



Australian Government

Australian Fisheries Management Authority



NATIONAL COMPLIANCE AND ENFORCEMENT PROGRAM

2020-21

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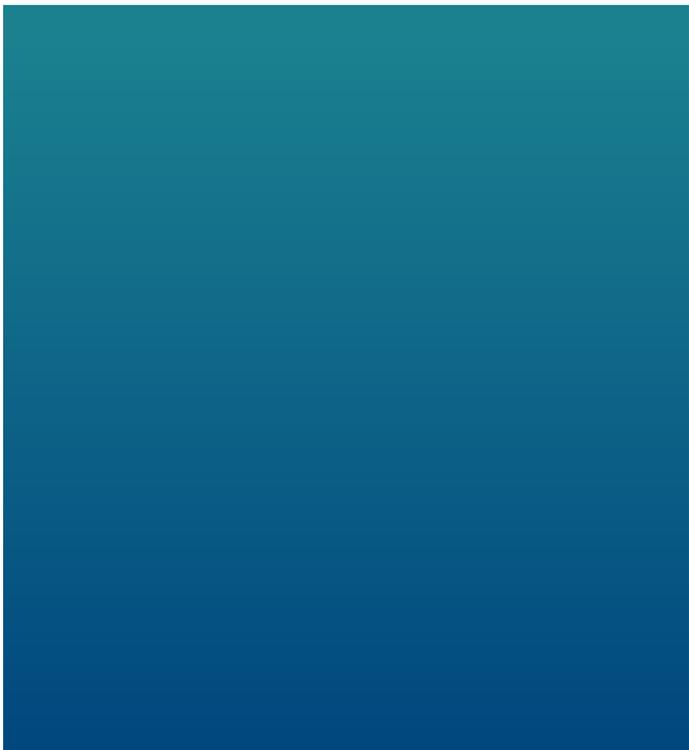
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1. Abbreviations

Abbreviation	Explanation
AFZ	Australian Fishing Zone
BaU	Business as Usual
CDRs	Catch Disposal Records
CRMT	Compliance Risk Management Team
e-monitoring	Electronic monitoring system
FRP	Fish Receiver Permit
GD	General Deterrence
MRAI	Multiple Risk Aggregation Index
NCPU	AFMA's National Compliance Planning Unit
NGOs	Non-Government Organisations
NIU	AFMA's National Intelligence Unit
OMC	AFMA's Operational Management Committee
RFMO	Regional Fisheries Management Organisation
SFR	Statutory Fishing Right
TEP	Threatened, Endangered and Protected
<i>The FM Act</i>	<i>Fisheries Management Act 1991</i>
<i>The FMR 1992</i>	<i>Fisheries Management Regulations 1992</i>
<i>The TSFA Act</i>	<i>Torres Strait Fisheries Act 1984</i>
<i>The TSFR 1985</i>	<i>Torres Strait Fisheries Regulations 1985</i>
TAC	Total Allowable Catch
TAE	Total Allowable Effort
TSF	Torres Strait Fisheries
TSO	Temporary Switch Off Order
VMS	Vessel Monitoring System



2. Introduction



The Australian Fisheries Management Authority's (AFMA) National Compliance Operations and Enforcement Policy (the Policy) aims to:

'Effectively deter illegal fishing in Commonwealth fisheries and the Australian Fishing Zone'



Image: AFMA and Queensland Police Service joint fisheries operation Torres Strait.

In order to achieve this objective, AFMA uses a risk based National Compliance and Enforcement Program to deliver cost effective and efficient fisheries compliance services.

The 2020-21 will continue to include the 2019-20 program four major components:

1. Communication and Education
2. General Deterrence
3. Targeted Risks and
4. Maintenance.

A key component of the 2020-21 compliance and enforcement program is the development and delivery of communications and education strategies that assist industry in understanding their obligations as well as demonstrating to the general public the actions taken by AFMA to protect Australia's fisheries resources.

COVID-19

In response to the COVID-19 outbreak, the Government has adopted a suppression strategy to control/ minimise the spread of the virus.

In March 2020, all AFMA field duties were suspended, with AFMA continuing to monitor fishing operations via electronic means Vessel Monitoring Systems (VMS), E-Monitoring, remote monitoring and other sources of data. AFMA officers commenced desktop audits of vessel unloads and desktop inspections of boats and fish receiver premises.

AFMA has recommenced operational field activities and will continue to conduct these in accordance with best practice, mandatory social distancing and hygiene and in accordance with guidelines developed covering the conduct of field duties.

The General Deterrence program in 2019–20 will consist of a series of inspections and patrols targeting identified high risk ports, boats and fish receiver premises.

The Targeted Risk program for 2020-21 will focus on the risks of:

- quota evasion
- failure to report interaction/retention of protected or prohibited species
- bycatch mishandling
- Torres Strait Fisheries

Each targeted risk will be the focus of a Compliance Risk Management Team (CRMTs) who will develop and implement multifaceted strategies designed to assess, address and control each risk so as to reduce them to acceptable levels.

In addition, previously ‘treated’ risks will remain the focus of Maintenance programs. These include:

- failure to have a AFMA Vessel Monitoring System (VMS) or Electronic Monitoring (e-monitoring) system on board or have it operating at all times
- quota reconciliation and
- closure monitoring

The four components of the program, including the targets within the ‘targeted risk’ component program, will have clear and discernible aims, objectives and, importantly documented performance measures to enable their effectiveness to be measured.

Together, the 2020-21 program will provide a sound framework for the delivery of effective compliance and monitoring within Commonwealth domestic fisheries.

2.1. Why is compliance important to the industry?

Commonwealth domestic fisheries rules and regulations are designed to protect:

- the public resource (eg. fish stocks)
- the value of access rights and
- the broader environment

Public resource (eg. fish stocks) is the total amount of fish available in a particular area. It is a finite resource and can be depleted if not managed properly. Access rights are the legal rights to fish in a particular area. These rights can be valuable and can be traded. The broader environment includes the marine ecosystem and the surrounding land and air. Fisheries activities can have impacts on the environment, and it is important to manage these impacts to ensure the sustainability of the industry.

2.2. Why is compliance important to the industry?

Compliance is important to the industry because it ensures that all participants are following the same rules and regulations. This helps to level the playing field and ensures that everyone is competing on an equal basis. Compliance also helps to protect the public resource and the environment, and it is essential for the long-term sustainability of the industry.

