

Workshop Working Paper 2

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Undertaking a simple compliance risk assessment (for group discussions)

The Workshop on
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Undertaking a simple compliance risk assessment

A monitoring, control, surveillance and enforcement (MCS&E) **risk assessment** is simply a careful examination of what illegal activities or non-confirming actions (the **risk**) by members of your community and the general public could cause harm to your marine resources or be detrimental to the desired intent of management arrangements. Once the **risks** are identified we then identify the measures needed to control those **risks**. We then do an honest assessment of the **risk controlling measures** so that you can weigh up whether you have enough precautions or measures in place or whether you should do more.

For example, the capture and retention of fish smaller than a regulated minimum size limit is a **risk** as most likely will be detrimental to the long-term sustainability of the species. In addition, if there is no penalty or deterrent to obey the regulation then there is a **risk** that an attitude of non-compliance will be promoted amongst the community and general public. Equally, having a new aquaculture venture commence operations without a biosecurity analysis may present a **risk** to the nearby environment and wider ecosystem

Having identified the **risk**, we now need to weigh up the **risk controlling measures** we have in place to address the **risk**. Do we have sufficient MCS&E assets or programs to minimise the chances of the **risk** occurring? Do we have a sufficient number of fisheries officers inspecting boats or markets to detect the undersized fish being caught? Do we have a sufficient MCS&E presence to deter people from undertaking the **risk**? (are we being seen to enforce the laws?)

The next stage of the **risk** assessment is to use a **Risk Matrix** (Table 1) to ascertain the likelihood of the **risk** happening and the consequence of the **risk** happening. The identification of the likelihood and consequences then determines whether the **risk** has a low, moderate, high or severe outcome if it is allowed to happen. This is called the inherent risk and is identified by colours in the table below.

Table 1 - RISK MATRIX

		CONSEQUENCE				
		Insignificant	Minor	Moderate	Major	Serious
LIKELIHOOD	Rare	Low	Low	Low	Moderate	Moderate
	Unlikely	Low	Low	Moderate	Moderate	High
	Moderate	Low	Moderate	Moderate	High	High
	Likely	Moderate	Moderate	High	High	Severe
	Almost certain	Moderate	High	High	Severe	Severe

Having identified if the **risk** has a low, moderate, high or severe outcome we use the following table (Table 2) to assess the adequacy of our current MCS&E activities to address the particular risk.

For example - do our current MCS&E activities have sufficient information about the **risk** to reduce its chance of happening? Do we have a highly visible presence in the field that may be sufficient deterrent to the **risk** being committed?

Table 2 – Assessment of current MCS&E capacity to deal with the risk

MCS&E Rating	Description of current MCS&E activity
Very Strong	MCS&E arrangements provide very good information about the risk and/or are likely to promote very high levels of compliance
Strong	MCS&E arrangements provide good information about the risk and/or are likely to promote high levels of compliance
Moderate	MCS&E arrangements provide some information about the risk and/or are likely to promote moderate levels of compliance
Weak	MCS&E arrangements provide little information on the risk and/or are unlikely to promote compliance

Finally, we combine the inherent risk and our MCS&E rating to use the residual risk matrix (Table 3) to determine the overall consequence of the **risk** happening. We can then decide what actions may be needed to directly address the **risk**.

Table 3 - RESIDUAL RISK MATRIX

		INHERENT RISK			
		Low	Moderate	High	Severe
Adequacy of Current MCS&E	Very strong	Low	Low	Low	Moderate
	Strong	Low	Low	Moderate	High
	Moderate	Low	Moderate	High	Severe
	Weak	Low	Moderate	High	Severe

A risk assessment matrix (Table 4 is an example from Niue) should be done for all **risks** that are identified in your country's coastal fisheries or aquaculture enterprises. You are then in a position to identify additional action and resources that may be required to decreased or eliminate the various risks.

For break-out group work, please complete a risk assessment for the following, or an illegal activity of your choice relative to your region:

French Territories Group	Theft of aquaculture stocks and products
Melanesian Group	Capture and sale of mud crabs above the daily limit
Micronesian Group	Dynamite fishing or maybe use of illegal small mesh nets?
Polynesian Group	Exporting Sea Cucumbers illegally

Table 4 - Risk Assessment Matrix – an example of a risk assessment matrix for Coastal Fisheries in Niue

<u>Risks</u> (risks to coastal resources, management arrangements and MPAs)	<u>Likelihood</u>	<u>Consequence</u>	<u>Risk Rating</u>	<u>Current Applications</u>	<u>Adequacy of existing MCS tools</u>	<u>Residual Risk</u>	<u>Required additional actions to reduce or eliminate the risk</u>
1. Boat fishing in vaka fishing grounds	Moderate It does occur relatively frequently. Depends on which particular fishing grounds (village, FAD)	Moderate Does not affect other coastal fishers' catch. Low impact on species / stock status. Risk is more safety related, along with territorial and space-sharing issues.	Moderate	Spatial separation initiatives (FAD and land-based points). Reliance on voluntary compliance and self-regulation.	Weak? More can be done to address this risk. Too high reliance on voluntary compliance.	Moderate	Clearer spatial delineation (MSP) Surveillance of interactions/fishing Increased focus on voluntary compliance (education and awareness).
Fishing of juveniles / small-sized marine resources	Almost Certain	Major High impact according to	Severe	No current size/catch limits or regulations.	Weak Limited monitoring.	Severe	Implement catch/size limits through regulations, with implementation plan.

	<p>Relatively frequent/common</p>	<p>fishers (increased bottom fishing effort required, smaller catch sizes). However, need data to determine actual impacts.</p>			<p>Data collection largely local knowledge.</p> <p>Previous attempts to utilise logbooks – with limited success.</p>		<p>Explore use of zone-based gear restrictions.</p> <p>Collect data on species impact. Use (or continued use) of logbooks or market surveys.</p> <p>Collective engagement between active boat fishers.</p>
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