

North Western Inshore Fisheries and Conservation Authority

Compliance and Enforcement Strategy

Introduction

On the 1st April 2011, the North Western Inshore Fisheries and Conservation Authority ("the NWIFCA") was established under the Marine and Coastal Access Act 2009.

The NWIFCA took over responsibility for the management of fisheries and conservation of marine resources within its district from The North Western Sea Fisheries Committee and the Cumbrian Sea Fisheries Committee. The district extends from the Solway Estuary in the North, to the Dee on the Welsh border in the South, and out to the six mile limit at sea. A map is available on the NWIFCA website at <http://www.nw-ifca.gov.uk/>.

This document sets out how the NWIFCA will deliver its duty to enforce fisheries and conservation regulations in its District. It addresses a High Level Objective for the NWIFCA set by Defra.

The NW IFCA Compliance Focus

Successful fisheries management requires an integrated approach encompassing broad communication and consultation, scientific research and effective enforcement.

A principle aim of the NWIFCA is to ensure the sustainable exploitation of the fisheries resources within the district and to balance the social and economic and needs of the region with the needs of the local marine environment. A vital aspect of this aim is the promotion of full compliance with EU, UK and in particular local fisheries and environmental legislation. The NWIFCA is well placed to achieve this aim as it is a small and specialist organisation, comprising membership which represents the divergent interests of the local community, and experienced officers who work in partnership with a variety of other expert organisations.

Access to Information

A primary factor in encouraging compliance is access by those being regulated to the proper information which sets out the requirements of the law. This includes the regulations themselves and explanatory guidance and background information which can help users of the marine environment to understand their obligations. The NWIFCA believes that better understanding and knowledge of the law is key to promoting compliance. Further details of the information provided and of the commitment of the NW IFCA to advice and guidance can be found in the **NW IFCA Advice and Guidance Policy Statement at Appendix 1.**

NWIFCA Management: A Co-operative and Responsive Approach

A second key element in achieving high compliance is engaging all professional and recreational users of the marine environment, as well as interested governmental and charitable organisations, in the local management process. By becoming involved in a co-operative management process the NWICFA and all other participants can get a far better understanding of the other interested parties.

The NWIFCA seek to reach a consensus between the competing interests in fisheries resources through an on-going process of consultation and adaptation of local regulation and enforcement approaches. Conflicts of interest will not always be resolved but having gained an understanding of why actions are taken, affected individuals and groups will be far more likely to accept the final approach adopted.

The NWIFCA will also continue to review its decisions and approaches to regulation and enforcement in order to ensure they are as effective as they can be and to respond to the developing needs of the local fisheries and marine environment. This aims to ensure that no user or single interest feels ignored or is frustrated by bureaucratic inertia and so all will be motivated towards compliance with regulation.

A list of the organisations the NW IFCA will seek to work with in managing the sustainable exploitation of the sea fisheries resources in their district can be found in **List of Key Partner Organisations at Appendix 2**. This list is not a substitute for the Public Consultations which the NWIFCA conducts which are open to all members of the public.

Minimum Regulation

Through its sensitivity to the needs and experiences of marine users, in consultation with its partner organisations and respecting the evidence provided by scientific data, the NW IFCA aims to comply with the principle of minimum regulation. The NWIFCA seeks to create a management and regulatory regime which imposes the minimum burden possible on those regulated, while also living up to its obligations of sustainable management with respect to the needs of all marine users and the marine environment.

Effective Enforcement

In its approach to enforcement the NWIFCA begins from a position that the vast majority of the community of people, organisations and industries using the marine environment and exploiting fisheries resources are compliant with the regulation and control that affects them. However, the NWIFCA recognises that there is still a significant risk of non-compliance where there is the potential for financial gain, such as in economic activity related to fisheries. In order to secure a goal of complete compliance enforcement of regulations must provide an effective deterrent which will minimise the potential gains from non-compliance and maximise the advantages for those who follow the law. Enforcement of the regulations must therefore be consistent, accountable and proportionate, to create confidence in the legal regime. Further details of the NWIFCA enforcement approach can be found in the **NWIFCA Sanction Policy Statement at Appendix 3** which sets out the powers and sanctions the Officers will use and the principles which will use to guide their actions.

NWIFCA
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