2.2.1. Risk assessments

The 2019–21 risk assessment was undertaken in May 2019 and included consultation with key stakeholders. Ongoing monitoring and review will be undertaken during the course of the year to ensure that any new or emerging risks are identified and managed effectively.

2.2.2. Monitoring fisheries operations

AFMA monitors the compliance of concession holders with fisheries regulations across Commonwealth fisheries. Non-compliance, through contravention of the Fisheries Management Act 1991 (the FM Act), Torres Strait Fisheries Act 1984 and related legislative instruments, is identified through the analysis of various information sources, including:

- the general public
- the fishing industry
- non-government organisations
- other State and Commonwealth government agencies
- AFMA's dedicated information lines (e.g. CRIMFISH – 1800 274 634)
- regular, random and/or targeted patrols
- inspections, monitoring (including electronic monitoring) and surveillance
- audits
- targeted analysis and/or investigations and
- observations by AFMA fisheries officers.

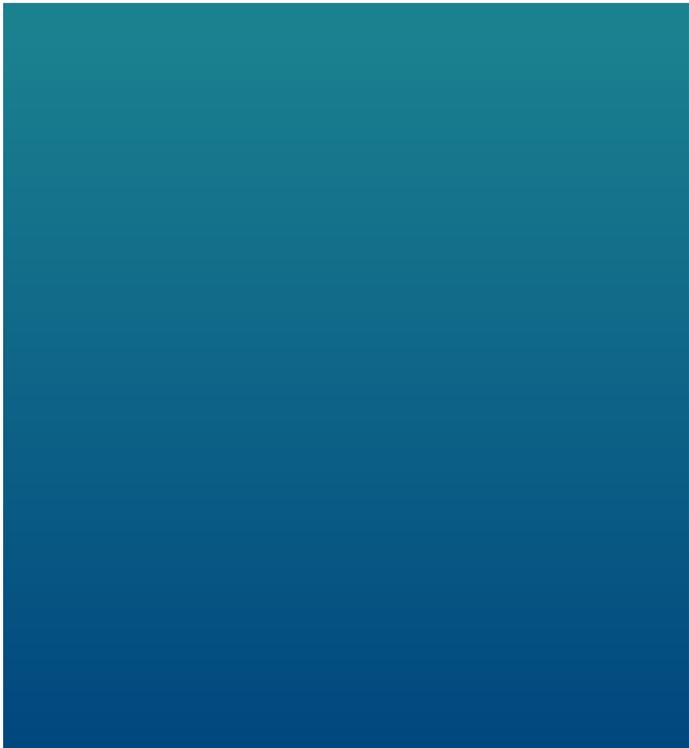
AFMA will also continue to build strategic partnerships with other agencies to maximise cooperation in fisheries law enforcement.

2.2.3. Maintenance programs

AFMA's maintenance programs ensure that previously significant risks do not re-emerge and pose a threat to the sustainability of the fishery. Quota reconciliation, fishing/navigating in closed areas, and compliance with VMS and e-monitoring requirements will continue to be monitored as maintenance or BaU programs.



3. Communication and Education Program



3.1. Background

AFMA recognises that communication and education are critical components of any successful compliance and enforcement program. Engaging with stakeholders assists in maximising voluntary compliance and ensures that the fishing industry have an understanding and a stake in the measures that affect them.

The 2019–20 National Compliance Communication and Education Strategy will be consistent with the goals of AFMA's broader communication strategy and may be supplemented by specific targeted programs established to address key risks.

3.2. National Compliance Education & Communication

3.2.1. Aims/Objectives

Consistent with AFMA's objectives and functions, the 2019–20 National Compliance Communication and Education Strategy aims to:

- highlight to industry and the broader public the risks being targeted in 2020-21
- demonstrate AFMA's commitment to enforcing fisheries regulations
- reduce any misconception by premeditated offenders that they won't be caught
- educate industry, other direct stakeholders and the general public about the impacts of non-compliance on fisheries sustainability and industry viability and
- increase industry's willingness and capacity to comply with the relevant requirements.

3.2.2. Methods

3.2.2.1 *AFMA website and Facebook page*

The AFMA website and Facebook page will be the central point for stakeholders seeking information about AFMA's fisheries and compliance framework and activities.

The monitoring and enforcement page of AFMA's website contains key information that assists industry meeting their obligations and will be updated regularly to ensure the information is accurate and up to date. The AFMA Facebook page will be the main medium to provide regular messaging on compliance issues and updates on AFMA compliance activities.

In addition to publishing the annual National Compliance and Enforcement Program, regular (monthly) articles will be published on the website detailing compliance activities in relation to the area(s) of focus.

3.2.2.2. *Media/Social releases*

The National Compliance team will prepare media releases and Facebook posts on:

- targeted enforcement program(s)
- court outcomes and/or penalties and
- the results of any major/joint operations.

Media releases will be distributed to subscribers to AFMA's media releases and relevant regional and national media outlets depending on the nature/localities of the item of interest. Media releases will also be shared on AFMA's Facebook page.

3.2.2.3. *Targeted SMS*

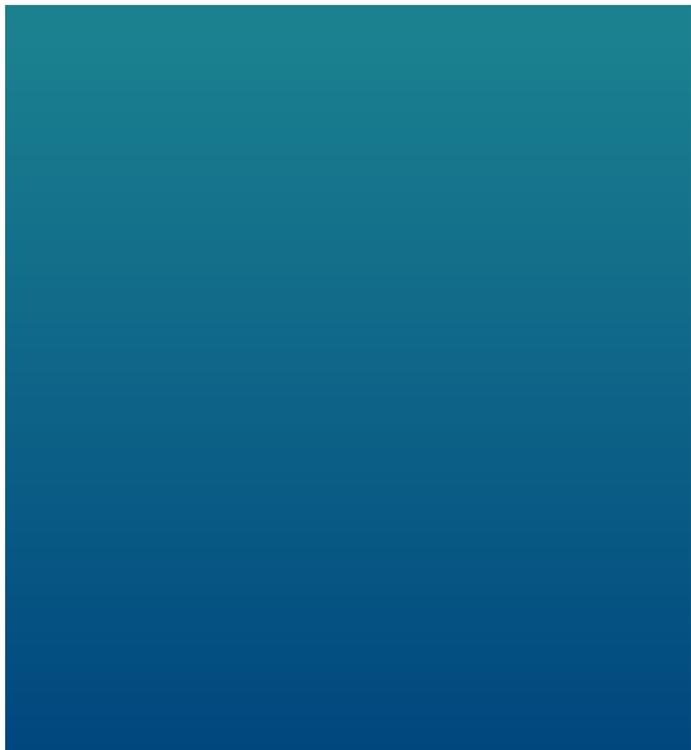
SMS messaging will be used as part of monthly targeted campaigns to remind concession holders and skippers of their obligations and to advise of monthly compliance targets.

