

PIRSA Fisheries & Aquaculture – SZRL Fishery Compliance Plan 2013 – 2014

Fishery Management Plan Goals

1. Ensure the Rock Lobster resource in the Southern Zone is sustainably harvested
2. Optimum economic utilisation and equitable distribution of the Rock Lobster resource in the Southern Zone
3. Minimum impacts on the ecosystem
4. Cost effective and participative management of the fishery

Compliance risk summary;

1. Quota Evasion - PIRSA Risk Rating: HIGH (Likelihood - Occasional 5, Consequence - Severe 3: Score 15)

The Southern Zone Rock Lobster (SZRL) Quota System requires that all fish taken and subsequently sold or transferred are documented. This is documented by licensed Commercial Fishers on Catch and Disposal Records (CDR) and then by Fish Processors on Rock Lobster Sales and Transfer Forms (RLSTF).

Quota Evasion is the process where a Commercial Fisher takes fish but does not document the fish.

Failing to declare fish is driven by the need for increased income but the likelihood of offending can be influenced by contemporary factors such as rising input costs and positive predicted catches.

Elements of quota evasion include:

- Errors or omissions on Catch & Disposal Record (CDR – SZRL1)
- Fail to prior report / Fail to complete CDR
- Fail to complete/deliver CDR with Rock lobster
- Bins not sealed / sealed incorrectly
- Illegal at sea transfers / Unreported unloading of Rock Lobster
- Collusion with Fish Processors
- Exceed take home allowance

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2. Quota Management System Integrity – PIRSA Risk Rating: HIGH (Likelihood - Occasional 5, Consequence - Severe 3: Score 15)

The Quota Management System (QMS) is the collection of elements, each including various measures that when adhered to, enable effective accountability of all fish taken and subsequently sold or transferred. Integrity is the term used to describe the effectiveness of the measures contained within the QMS. The more effective the measures, the better the integrity of the QMS.

The establishment of the QMS in 1994 is in line with Fishery Management Plan goals and primarily aims to prevent over-fishing, which can lead to over-exploitation of the biomass and ultimately collapse of the Fishery.

Breaches of QMS rules will trigger a Compliance investigation to either prove or disprove Quota Evasion. Where Quota Evasion is not identified, the breach will be documented as a breach of Quota Integrity.

Legal requirements to be monitored that provide integrity to the QMS include:

- Fail to prior report / Fail to prior report within required timeframe
- Fail to complete CDR
- Exceeding gear entitlements (Over potting)
- Inaccurately record pot lift data (CPUE)
- Errors or omissions on CDR
- Bins sealed incorrectly
- Use of tags not issued to licence
- Electronic scales integrity

3. Take Undersize Rock Lobster - PIRSA Risk Rating: HIGH (Likelihood – Occasional 5, Consequence – Severe 3: Score 15)

The purpose of minimum legal size limits is to protect juvenile fish and maintain spawning stocks. Should undersize Rock Lobster be taken on a large-scale basis, the cumulative effects could be significant in terms of overall Rock Lobster biomass sustainability within South Australia.

Research by SARDI predicts a reduction in undersize Rock Lobster biomass during the 2013/2014 Rock Lobster season. Industry and PIRSA Fisheries and Aquaculture need to remain vigilant and avoid complacency around this issue.

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Elements of the risk can include:

- Fishers taking Rock Lobster under minimum legal size
- Fishers using incorrect technique to measure Rock Lobster
- Fish Processors colluding with fishers or failing their duty to check for undersize.

4. Take Female Rock Lobster carrying eggs - PIRSA Risk Rating: HIGH (Likelihood – Occasional 5, Consequence – Severe 3: Score 15)

Juvenile recruitment within the SZRL Fishery is vital in maintaining the Rock Lobster biomass at sustainable levels. Should Rock Lobster carrying eggs be taken, the cumulative effects could be significant in terms of overall Rock Lobster sustainability within South Australia.

