, support for management arrangements);
- Identifying and planning for new and emerging risks (eg aquatic biosecurity); and
- Ensuring responsiveness and agility is built into programs to respond to changing and emerging threats.



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Australian Fisheries Management Authority

Department of Primary Industries and Regions (South Australia)

Department of Primary Industries - Fisheries Management Authority (Victoria)

Department of Industry, Tourism and Trade (Northern Territory)

Northern Territory Police

Department of Agriculture and Fisheries - Queensland Boating and Fisheries Patrol

Department of Natural Resources and Environment, Tasmania

Tasmania Police

Department of Primary Industries and Regional Development (Western Australia)

NSW Department of Primary Industries

Ministry for Primary Industries New Zealand