3.2.2.4. *In-field education*

Fisheries officers will use the opportunity during in-field inspections to reinforce AFMA's areas of focus, including providing technical advice/support to operators to ensure they are aware of their obligations under fisheries legislation. Infield activities also provide an opportunity for industry to raise matters of concern with officers and to discuss possible solutions to enhance the management of the fishery.



4. General Deterrence Program



4.1. Background

In addition to the Risk Treatment program(s), AFMA maintains a General Deterrence (GD) program. By maintaining a general presence across Australia's ports, AFMA discourages members of the fishing community who do not wish to comply with the rules and regulations in each fishery from undertaking unlawful activity.

AFMA's presence also reassures those who are complying, that non-compliant activity is likely to be detected. Officers can also assist those wishing to comply by providing advice and/or instruction on their responsibilities.

To ensure the general deterrence/presence role is maintained, the GD Program will consist of a series of inspections and patrols designed to target identified high risk ports, boats and fish receiver premises.

4.2. Aim

To encourage compliance, and deter non-compliance, by providing a high visual presence of fisheries officers in port.

4.3. Objectives

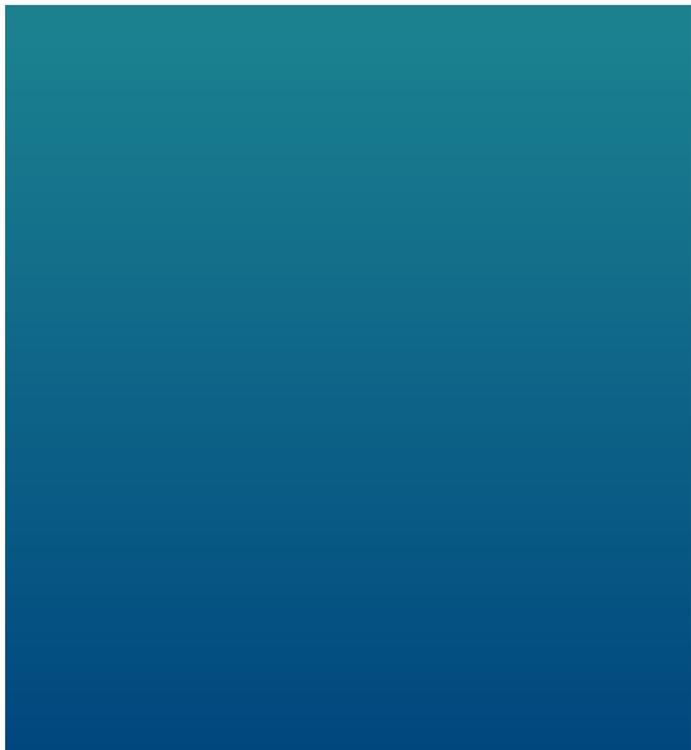
1. To maintain a high visual presence, particularly in high and moderate risk ports
2. To conduct a comprehensive program of inspections with a particular focus on high risk boats and fish receivers.
3. Maximise voluntary compliance through the application of innovative compliance approaches and education.

4.4. Methodology

In port and at-sea/aerial patrols will be planned during the 2020-21 year to target the 'high risk' ports, fish receiver premises (FRP), and boats. This will maintain a visible presence at each of the 30 plus ports used by the Commonwealth fleet.



5. Targeted Risk Program



5.1. Background

In accordance with the *National Compliance and Enforcement Policy*, AFMA has adopted a risk based compliance approach. This approach enables AFMA's resources to be deployed to target areas when required and where most effective. It involves a series of steps to identify and assess non-compliance risks and then apply appropriate actions to mitigate these risks.

The methodology utilised for risk analysis is detailed in AFMA's National Compliance Risk Assessment Methodology 2019–21.

Compliance Risk Management Teams (CRMTs) are formed in response to risks identified by the biennial risk assessment and prioritised for action (in the annual compliance program) by the Operational Management Committee (OMC). The teams are generally multi-disciplinary, and/or multi-agency, with team members determined by the risk being addressed and/or the type of program proposed.

The 2019–21 domestic compliance risk assessment identified risks across Commonwealth fisheries that were assessed as moderate/high and high. The identified risks were further discussed by the OMC with four risks prioritised for treatment.

The prioritised risks to be the focus of the 2020-21 program are:

- failure to report interaction/retention of protected or prohibited species (risk rating: moderate/high)
- quota evasion (risk rating: moderate/high)
- bycatch mishandling (risk rating: moderate) and
- Torres Strait Fisheries (risk rating: moderate)

5.2. Compliance Risk Management Teams (CRMTs)

AFMA's CRMTs are multidisciplinary, and/or multi-agency, teams created to develop and implement the treatment programs to address identified priority risks. The CRMT composition is determined by the nature of the risk being addressed and/or the type of program needed to address the risks.

The OMC determines the makeup of the CRMTs on a case-by-case basis, however a CRMT will typically consist of:

- Fisheries officers
- Intelligence officers
- Planning officers and
- Fisheries management officers.

CRMTs may also include AFMA staff from other disciplines (such as Environment, IT, Policy or Media staff), staff members from relevant external agencies (e.g. Department of Agriculture, Water and the Environment, State agencies etc.) and/or industry representatives. A CRMT team leader will be appointed to manage the overall team and to act as a representative for the team at OMC meetings as required.

5.3. Torres Strait Fishery (TSF)

5.3.1. Background

AFMA has from 1 July 2018, been delivering the domestic fisheries compliance functions in the Torres Strait. The major Torres Strait Fisheries are Tropical Rock Lobster (TRL), Prawn, Beche De Mer (BDM) and Finfish. The TRL and Finfish fisheries are quota fisheries, with the TRL fishery also subject to a sectoral split between Traditional Inhabitant Boat (TIB) license holders and Transferable Vessel Holder (TVH) licenses. The TVH sector are non-traditional inhabitant owner / operators.

