Fishery Management Plan Goals

1. Ensure the Rock Lobster resource in the Northern Zone is sustainably harvested
2. Optimum economic utilisation and equitable distribution of the Rock Lobster resource in the Northern 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 – Likely 6, Consequence - Severe 3: Score 18)

Quota Evasion is where a Commercial Fisher takes fish but does not document having taken the fish. The need for or opportunity to increase personal income is the primary driver for quota evasion to occur.

Factors including changed personal financial circumstances, reducing profit margins, product sale uncertainty (China), reduced capacity to earn income as a result of changes to individual transferrable quota (ITQ) and also positive predicted catches all influence the likelihood of quota evasion occurring.

Elements of quota evasion can include:

- Fishing but not Prior Reporting
- Fishing but failing to complete a CDR
- Making false declarations on CDR including numbers of RL caught (retaining undeclared fish)
- Failing to deliver CDR with RL
- Bins not sealed or sealed incorrectly (provides opportunity to remove RL)
- Exceeding take home allowance
- Colluding with Fish Processors (includes failing to complete or falsifying record of RL weight on CDR, failing to complete or making false declarations on RLSTF)

Discrepancies among fish counts do exist (In 2012/2013 discrepancies ranged between 5 – 40 fish) and as the elements of the Northern Zone Rock Lobster (NZRL) Quota Management System currently stand it is difficult for Fisheries Compliance to prove or disprove whether such variances are intentional or accidental. So, in addition to potential for quota to be evaded through manipulation of declared fish numbers, this risk is further heightened by the difficulty of being able to prove or disprove whether quota evasion has taken place.
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 2003 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 the collapse of the Fishery.

The NZRL QMS requires all fish taken and subsequently sold or transferred to be documented by licensed Commercial Fishers on Catch and Disposal Records (CDR) and then by Fish Processors on RL Sales and Transfer Forms (RLSTF).

Measures included within the NZRL QMS that influence the integrity of the QMS include:

- Fishers required to keep records of RL caught each day (which can be confirmed by Fisheries Officers counting the RL)
- Fishers required to advise (prior report) in advance when they intend to land their fish, where, who will receive the RL etc.
- Fishers and Fish Processors required to accurately complete formwork (CDR, RLSTF) that accounts for all RL caught and sold
- Fish bins are sealed with PIRSA certified tags (the seals are broken at weigh off at the Fish Processors)
- Accurate and timely completion and submission of CDR by Fisher and Fish Processor (incl. complete daily log, numbers of Rock Lobster, numbers of bins and tags)
- Accountability measures and requirements around “take home” RL
- Vessel Monitoring System (VMS)

Each measure forms part of the overall Quota Management System. Failure to comply with a measure(s) or exploitation of a measure(s) undermines the integrity of the QMS and heightens the risk of Quota Evasion. The reduced ability of Fisheries Compliance to either prove or disprove intent where there is variance in the number of fish declared is viewed by Fisheries Compliance as a shortfall in the QMS.
3. **Take Undersize Rock Lobster - PIRSA Risk Rating: MODERATE (Likelihood – Possible 4, Consequence - Severe 3: Score 12)**

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 2014/2015 Rock Lobster season.

Following roll out of a standard measuring gauge late in 2010 and a concerted education and awareness campaign undertaken thereafter, the number of detected undersize Rock Lobster over past few years has reduced slightly.

Whist this is a positive, both Industry and PIRSA Fisheries and Aquaculture need to remain vigilant and avoid complacency around this issue.

**Elements of the risk can include:**

- Fishers taking Rock Lobster just under minimum legal size
- Fishers using incorrect techniques to measure Rock Lobster
- Fish Processors colluding with Fishers / failing their duty to check for undersize Rock Lobster

4. **Take Female Rock Lobster Carrying Eggs - PIRSA Risk Rating: MODERATE (Likelihood - Possible 4, Consequence – Severe 3: Score 12)**

Juvenile recruitment within the NZRL 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 the risk 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
- Fish Processors colluding with Fishers / failing their duty to check for female Rock Lobster carrying eggs

Legal limitations (listed below) are placed on the construction and dimension of Rock Lobster pots to assist sustainable harvest and minimise ecosystem impacts.

SARDI has documented that the use of non-compliant escape gaps may increase the retention of undersize Rock Lobster and predation on those Rock Lobster.

Additionally, the use of unmarked Rock Lobster pots presents identification difficulties and can further be linked to the use of excess gear. While the merits of a limit on pot numbers in a Quota managed Fishery may be debated, there is a competitive advantage for Fishers who use in excess of their entitlement. A letter sent to Industry in late 2013 noted that the use of tags attached to floats with licence identification marks would not be inconsistent with the current regulations for marking buoys. Fisheries Officers are aware of this position.

