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Fisheries Enforcement in England

Summary of UK NAO performance audit

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UK fishing stocks

- There are many different stocks of fish in the seas around the UK
- 62% of fish caught are landed in UK; the rest are landed in other countries
- Fish stocks around the UK and in European waters are under increasing pressure, with some under threat of total collapse
Enforcement measures

- The EU Common Fisheries Policy is the main determinant of fisheries regulations within UK waters.
- Regulations seek to sustain fish stocks by controls such as:
  - quota limits on the amounts of particular stocks which may be fished in defined areas
  - technical measures which restrict fishing methods and types of gear to reduce catches of undersized and immature fish
- Restrictions on access to fishing areas, either permanently or by season, may also be imposed.
Enforcement arrangements

- The **Sea Fisheries Inspectorate** is responsible for inspections and surveillance at sea, and aerial and satellite surveillance.

- The **Inspectorate** also inspects landings of fish and checks vessel documentation of catches.

- **Fishermen** have to complete records of: the fish they land; the areas fished; and the fishing gear used.
Study scope

- We examined the Department’s role in enforcing fisheries regulations only on vessels fishing in the waters around the English coast and in respect of fish landed at English ports.

- Effective enforcement of regulations on fish caught in English waters but landed elsewhere depends on checks in other countries.

- Our report examined the effectiveness of the Department's enforcement of regulations in:
  - detecting
  - dealing with and
  - deterring offences.
Methods

- Analysed Departmental data on enforcement activity
- Interviewed enforcement agencies (e.g. the Sea Fisheries Inspectorate, the Fishery Protection Squadron of the Royal Navy and Directflight Limited)
- Identified lessons from enforcement agencies outside the fisheries sector
- Evaluated the Department's approach against good practice principles
- Consulted the fishing industry and other stakeholders
- Drew on information from other fisheries enforcement agencies (Australia, Canada, Iceland, New Zealand, Norway, USA)
The Department found some 250 infringements of regulations a year.

Half were inaccuracies in recording catches, the rest mainly to breaches of technical measures (such as net sizes or of licensing and registration requirements).

The number of undetected infringements is impossible to determine and the effectiveness of enforcement activity is difficult to measure in absolute terms.

We found evidence to suggest the true level of infringement was higher than the Department’s estimate (e.g. boats were catching types of fish which they were not allowed to and landing more fish than permitted).
Detection

- There is a very low chance that on any day a vessel will be inspected (less than 1% chance at sea and around 6% chance on land)
- There is a much higher chance (60% - 70%) that documents will be cross checked against each other, fish available on the market and other information such as sightings at sea or satellite information
- Some infringements can be very sophisticated, with the use of false documents and illegal agreements with other parties, such as those purchasing the fish. These cases are difficult to detect through inspections, but may be uncovered by surveillance or tip-offs.
Problems with enforcement

- It is not possible to physically inspect enough vessels to ensure that all landings are accurately recorded.
- On their own, document checks are unlikely to uncover offences such as misdeclaration of the location, type or quantity of fish caught.
- Combined with other information, such as satellite surveillance, they can be a useful enforcement tool.
- The Department could not easily change the way it allocated funding to different types of enforcement activity.
## Coverage of fishery inspectors in England

<table>
<thead>
<tr>
<th>Region</th>
<th>Tonnes landed</th>
<th>Number of inspectors</th>
<th>Tonnes/inspector</th>
</tr>
</thead>
<tbody>
<tr>
<td>North East</td>
<td>7,100</td>
<td>8</td>
<td>888</td>
</tr>
<tr>
<td>South East</td>
<td>13,000</td>
<td>10</td>
<td>1,300</td>
</tr>
<tr>
<td>North West</td>
<td>8,700</td>
<td>4</td>
<td>2,175</td>
</tr>
<tr>
<td>Humber</td>
<td>23,500</td>
<td>8</td>
<td>2,938</td>
</tr>
<tr>
<td>South West</td>
<td>47,000</td>
<td>15</td>
<td>3,133</td>
</tr>
<tr>
<td>East</td>
<td>24,300</td>
<td>6</td>
<td>4,050</td>
</tr>
</tbody>
</table>
Prosecution and deterrence

- When detected, around 50% of infringements led to a written warning.
- Nearly all cases taken to court led to fines. Typically the fine was about 1.7 times as much as the value of the infringement.
- The low probability of detection, and the limited punishment if prosecuted, means that potentially the economic benefits of infringement may outweigh the risks in the view of some fishermen.

<table>
<thead>
<tr>
<th>Infringement outcome</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Warning</td>
<td>51%</td>
</tr>
<tr>
<td>Court</td>
<td>22%</td>
</tr>
<tr>
<td>Dropped</td>
<td>12%</td>
</tr>
<tr>
<td>Pending</td>
<td>15%</td>
</tr>
<tr>
<td>Total</td>
<td>100%</td>
</tr>
</tbody>
</table>
Experience elsewhere

- Restrictions on where fish may be sold - Netherlands, for example, has a reduced number of fish auction sites which makes it easier to focus inspection activity
- Use of observers on vessels. Canada, New Zealand, Norway and the USA use observers on vessels to collect scientific data but also to note infringements
- Adopting Individual Transferable Quotas which give property rights to individual fishermen to catch and sell specific quantities of fish (New Zealand and Iceland) can increase in the number of fishermen willing to comply with regulations and inform on offenders
- Increasing the involvement of the fishing industry in enforcement activity. In the Netherlands, inspectors report infringements to the fishermen's groups who manage quotas, and who impose sanctions aimed at removing economic benefit