5.3.2. Methodology

The targeted risk program 2020-21 for the Torres Strait fisheries has been developed locally to focus on the overall prioritised risks (Quota Evasion and Failure to report interaction/retention of protected or prohibited species). A CRMT, focused on these priority risks, will be formed consisting of fisheries officers, management officers, Licensing and Data team, and Intelligence officers.

5.4. Failing to report Threatened, Endangered and Protected (TEP) Species Interaction CRMT

5.4.1. Background

E-monitoring is functioning in a number of AFMA fisheries and sectors, resulting in an increase in the number of detected incidents of non-reporting of interactions and/or the retention of protected or prohibited species.

5.4.1.1. *What is failing to report retention/interaction?*

The risk of operators failing to report retention/interaction includes the non-reporting of TEP species interactions (e.g. seals, dolphins), the retention of 'live and vigorous' bycatch (TEP) species (e.g. school shark, mako sharks) and/or the retention of prohibited catch items (e.g. lobsters).

5.4.1.2. *Why is failing to report retention/interaction a risk?*

Failing to report interactions with protected species (especially TEP species), or the retention of prohibited take species, can have ramifications on the sustainability of the fishery in the long term. Non-reporting of interactions can result in underestimates of the mortality rates due to fishing, and can also lead to an underestimate of the overall population of those species. Inaccurate information on catches can result in total allowable catches that are too optimistic.

A number of species (sharks in particular) have rules in place to minimise the impact of fishing on the population, with operators required to return 'Conservation Dependent' species to the water when they are caught in a 'live and vigorous' state. The management arrangements provide recognition of the fact that returning dead animals to the sea is wasteful, but retaining 'live and vigorous' catch of these species not only increases the impact of fishing on the species but may result in stricter requirements on operators.

5.4.2. Failing to report interaction/retention treatment program

5.4.2.1. Aim

To ensure accurate reporting of all TEP interactions and prevent the retention of protected or prohibited species.

5.4.2.2. Objectives

1. To identify through consultation with relevant stakeholders, issues that prevent operators adhering to reporting requirements
2. To undertake a comprehensive education and communication program with industry that reinforces the below requirements:
 - a) report all TEP interactions
 - b) return 'live and vigorous' conservation dependant shark species to the water
3. To decrease the incidences of confirmed non-reporting of TEP interactions
4. To decrease the incidences of prohibited species being retained
5. To decrease the incidences of prohibited take and retention of 'live and vigorous' bycatch species

5.4.3. Methodology

In addition to e-monitoring reviews being conducted to detect incidences, AFMA will work with industry stakeholders to identify impediments and issues relating to the identification and/or reporting of interactions, in order to ensure industry have all the tools and resources necessary to accurately report all interactions.

The CRMT team will also work with Fisheries Managers and the Observer team to develop and supply educational material such as waterproof posters or educational leaflets to boats.

Fisheries officers will also distribute educational material and brief crew members during boat inspections. Enforcement will be conducted as per normal processes but with a focus on education in the first instance.

The treatment projects (such as education programs and gear modification trials which are ongoing) take time to be delivered across all fisheries.

Australian operators who have foreign crew members on-board will be educated through the use of multi-language programs.

5.5 Quota Evasion CRMT

5.5.1. Background

AFMA is responsible for effectively managing Commonwealth fisheries to achieve ecological and economic sustainability. As part of this responsibility AFMA administers a program for recording the take of quota species.

5.5.2. What is quota evasion?

All Commonwealth fishers are required to accurately report their catch to AFMA through the Catch Disposal Records (CDRs).

Quota evasion is the deliberate misreporting, or non-reporting, of the weight and species of catch caught in Commonwealth waters.

5.5.3. Why is quota evasion a risk?

Quota managed fisheries are largely dependent on the reliability and accuracy of information provided by FRPs through the CDRs. Without reliable, accurate and honest information the quota regime cannot operate effectively and this may have detrimental impacts on the ongoing sustainability of the natural resources.

5.5.4.2 Objectives

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1. To develop and implement data analysis tools/mechanisms to identify targets of interest for quota evasion

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1. To develop and implement data analysis tools/mechanisms to identify targets of interest for quota evasion
2. To conduct a regular surveillance program(s) to provide indicators as to the current level of quota evasion and identify targets of interest for quota evasion and
3. To continue to deliver targeted education and communication items focusing on the risk of quota evasion.

5.5.5. How will quota evasion be treated?

In addition to preventative measures undertaken as part of the general deterrence program, the quota evasion CRMT will develop and/or conduct:

- automated data matching techniques to provide indicators/incidences of possible quota evasion and
- an ongoing quota evasion ‘surveillance program’ to search for incidences and assess the quantum, of quota evasion in quota managed fisheries.

Any identified targets will be routinely referred to the Operations team for investigation. In addition, an annual assessment of the likely quantum of quota evasion will be made using analysis of surveillance information.

5.6. Bycatch Mishandling CRMT

5.6.1. Background

AFMA collects visual information from fishing vessels via observers and e-monitoring. As a result of this monitoring, AFMA has become aware of instances of inappropriate handling of fish bycatch.

As part of its role in ensuring sustainable fisheries, AFMA and industry are taking measures to reduce the amount of fish bycatch in Commonwealth fisheries. Inappropriate handling of fish bycatch can significantly reduce the chances of the fish's survival and may result in long term impacts on the sustainability of bycatch species.

There is a risk across Commonwealth fisheries that operators may mishandle fish bycatch, detrimentally affecting their chances of survival and the long term sustainability of fish stocks.

In response to the rising number of bycatch mishandling reports, AFMA commenced in 2016 a targeted education and monitoring and enforcement program. These conditions were implemented in October 2016 and were accompanied by a set of Bycatch Handling Principles and an instructional video was produced and published on the AFMA website and social media.

5.6.2. Aims and Objectives

5.6.2.1. Aim

To continue to decrease the incidence and risk of bycatch mishandling through a targeted education, monitoring and enforcement program.

5.6.2.2. Objectives

1. To maintain a comprehensive education and communication program with industry to remind them of the risk of bycatch mishandling
2. To maintain an effective enforcement regime and
3. To decrease the incidences of confirmed bycatch mishandling to zero in all fisheries with e-monitoring.

5.6.3. Methodology

AFMA will continue to deliver targeted education and enforcement programs to address the issue of bycatch mishandling.