Elements of taking female Rock Lobster carrying eggs can include:

- Fishers failing to return female Rock Lobster carrying eggs to the water
- Fishers removing eggs from female Rock Lobster and landing those Rock Lobster. (It is acknowledged that the practice of actively removing the eggs from the female Rock Lobster is a higher risk and consequence than unintentionally landing a berried Rock Lobster)
- Collusion with Fish Processors

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Risk Likelihood & Consequence Analysis:

		CONSEQUENCES					
		NEGLIGIBLE	MINOR	MODERATE	SEVERE	MAJOR	CATASTROPHIC
		0	1	2	3	4	5
LIKELIHOOD	REMOTE	1					
	RARE	2					
	UNLIKELY	3					
	POSSIBLE	4					
	OCCASIONAL	5				Take Under size (15) Quota Evasion (15) QMS Integrity (15) Take Berried Female (15)	
	LIKELY	6					

LIKELIHOOD DEFINITIONS

- LIKELY - It is expected to occur
- OCCASIONAL - May occur
- POSSIBLE - Some evidence to suggest this is possible here
- UNLIKELY - Uncommon, but has been known to occur elsewhere
- RARE - May occur in exceptional circumstances
- REMOTE - Never heard of but not impossible

CONSEQUENCE DEFINITIONS

- CATASTROPHIC - Local extinctions are imminent / immediate
- MAJOR - Likely to cause local extinctions, if continued in longer term
- SEVERE - Affecting recruitment levels of stocks / or their capacity to increase
- MODERATE - Full exploitation rate, but long term recruitment / dynamics not adversely impacted
- MINOR - Possibly detectable, but minimal impact on population size and none on dynamics
- NEGLIGIBLE - Insignificant impacts to population. Unlikely to be measurable against background variability for this population

RISK RATING

Negligible	Low	Moderate	High	Extreme
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Strategies

The following strategies have been developed to address each of the risks:

Education & Awareness:

- All interested parties understand their respective obligations
- Develop and maintain Industry communication & relationship program

Deterrence:

- All aspects of fishing activity including the QMS are fully monitored
- Enforcement Plan Communication Strategy
- Enforcement Outcomes Communication Strategy
- Identify gaps in QMS Integrity and work collaboratively with Industry to identify and implement solutions

Enforcement:

- Maximise successful prosecutions Outcomes
- Take appropriate and measured outcomes in response to detected offences
- Identify participants & methodology of Quota Evasion
- Reduce ability to evade QMS

Target Outcomes

The following target outcomes have been identified:

1. Minimise quota evasion
2. Maintain quota management system integrity
3. Minimise take of undersize
4. Minimise take of females carrying eggs

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Risks Addressed				Strategies			Initiative	Actions	Who	When
1	2	3	4	1	2	3				
x	x				x		Audit	Audits to include but not limited to: <ul style="list-style-type: none"> • Identification of CDR irregularities • Monitor quota balance for exceeding catch • Information recorded on CDR and RLSTF • Prior Reports • Electronic scales 	LC	Season
x	x	x	x		x		Field based inspections	Fisheries Officers utilise reporting mechanisms including Prior Reports, CDR's and RLSTF to monitor all aspects of fishing and processing operations. Inspections at sea, landing / scales, transit and at Fish Processor Effective use of video monitoring and E-scales system	LC, SR	Season
x	x	x	x		x		Regulatory review and revision	Contribute to amendment of legislation and policy where appropriate	SC	As required
x	x	x	x		x		Media	Utilise media to update on successful prosecution outcomes	Ops Mgrs, SC, PIRSA Comms	As required
x	x	x	x			x	Intelligence	Collate and analyse information received through FISHWATCH and Stakeholders	LC, Intel Analyst	Ongoing
x	x	x				x	Intelligence driven operations	Develop investigations and carry out targeted operations in line with the Serious Offence Plan	LC, SOG	As required
x	x	x	x			x	Address non-compliance	Investigate instances of non-compliance Take enforcement action including issue of Caution, Expiation and Brief	FO's	As required
x	x	x	x			x	Brief Quality Assurance	Briefs of evidence meet evidentiary requirements and are vetted to ensure quality assurance	FO's, Ops Mgr, PSC	As required