Intelligence has been received during recent seasons indicating fishers are using illegal and excessive numbers of Rock Lobster pots.

Over the past few seasons, Fisheries Compliance has made considerable attempts to improve fisher adherence to correct escape gap dimensions. Initiatives undertaken have included educating fishers at the time of conducting pot inspections, attending ports meetings and clarifying requirements in writing. In October 2012 steps were jointly taken by Fisheries Compliance and Industry to address the issue, which was a positive move forward. Whilst the majority of fishers are now compliant, the ongoing dismissive behaviour of some fishers and failure to achieve compliance ensures that adherence to escape gap requirements will remain a focus.

In 2013 PIRSA Fisheries & Aquaculture introduced licence conditions mandating use of Sea Lion Exclusion Devices (SLED) in waters 100m or less for the 2013 /2014 season. The approved SLED is a pot spike being a metal bar.

Elements of the risk to be monitored:

- Escape gaps of unlawful specifications
- More than the permitted number of Rock Lobster pots without escape gaps
- Unmarked Rock Lobster pots (buoys not marked with licence number or marked with incorrect licence number)
- The use of Rock Lobster pots in excess of the number endorsed on a licence
- Compliance with SLED requirements
6. Other Compliance risks identified within the fishery that may occur will be addressed as they are detected. They include the following:

- Take protected species other than females with eggs
- Taking non-permitted species (species not listed on Schedule)
- Use device not registered
- Interfering with lawful fishing activity
- Master or vessel not endorsed on a licence
- Exceed relief (Marine Scale) day provision
- Take undersize (Marine Scale)
- Fish Closed areas / Seasons (Marine Scale)
- Failure to lodge SARDI catch and effort returns
- Inaccurate or misleading reporting of catch location and volume on SARDI returns
- Assist / provide services to other agencies (ie SAPOL, threats at sea amongst Industry)
### Risk Likelihood & Consequence Analysis:

#### 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

- **Negligible**: Insignificant impacts to population. Unlikely to be measurable against background variability for this population
- **Minor**: Possibly detectable, but minimal impact on population size and none on dynamics
- **Moderate**: Full exploitation rate, but long term recruitment / dynamics not adversely impacted
- **Severe**: Affecting recruitment levels of stocks / or their capacity to increase
- **Major**: Likely to cause local extinctions, if continued in longer term
- **Catastrophic**: Local extinctions are imminent / immediate

#### Likelihood & Consequence Matrix

<table>
<thead>
<tr>
<th>Likelihood</th>
<th>NEGLIGIBLE</th>
<th>MINOR</th>
<th>MODERATE</th>
<th>SEVERE</th>
<th>MAJOR</th>
<th>CATASTROPHIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>Remote</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Rare</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Unlikely</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Possible</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Occasional</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
<tr>
<td>Likely</td>
<td>0</td>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
</tr>
</tbody>
</table>

- **Take Female with Eggs (12)**
- **Take Undersized (12)**
- **Quota Management System Integrity (15)**
- **Illegal Rock Lobster Pots (12)**
- **Quota Evasion (18)**

#### Risk Rating

- **Negligible**
- **Low**
- **Moderate**
- **High**
- **Extreme**

**Strategies:**

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

**Education & Awareness**

- All interested parties understand their respective obligations
- 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**

- Identify participants & methodology of offenders
- Take appropriate and measured outcomes in response to detected offences
- Maximise successful prosecutions Outcomes

**Target Outcomes:**

The following target outcomes have been identified:

1. Minimise quota evasion
2. Maintain QMS integrity
3. Minimise take of undersize
4. Minimise take of females carrying eggs
5. Minimise use of illegal Rock Lobster pots
<table>
<thead>
<tr>
<th>Risks Addressed</th>
<th>Strategies</th>
<th>Initiative</th>
<th>Actions</th>
<th>Who</th>
<th>When</th>
</tr>
</thead>
<tbody>
<tr>
<td>x x x x x x</td>
<td>1 2 3 4 5</td>
<td>1 on 1 interactions</td>
<td>Update and distribute Fishery User Guide  Meet with LH’s, RM’s and Fish Processors prior to season. Ensure all have a clear understanding of:  - Legislative changes impacting coming season  - Compliance focus for coming season  Have 1 on 1 interactions with LH’s, RM’s and Fish Processors throughout the season; ensure all remain clear on the rules and their obligations  Industry Days</td>
<td>SC, RC’s</td>
<td>Pre Season</td>
</tr>
<tr>
<td>x x x x x x</td>
<td>1 2 3 4 5</td>
<td>Induct new entrants</td>
<td>Induct new entrants</td>
<td>RC’s</td>
<td>As required</td>
</tr>
<tr>
<td>x x x x x x</td>
<td>1 2 3 4 5</td>
<td>Established liaison &amp; contact with Industry</td>
<td>Have regular contact with SARDI, Policy, Industry Representatives and Stakeholders  Prior to season commencing, communicate forthcoming Compliance focus to Industry  Attend Industry meetings. Communicate Industry performance. Raise Compliance issues in a timely manner  Provide Compliance summary to the RLFMAC</td>
<td>Ops Mgrs, SC, RC’s</td>
<td>Ongoing, Pre Season, Ongoing</td>
</tr>
</tbody>
</table>