5.6.3.1. Education

The CRMT will continue to conduct education programs and focus on the issue of bycatch mishandling and, in particular, the requirements to take all reasonable steps to return any 'live' bycatch back to the sea in as short a time as practicable.

The education campaign consists of:

- AFMA news items including social media posts
- SMS/GoFish messaging
- Industry association briefings
- One-on-one education with operators (infield reminders by fisheries officers).

5.6.3.2. *News items*

Regular news items will be published on the AFMA website focusing on the following key themes:

1. AFMA considers the mishandling of bycatch a significant issue which not only places affected species at risk, it also threatens the ongoing viability of the industry
2. Operators are required to take 'all reasonable steps' to ensure all bycatch is returned to the sea unharmed and as soon as practicable and
3. Failure to take 'all reasonable steps' to minimise harm to bycatch may constitute an offence.

5.6.3.3. *Industry based training*

The CRMT team will actively work with key industry groups to develop and deliver appropriate training to industry as required during 2020–2021 period.

5.6.3.4. *Enforcement*

The CRMT has developed a 'show cause' based enforcement program.

Education and Preliminary assessment

When a possible incidence of mishandling is reported, an assessment will be undertaken by the National Intelligence Unit (NIU) against the principles, and terms of the bycatch handling guide.

When the reviewing officer deems the event is not exempt, and is likely to be a case of bycatch mishandling, the incident will be referred to the National Operations team for further assessment and/or investigation.

The assigned fisheries officer/operations manager will make a further preliminary assessment to determine whether to proceed with an investigation.

Show Cause

When an investigation commences, the concession holder will be issued with a 'show cause' letter. The letter will provide the concession holder with the opportunity to explain the alleged actions and/or what measures they have taken to prevent further incidences.

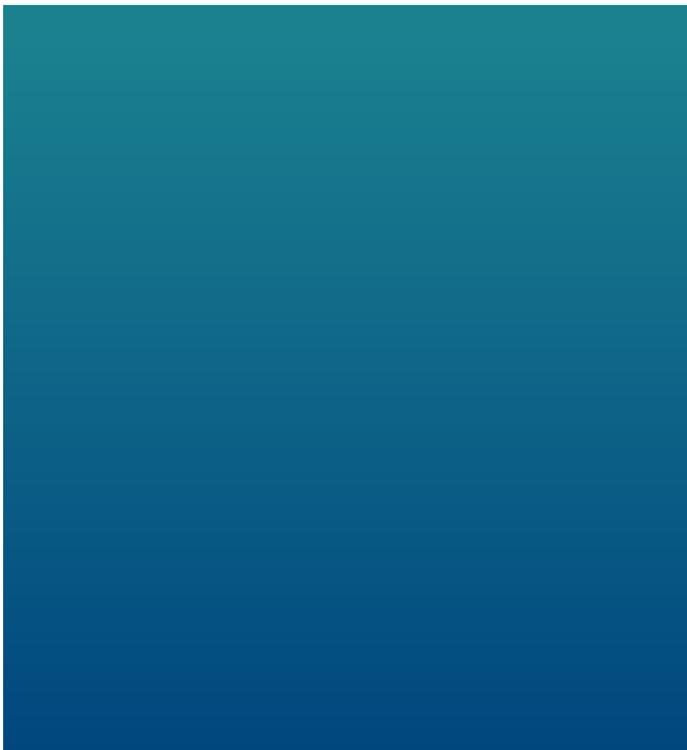
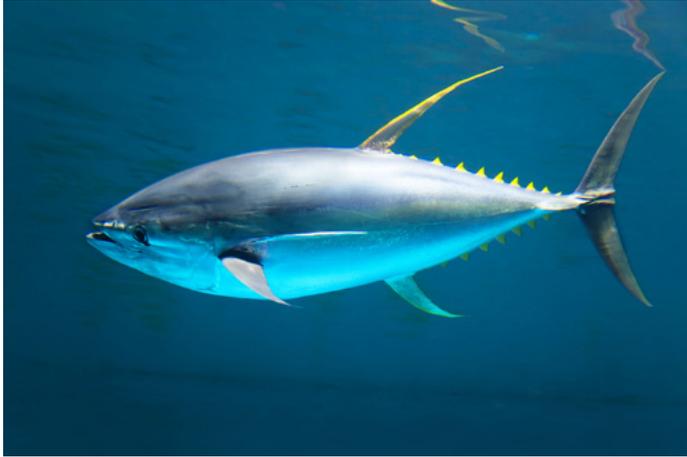
Depending on the seriousness of the incident, and any response received to the 'show cause' letter, the matter will be further investigated to determine if more stringent enforcement action is required.

Enforcement action

When the investigation and the response to the 'show cause' letter indicate the offence is of a serious nature, the matter will be formally investigated. Enforcement action will be taken which is proportional to the prior history of the operator, and the seriousness of the offence.



6. Maintenance Programs



6.1. Background

Since the establishment of the risk based program in 2009, there has been a number of identified risks which were prioritised for treatment (in previous years) and addressed through specific risk treatment programs.

These risks are considered to have been addressed to a manageable level but it was identified that the risks should be continuously monitored through established maintenance or 'Business as Usual' (BaU) programs.

The risks currently subject to BaU programs are:

- quota reconciliation
- closure monitoring and
- Vessel Monitoring System (VMS).

6.2. Business as Usual programs

6.2.1. Quota reconciliation

Quota reconciliation is managed by the National Compliance Operations team as per the 28 day quota reconciliation policy and process and is a BaU program. Under this policy, all Commonwealth fisheries using quota arrangements under the Fisheries Management Act 1991 are subject to a 28 day reconciliation model which requires the concession holder(s) to balance within season over-catches with 28 days on a per species basis.

Enforcement principles and procedures will be applied if the concession holder(s) have exceeded the reconciliation period. AFMA aims to promote voluntary compliance and deter, detect and enforce those who do not comply.

6.2.2. Closure monitoring

Compliance with Closures, whether implemented via a direction or temporary order, is required under the conditions of fishing concessions. Fishing in a closure is a breach of permit condition(s) which is an offence under s95(1) of the Fisheries Management Act 1991 and regulation 86 of the Fisheries Management Regulations 2019.

Aim

To decrease the incidence of and the risk associated with boats fishing/navigating in closed areas through a monitoring and response program.

