

RESEARCH FACT SHEET

Commercial fishers' compliance decision making: A case study of the SE fin fishery

RESEARCH OBJECTIVES & APPROACH

This study addressed three objectives:

1. To examine commercial fishers' experiences and perceptions of fisheries compliance.
2. To identify factors influencing compliance behaviour and measure their relative importance.
3. To suggest implications for fisheries compliance management.

A case study of the South East fin fishery was used for the study - a diverse mixed species fishery located on the eastern and southern coasts of the South Island.

Multiple methods were employed including a literature review, in-depth interviews with 20 skippers and a postal questionnaire survey of commercial fishers (yielding 104 responses).

A range of fishing characteristics was evident within the participant group (including those who did and did not own quota, use of a range of fishing techniques, coverage across a wide geographical area, and various scales of fishing operation).

What is compliance?

In simple terms, compliance was defined as 'keeping within the fisheries rules and regulations'. For the survey, a more detailed definition was developed that differentiated between major and minor breaches of the fisheries regulations:

- Major rule breaches: misreporting, dumping, trucking, using illegal gear or techniques, or fishing within a prohibited area.
- Minor rule breaches: all other lesser offences (i.e. those not relating to a major rule).

Compliance factors

From the research literature, 16 factors were identified that had been found to influence compliance behaviour. The factors were grouped into three categories: (i) deterrence factors, (ii) normative and social influences, and (iii) other factors. These factors were investigated in the study interviews and survey.

STUDY FINDINGS

Some aspects of the fisheries management system met with comparatively low levels of support from commercial fishers, including the number of regulations and the system of deemed values. The Quota Management System was supported by participants (about half of those surveyed held quota). The general perception was that there are too many regulations, whereas perceptions as to the size of penalties for offending were evenly split between those who thought they were too harsh and 'just right'.

The penalties received by the fishers themselves were usually considered by them to be unfair, although this varied by the type of penalty.

Fishers reported being inspected by fisheries officers approximately three times per year.



Reported offending against minor rules was higher than for major rules. Most fishers thought that they broke the rules less often than other fishers (they thought other

fishers broke the major rules approximately twice as often as they did themselves). They believed the likelihood of being caught and prosecuted was higher for breaking major rules than for minor rules.

Respondents self-reported histories of offending indicated that detection of major rule breaches was quite uncommon in comparison with minor rule breaches. Of the 34 respondents who reported they break the rules, 23 (68%) said they had never been caught breaking major rules. For those who said they never break the major rules (68), 13% (8) reported being caught breaking major rules at least once in the past.

Most respondents had never reported any other commercial fishers' offending to the authorities. Over half of the respondents said they would normally respond to seeing major offending by raising it directly with the fisher concerned, while

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nearly one-fifth would report it directly to a fisheries officer. Smaller numbers of respondents said they would report it anonymously or do nothing.

Study results suggest relatively low levels of offending in the case study fishery relative to international research findings. There is little to support the existence of large scale 'opportunistic' offending. In the main, respondents reported they complied with the major rules often (but not quite always) whereas compliance with minor rules was slightly lower.

The operative norm amongst case study fishers appears to be compliance with the rules on a voluntary basis.

Relative importance of factors influencing compliance decisions

The conventional deterrence model of compliance behaviour (based on the risks and rewards of offending) is too simplistic to fully explain the compliance decision making of commercial fishers operating in the SE fin fishery. Study findings indicate that deterrence factors were not the key drivers of participants' compliance decisions. More important influences on fishers' compliance decision making were normative and social factors.

The key normative and social compliance drivers related to morality, personal reputation, and the influence of others. The concept of legitimacy was of least utility in explaining compliance decisions, that is, the perceived fairness of the rules, the agencies that oversee them, and the opportunities for involvement.

Concepts of sustainability (protecting the fisheries resource for the future, and protecting livelihoods and fishing lifestyles) were to the fore in terms of factors that were almost universally supported. However, these sustainability factors did not appear to influence compliance decision making directly.

The factors influencing compliance form a complex web of inter-connections. Factors should not be considered in isolation.

MANAGEMENT IMPLICATIONS

Study findings are supportive of the contemporary model of deterrence that includes normative/social influences as well as deterrence factors. A flexible adaptive management response using the range of modes within the Ministry's Fisheries Compliance Service Model may have the greatest utility for the Ministry, with a focus on the voluntary and assisted modes of compliance having the best fit for most study participants in the SE fin fishery.

Goals of fisheries managers and fishers appear to be most aligned around the concept of sustainability and protecting the future of fish stocks. This appears a strong theme on which to base the compliance/regulatory framework, at least in terms of

getting support from commercial fishers and as a rationale for compliance.

Many compliance management suggestions were received from commercial fishers who participated in this study. These comments contain valuable suggestions and have been provided to the Ministry (any comments that may identify individual fishers were removed). Similarly, management implications have been distilled from the research literature, which provide the Ministry with a broad set of management implications related to the study topic.

With respect to the research methodology employed in this study, interviewees and survey respondents were forthcoming in identifying levels of offending using self-reported rates of offending, as well as perceived rates of offending for other commercial fishers. Areas for further research are identified.

Want to find out more?

The full report is available from the Ministry of Fisheries website at www.fish.govt.nz under the Commercial Compliance Information heading or you can contact Kim Gibson at kim.gibson@fish.govt.nz or (04) 819 4215.

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