**Risks**  
1 = Quota Evasion  
2 = Quota Management System Integrity  
3 = Take Undersize  
4 = Take Female Rock Lobster with Eggs  
5 = Illegal Rock Lobster Pots  

**Strategies**  
1 = Education & Awareness  
2 = Deterrence  
3 = Enforcement  

**Coordination Team**  
West – Greg Rowley (State Coordinator)  
Central - TBC  
Southern Ranger – Shane Gassner  
Policy Manager – Annabel Jones
### Risks Addressed: Audits

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Actions</th>
<th>Who</th>
<th>When</th>
</tr>
</thead>
<tbody>
<tr>
<td>Audit</td>
<td>Audits to include but not limited to:</td>
<td>SC, RC’s</td>
<td>Ongoing</td>
</tr>
<tr>
<td></td>
<td>1. Identification of CDR irregularities</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Monitor quota balance for exceeding catch</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Information recorded on CDR and RLSTF</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Prior Reports</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>5. VMS</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Risks Addressed: Field based inspections

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Actions</th>
<th>Who</th>
<th>When</th>
</tr>
</thead>
<tbody>
<tr>
<td>Field based inspections</td>
<td>Fisheries Officers utilise reporting mechanisms including VMS, Prior Reports, CDR’s and RLSTF to monitor all aspects of fishing and processing operations. Inspections at sea, landing, transit and at Fish Processor</td>
<td>Regions, SR Regions</td>
<td>Season</td>
</tr>
</tbody>
</table>

### Risks Addressed: Regulatory review and revision

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Actions</th>
<th>Who</th>
<th>When</th>
</tr>
</thead>
<tbody>
<tr>
<td>Regulatory review and revision</td>
<td>Contribute to amendment of legislation and policy where appropriate</td>
<td>SC, RC’s</td>
<td>As required</td>
</tr>
</tbody>
</table>

### Risks Addressed: Media

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Actions</th>
<th>Who</th>
<th>When</th>
</tr>
</thead>
<tbody>
<tr>
<td>Media</td>
<td>Utilise media to update on successful prosecution outcomes</td>
<td>Ops Mgrs, SC, PIRSA Comms</td>
<td>As required</td>
</tr>
</tbody>
</table>

### Risks Addressed: Intelligence

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Actions</th>
<th>Who</th>
<th>When</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intelligence</td>
<td>Collate and analyse information received through FISHWATCH and Stakeholders</td>
<td>Regions, Intel Analyst</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

### Risks Addressed: Intelligence driven operations

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Actions</th>
<th>Who</th>
<th>When</th>
</tr>
</thead>
<tbody>
<tr>
<td>Intelligence driven operations</td>
<td>Develop investigations and carry out targeted operations in line with the Serious Offence Plan</td>
<td>Regions, SOG</td>
<td>As required</td>
</tr>
</tbody>
</table>

### Risks Addressed: Address non-compliance

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Actions</th>
<th>Who</th>
<th>When</th>
</tr>
</thead>
<tbody>
<tr>
<td>Address non-compliance</td>
<td>Investigate instances of non-compliance</td>
<td>FO’s</td>
<td>As required</td>
</tr>
<tr>
<td></td>
<td>Take enforcement action including issue of Caution, Expiation and Brief</td>
<td>FO’s</td>
<td>As required</td>
</tr>
</tbody>
</table>

### Risks Addressed: Brief quality assurance

<table>
<thead>
<tr>
<th>Initiative</th>
<th>Actions</th>
<th>Who</th>
<th>When</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brief quality assurance</td>
<td>Briefs of evidence meet evidentiary requirements and are vetted to ensure quality assurance</td>
<td>Ops Mgrs, PSC</td>
<td>As required</td>
</tr>
</tbody>
</table>

**Abbreviations:**
- FO (Fisheries Officer)
- Ops Mgrs (Regional Operations Manager)
- SR (Southern Ranger)
- SC (State Coordinator)
- RC (Regional Coordinator)
- Regions (includes West & Central Regions)
- PSC (Prosecution Steering Committee – PIRSA internal)
- SOG (Special Operations Group – PIRSA internal)
- Intel Analyst (Intelligence Analyst – PIRSA internal)
- PIRSA Comms (PIRSA Communications – PIRSA internal)