Objectives

To reduce the incidences of boats fishing/navigating in closed areas to zero.

Education program

AFMA proposes to educate fishers through the 'show cause' process. Concession holder(s) are requested to provide an explanation of their identified activity and remind operators that AFMA may take enforcement action if the explanation provided is unsatisfactory.

AFMA proposes to educate fishers through the 'show cause' process. Concession holder(s) are requested to provide an explanation of their identified activity and remind operators that AFMA may take enforcement action if the explanation provided is unsatisfactory.

There are a number of closures in Commonwealth managed waters to help manage the impacts of fishing to certain species or habitats. These closures can be used to restrict fishing to certain depths, gear types, locations and times of the years.

Closures may protect sensitive habitat areas like corals, sponges and seagrass beds in the Northern Prawn Fishery or protected species such as Australian Sea Lions in the Southern Eastern Shark and Scalefish Fishery.

These closures are implemented through legislative closure directions or fishing concession conditions.

6.2.3. VMS

VMS is used continuously for compliance and resource purposes, AFMA requires Commonwealth operators to have fitted a working VMS unit to their endorsed fishing boat. Section 9D of the Fisheries Management Regulations 2019 and Section 42B of the Fisheries Management Act 1991 apply to fishing concessions.

Aim

To decrease the incidence of and the risk associated with VMS non-compliance through a monitoring and response program.

Objectives

- to decrease the incidence of boats without an operational VMS
- to identify incidences of non-compliance
- to implement approved VMS compliance enforcement procedures

AFMA will conduct education program(s) in response to VMS non-compliance with media campaign(s) and social media articles.

6.2.4 E-monitoring

E-monitoring (EM) is capable of monitoring and recording fishing activities which is reviewed to verify logbook data. It can accurately monitor fishing operations and has the ability to improve scientific data collection. It currently operates across the Eastern and Western Tuna and Billfish and Gillnet Hook and Trap fisheries with the data crucial to the management of these Commonwealth fisheries.

Aim

To decrease the incidence of EM non-compliance through monitoring and response program.

Objectives

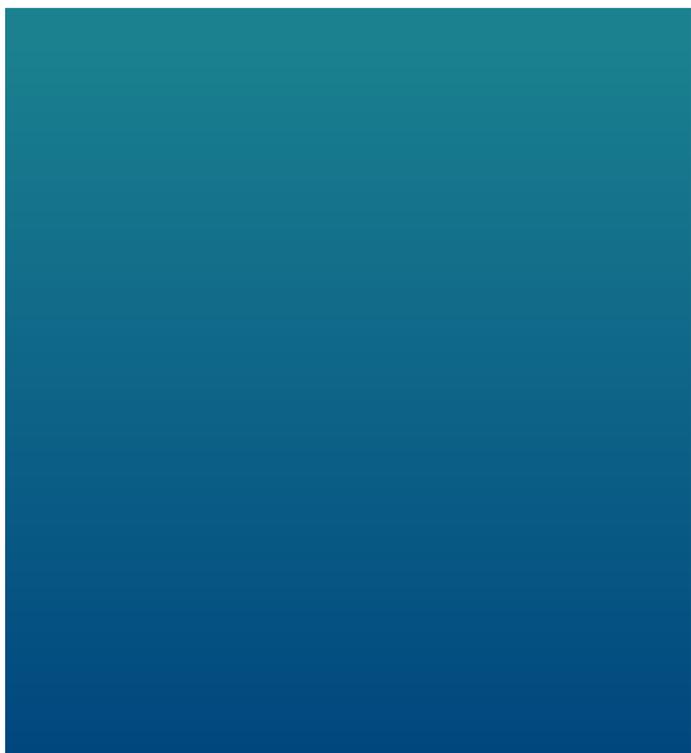
- to decrease the incidence of boats without an operational EM
- to develop and apply procedures for identification of non-compliance
- to develop and implement EM compliance enforcement procedures

E-monitoring systems are complex and there are numerous identified non-compliant (intentionally or un-intentionally) ways an operator may be non-compliant. AFMA's Monitoring and Surveillance section will monitor and assess via daily monitoring with any non-compliance identified.

Any identified non-compliance issue will be assessed and the operator contacted and severe matters will be fully investigated.



7. Performance Assessment



Due to the nature of compliance programs, it is inherently difficult to assess their effectiveness in terms of outcomes. As a result, the effectiveness of the program (i.e. how well the program is meeting its aims and objectives) will be assessed through the use of multiple outcome targets wherever possible, as well as input and output targets where a suitable 'outcome target' was not able to be identified. It is recognised and expected that not all performance targets or thresholds will be met due to the changing nature of risks and changes in fisheries practices.

In addition, and in recognition of the flexibility required to ensure effective targeting of prioritised risks (and the particular impact that required flexibility has on the resources available for other programs), an acceptable 'threshold band' has also been set for each target.

7.1. Education and Communication Performance Targets

Forum	Description	Target	Threshold band
AFMA website	2020-21 Compliance and Enforcement Program published on website	July 2020	August 2020
	Identified 2020–21 priority risks detailed on website	July 2020	August 2020
	Monthly 'Compliance Focus' feature articles published on website/social media	One per month	–
Media releases	Media releases issued for all 'Major Operations', 'Targeted Programs', 'Compliance Focus' items and court outcomes (convictions, other)	100%	80%
Education Targets			
Pre-season briefings	Fisheries officers conduct education sessions at pre-season briefings	100%	75–100%
In-field education	Conduct one on one education with operators during routine inspections	75	50–75

7.2. General Deterrence Performance Targets

7.2.1. Port attendance (Objective 1) performance targets

Target	Target	Threshold band
To undertake a minimum of three in port patrols (inspections) in 100% of the 'high risk' ports annually	100% (3 ports)	80–100% (1–3 ports)
To undertake a minimum of one in port patrol (inspection) in 100% of the 'moderate risk' ports annually	100% (10 ports)	80-100% (5–10 ports)
A minimum of 40 in port patrols conducted annually	>=40 port visits	30–39 port visits
A minimum of 50 inspection days annually	>=50 inspection days	40–49 inspection days
A minimum inspection rate of 3 per day	>=3/day	2.5–3/day

7.2.2. Boat Inspections (Objective 2) performance targets

Target	Target	Threshold band
To inspect 100% of 'High Risk' boats (on one or more occasions) annually	100% (10 Boats)	75–100% (5–10 boats)
To inspect a minimum of 25% of all (nominated) boats (on one or more occasions) annually	>=25% (>=85 Boats)	20–24% (68–84 Boats)
A minimum of 150 boat inspections conducted annually	>=150 Boats	120–149 Boats inspected

7.2.3. Voluntary compliance targets (Objective 3) performance targets

Target	Target	Threshold band
No further action was required in 95% of inspections (boat, fish receiver premises and at sea)	95%	85–95%

7.3. Targeted Risks Performance Targets

7.3.1. Failure to report TEP interaction/retention performance targets

Target	Descriptor	Target	Threshold band
Less than 3 detected incidents of non-reporting of TEP species interactions	All interactions with TEP species reported as required, with no detected incidents of interactions unreported	<3	<5 year
Less than 5 detected incidents of prohibited take species being retained	There are no detected incidents of prohibited (take) species (e.g. lobster, morwong etc.)	<5 year	<20 year
Less than 10 detected incidents of 'live and vigorous' (conservation dependent) prohibited take bycatch species retained	There are no detected incidents of live and vigorous (conservation dependent) species being retained (e.g. mako shark, school shark etc.)	<10 year	<20 year

7.3.2. Quota evasion performance targets

Program area	Description	Target	Threshold band
High risk operators identified on a regular and routine basis	Data matching and analysis will be used to identify those boats (operators) found to have the most indicators suggesting Quota Evasion may be taking place (i.e. they are the highest risk)	Identified monthly	Identified annually
Quota evasion detection analysis techniques regularly reviewed	A review of the data will be used to identify/detect quota evasion	Identified monthly	Identified annually
Routine covert surveillance program has been developed which targets quota evasion	Covert surveillance undertaken on landing by quota fishery operators	Not disclosed	Not disclosed

7.3.3. Torres Strait Fishery

Target	Target	Threshold band
To undertake a minimum of 30 boat inspections annually	100% (30 boats)	75–100% (20–25 boats)
To undertake a minimum of 20 fish receiver inspections annually	100% (20 FRPs)	75–100% (15–20 FRPs)
A minimum of 12 at-sea patrols conducted annually	12 Patrols	8–12 Patrols
Port/Freight Hub audit visits annually	12 audit visits	10–12 audit visits
Targeted Operations	5	3–5

7.3.4. Bycatch mishandling

Target	Target	Threshold band
Incidents of bycatch mishandling in the ETBF reduced to zero	<15	<25 year
Incidents of bycatch mishandling in the GHaT reduced to zero	<15	<25 year

7.4. BaU Performance Targets

7.4.1. 28 Day quota

Target	Descriptor	Target	Threshold band
Less than 2 incidents per month of failing to reconcile quota	Less than two operators per month require investigation/action in respect to failing to meet 28 day quota reconciliation requirements	<2 per month	<10 month

7.4.2. VMS/e-monitoring BaU performance targets

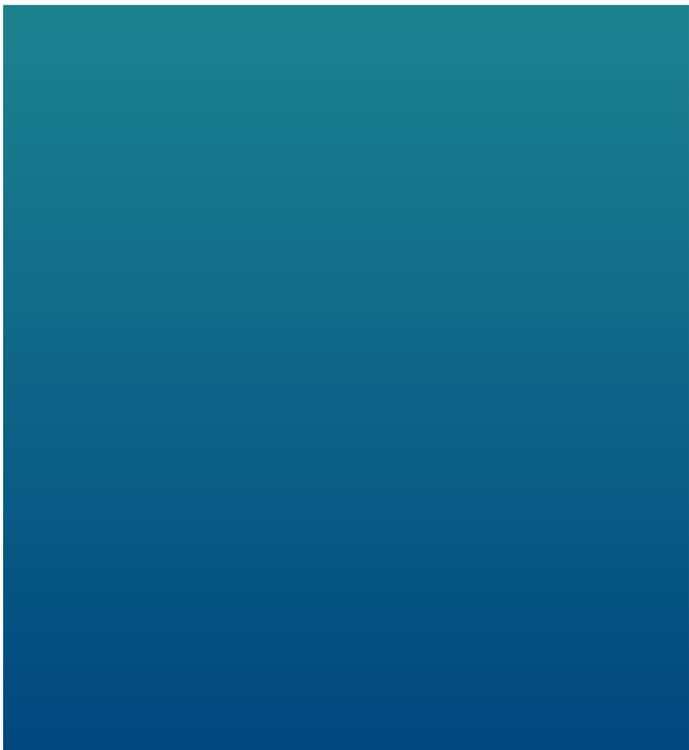
Target	Descriptor	Target	Threshold band
98% of boats fully compliant with VMS requirements	98% of nominated boats are fitted with VMS units and the units are reporting at a rate greater than 12 polls per day, or have a valid Temporary Switch Off (TSO) approval	>=98%	95–98%
No EM incidents of drive or equipment tampering/obstruction detected	There are no incidents detected of attempts to block, damage or obstruct equipment recording or hard drives	0	<3

7.4.3. Closure monitoring performance targets

Target	Descriptor	Target	Threshold band
Less than five (5) incidents per year	Less than five (5) incidents per year of suspected breaches of AFMA managed fisheries closures	<5 per year	<10 per year



8. Previous Performance



8.1. Communication/education

Description	Target	Threshold band	Result 15/16	Result 16/17	Result 17/18	Result 18/19	Result 19/20
Compliance and Enforcement Program published on website	July	August	Target met	Target met	Target met	Target met	Within threshold
Priority Risks detailed on website	July	August	Target met	Target met	Target met	Target met	Within threshold
Monthly 'Compliance Focus' feature articles published on website	One per Month		12/12	12/12	12/12	12/12	11/12
Rate of 'Compliance website' access per month	>50 per month	40–50 per month	N/A	N/A	N/A	N/A	N/A
Media releases issued for all 'Major Operations', 'Targeted Programs' and court outcomes	100%	80%	100% (1/1)	100% (1/1)	100% (1/1)	100% (5/5)	5 (TI)
Fisheries officers conduct education sessions at all pre-season briefings	100%		100% (4/4)	100% (4/4)	100% (4/4)	100% (6/6)	4
Conduct one on one education with operators during routine inspections	75	50–75	199	133	206	356	289

Key:



Target met/On track



Within threshold



Outside threshold

8.2. General deterrence performance targets (objective one and objective two)

Descriptor	Target	Threshold band	Result 14/15	Result 15/16	Result 16/17	Result 17/18	Result 18/19	Result 19/20
To undertake a minimum of three in port patrols (inspections) in 100% of the 'high risk' ports annually	100% (3 ports)	80–100% (1–3 ports)	100% (3)	100% (3)	80% (2)	100% (3)	100% (3)	100% (4)
To undertake a minimum of one in port patrol (inspection) in 100% of the 'moderate risk' ports annually	100% (10 ports)	80–100% (5–10 ports)	100% (10)	100% (10)	100% (10)	100% (10)	100% (10)	100% (10)
A minimum of 40 in port patrols conducted annually	>=40 port visits	30–39 port visits	66	55	35	78	231	143
A minimum of 50 inspection days annually	>=50 inspection days	40–49 inspection days	100	95	74	100	154	123
A minimum inspection rate of 3 per day	>=3/day	2.5–3/day	2.9	2.89	3.6	3.1	3.1	3.1
To inspect 100% of 'High Risk' boats (on one or more occasions) annually	100% (10 Boats)	75–100% (5–10 boats)	100% (10)	100% (10)	80% (6)	85% (7)	80% (8)	100% (13)
To inspect a minimum of 25% of all (nominated) boats (on one or more occasions) annually	>=25% (>=85 Boats)	20–24% (68–84 Boats)	133/321 (41.4%)	135/323 (41%)	133/339 (39%)	153/377 (41%)	212/364 (58%)	261/
A minimum of 150 boat inspections conducted annually	>=150 Boats	120–149 Boats inspected	212	199	181	206	356	289 ¹

8.2.1. Voluntary Compliance targets

Descriptor	Target	Threshold band	Result 14/15	Result 15/16	Result 16/17	Result 17/18	Result 18/19	Result 19/20
No further action was required in 95% of inspections	95%	85–95%	92% (264/278)	94% (259/275)	91% (299/328)	90% (280/308)	92% (461/502)	92% (348/377)

¹ NOTE: Desktop inspections were conducted during the months of May (28) and June (55) 2020 due to COVID-19 included in the total figures above.

Key:



8.2.2. Quota evasion performance targets

Descriptor	Target	Threshold band	Result 14/15	Result 15/16	Result 16/17	Result 17/18	Result 18/19	Result 19/20
High risk operators identified on a regular and routine basis	Identified monthly	Identified annually	Yes	Yes	Yes	Yes	Yes	Within threshold
Quota evasion detection analysis techniques regularly reviewed	Identified monthly	Identified annually	N/A	N/A	N/A	N/A	Yes	yes
Routine covert surveillance program has been developed which targets quota evasion	Not disclosed	Not disclosed	Not disclosed	Not disclosed	Not disclosed	Not disclosed	Yes	Yes

8.2.3. Failure to report interaction / retention of protected or prohibited species

Descriptor	Target	Threshold band	Result 14/15	Result 15/16	Result 16/17	Result 17/18	Result 18/19	Result 19/20
All interactions with TEP species reported as required, with no detected incidents of interactions unreported	<3	<5 year	N/A	12	18	35	9	1
There are no detected incidents of prohibited (take) species (e.g. lobster, morwong etc.)	<5 year	<20 year	N/A	3	4	6	2	0
There are no detected incidents of live and vigorous (conservation dependent) species being retained (e.g. mako shark, school shark etc.)	<10 year	<20 year	N/A		6	11	9	0

Key:



8.2.4. Torres Strait

Descriptor	Target	Threshold band	Result 14/15	Result 15/16	Result 16/17	Result 17/18	Result 18/19	Result 19/20
To undertake a minimum of 30 boat inspections annually	100% (30 boats)	75–100% (20–25 boats)	N/A	N/A	N/A	N/A	48	39
To undertake a minimum of 20 fish receiver inspections annually	100% (20 FRPs)	75–100% (15–20 FRPs)	N/A	N/A	N/A	N/A	28	33
A minimum of 12 at-sea patrols conducted annually	12 Patrols	8–12 Patrols	N/A	N/A	N/A	N/A	16	14
Port/Freight Hub audit visits annually	12 audit visits	10–12 audit visits	N/A	N/A	N/A	N/A	15	27
Targeted Operations	5	3–5	N/A	N/A	N/A	N/A	8	5

8.2.5. Bycatch mishandling

Descriptor	Target	Threshold band	Result 14/15	Result 15/16 ¹	Result 16/17	Result 17/18	Result 18/19	Result 19/20
Incidents of bycatch mishandling reduced to zero in ETBF	<15	<25 year	N/A	N/A (45)	28	29	13	1
Incidents of bycatch mishandling reduced to zero in GHaT	<15	<25 year	N/A	N/A	18	20	9	8

¹ NOTE: Prior to the introduction of the relevant concession condition in October 2016, there was no definition of 'bycatch mishandling', as a result, any allegations received prior to this date have not been classified/counted as 'bycatch mishandling'.

Key:

	Target met/On track		Within threshold		Outside threshold
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8.3. Maintenance Programs – Business as Usual (BaU)

8.3.1. Quota reconciliation

Descriptor	Target	Threshold band	Result 14/15	Result 15/16	Result 16/17	Result 17/18	Result 18/19	Result 19/20
less than two operators per month require investigation/action in respect to failing to meet 28 Day quota reconciliation requirements	<2 per month	<10 month	1.5	2.5	2.8	2.41	6	13

8.3.2. VMS/e-monitoring

Descriptor	Target	Threshold band	Result 14/15	Result 15/16	Result 16/17	Result 17/18	Result 18/19	Result 19/20
98% of nominated boats are fitted with VMS units and the units are reporting at a rate greater than 12 Polls per Day, or have a valid Temporary Switch Off (TSO) approval	>=98%	95–98%	97.9	96.8	97.0	96.5	96.9	96.2
There are no EM incidents detected of attempts to block, damage or obstruct equipment recording or hard drives	0	<3	N/A	0	1	2	2	8

8.3.3. Closure monitoring

Descriptor	Target	Threshold band	Result 14/15	Result 15/16	Result 16/17	Result 17/18	Result 18/19	Result 19/20
less than five (5) incidents per year of suspected breaches of AFMA managed fisheries closures	<5 per year	<10 per year	11	10	0	1	1	2

Key:

