



Queensland fisheries compliance strategy

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The Department of Agriculture and Fisheries proudly acknowledges all First Nations peoples (Aboriginal peoples and Torres Strait Islanders) and the Traditional Owners and Custodians of the country on which we live and work. We acknowledge their continuing connection to land, waters and culture and commit to ongoing reconciliation. We pay our respect to their Elders past, present and emerging.

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Introduction

Fishing is an important activity in Queensland, contributing to the state's economy and cultural heritage, while also providing important social and recreational benefits. Ensuring fishing activities are conducted in a sustainable and responsible manner is vital to the long-term health and viability of fish stocks and the broader marine environment.

Fisheries Queensland, within the Department of Agriculture and Fisheries, works with the community, recreational fishers, industry and Traditional Owners to foster economic prosperity through innovative, sustainable and responsible management of Queensland's fisheries.

The Queensland Boating and Fisheries Patrol (QBFP) is responsible for delivering Fisheries Queensland's compliance services to the community through education, extension, monitoring and enforcement activities. It undertakes these activities to provide confidence to the community and industry by influencing behaviours and applying reasonable sanctions for non-compliance.

The purpose of the *Queensland fisheries compliance strategy* is to provide an understanding of the principles underpinning QBFP's role and how compliance services are delivered to the Queensland community.

The strategy outlines the regulatory function, compliance strategies and governance required for Fisheries Queensland to achieve its compliance vision. It also delivers an effective and cost-efficient response to promote compliance with fisheries legislation across Queensland's diverse fisheries and fish habitats.

Vision

The compliance activities undertaken by Fisheries Queensland aim to achieve the following vision:

Optimal levels of compliance supporting sustainable fisheries in Queensland

The **optimal level of compliance** holds the level of non-compliance at an acceptable level, which can be maintained at a reasonable cost while not compromising the integrity of fisheries management or ecological sustainability, and ensuring ongoing social licence and legitimacy.¹

¹ National Fisheries Compliance Committee of the Australian Fisheries Management Forum, *Australian Fisheries National Compliance Strategy 2022-2026*.

Compliance services

QBFP operates a regionalised model delivering compliance services along 7,000 km of coastline (including islands) and across an area of 1.8 million km² containing inland waters. These services are delivered to approximately:

- 1,800 commercial fishers across 47 managed fisheries
- 300 charter fishing operators
- 250 general fisheries permit holders (for activities including education, research, and fish stocking)
- 285 aquaculture producers
- 660,000 recreational fishers (including 50,000 who fish in stocked impoundments)
- 237,000 First Nations people who may hold traditional fishing rights and interests.

The state is divided into five compliance regions – Far North Queensland, North Queensland, Central Queensland, North Coast (South East Queensland) and South Coast (South East Queensland). Around 100 authorised officers operate from 19 district offices primarily located along Queensland's coastline. In most instances, these offices are in major regional centres, which also represent key fishing or fishing-related locations. This regionalised presence ensures the effective and efficient monitoring of the state's dispersed fisheries resources and fishing sectors (Figure 1). These regionally based QBFP officers are supported by specialist officers and units that provide intelligence, prosecution management, special investigation, IT support and workplace training.

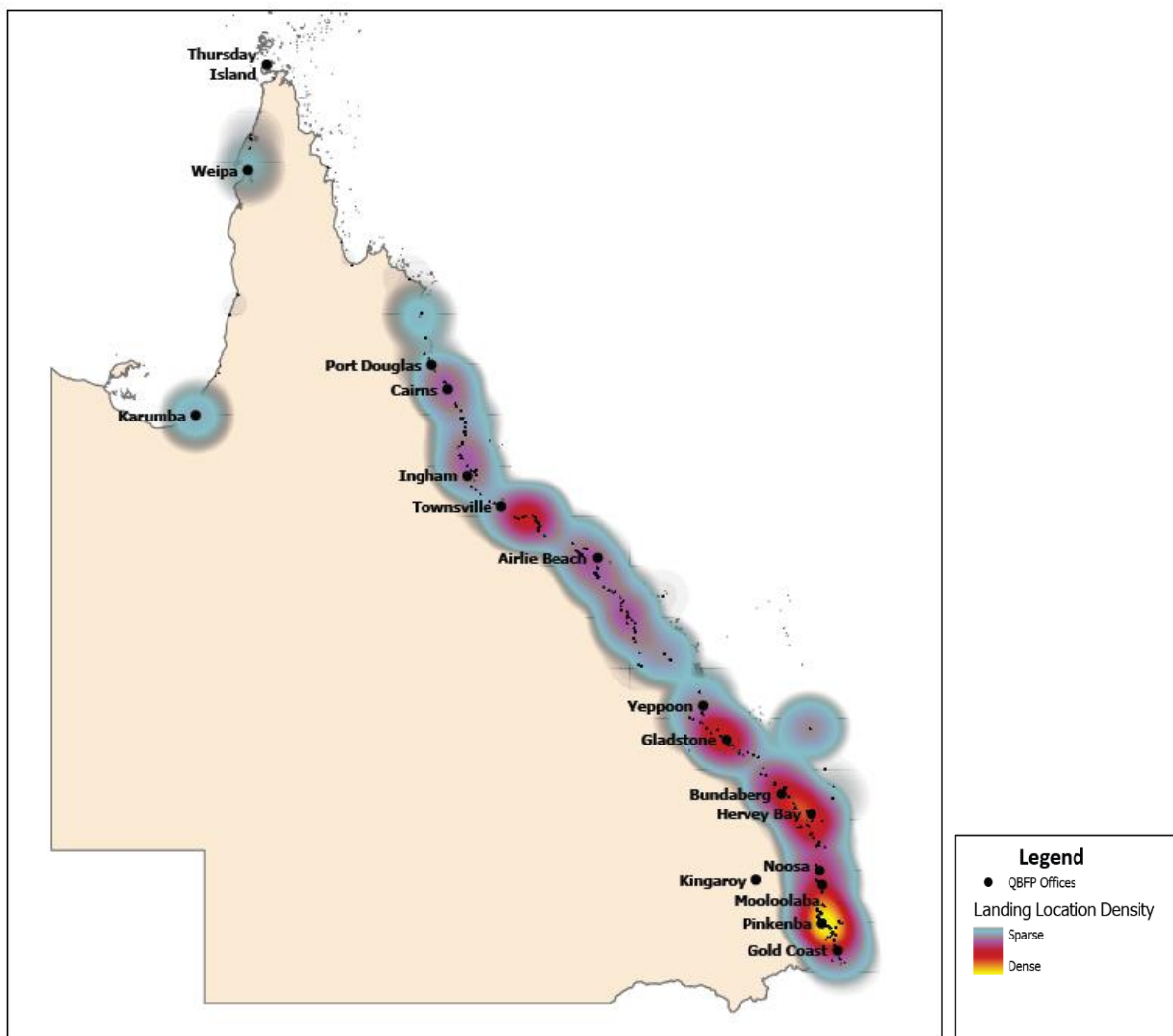


Figure 1: QBFP district office locations

Primary regulatory functions

QBFP's primary responsibility is to deliver compliance services under legislation administered by the Department of Agriculture and Fisheries:

- *Fisheries Act 1994*
- *Biosecurity Act 2014* (in relation to fisheries resources or fish habitats)
- *Planning Act 2016* (in relation to fisheries development).

These Acts provide a wide range of compliance powers and controls relating to entry, search, inspection, direction, seizure, prosecution, forfeiture and penalties. These powers are exercised by fisheries officers appointed under the relevant legislation.

Other regulatory functions

Other state and Commonwealth agencies authorise QBFP officers to monitor and enforce compliance with their legislation. When undertaking a function on behalf of another department, QBFP officers are required to adhere to the conditions of appointment and legislated provisions.

QBFP officers may be appointed under the following legislation:

- *Environment Protection and Biodiversity Conservation Act 1999* (Cwlth)
- *Fisheries Management Act 1991* (Cwlth)
- *Great Barrier Reef Marine Park Act 1975* (Cwlth)
- *Marine Parks Act 2004* (Qld)
- *Marine Safety (Domestic Commercial Vessel) National Law Act 2012* (Cwlth)
- *Nature Conservation Act 1992* (Qld)
- *Torres Strait Fisheries Act 1984* (Cwlth)
- *Transport Operations (Marine Safety) Act 1994* (Qld)
- *Transport Operations (Marine Pollution) Act 1995* (Qld).

Appointment under various Acts increases the efficiency and effectiveness of government services.

Compliance approach

Achieving an optimal level of compliance requires a multifaceted approach to compliance activities. Fisheries Queensland applies principles of good regulation to its compliance activities.

Compliance principles	
Principle 1	Compliance with the Fisheries Act and subordinate legislation is mandatory.
Principle 2	Establish partnerships with stakeholders, including other government agencies, to maximise compliance.
Principle 3	Foster community support for fisheries legislation by consulting widely when policy and legislation is developed, and through continued communication and provision of information.
Principle 4	A higher standard of compliance is expected of persons taking publicly owned resources for trade or commerce (for commercial purposes).
Principle 5	Enforcement responses are undertaken in a fair, impartial, consistent, transparent, lawful and cost-efficient manner. The degree and type of enforcement action taken will be proportionate to the nature and severity of the offence/s.
Principle 6	Community cooperation by reporting suspected violations of fisheries legislation is encouraged and promoted.

A responsive regulation pyramid (Figure 2) demonstrates QBFP’s approach in response to the nature of non-compliance. The compliance risk is dealt with by an escalation of enforcement responses appropriate to the severity of the offence.

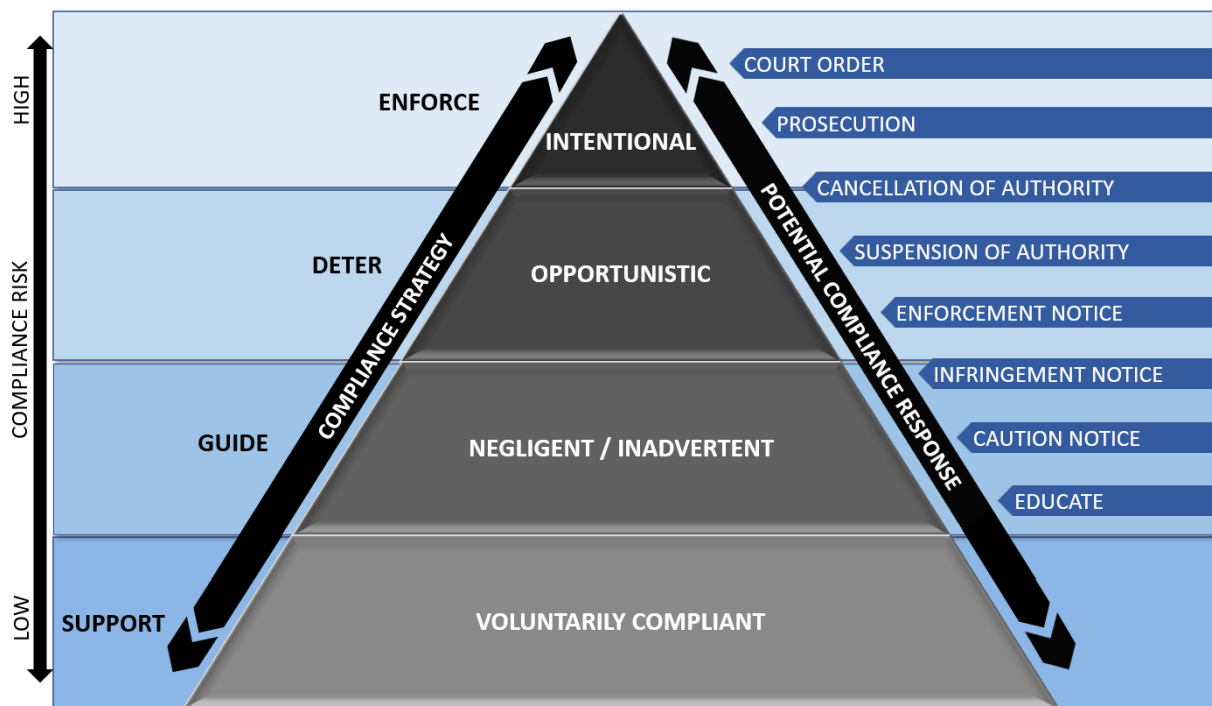


Figure 2: QBFP approach to compliance adapted from Ayres & Braithwaite (1992)

QBFP deliver a balanced, cost-effective approach to compliance services by incorporating:

- a visible presence, delivery of education and community engagement to guide negligent or inadvertent offending and support for voluntary compliance
- intelligence-driven compliance activities, prioritised by risk, to deter and enforce intentional and opportunistic offending.

Compliance planning

Monitoring all fishing activities and fisheries development undertaken in Queensland is not feasible, therefore, Fisheries Queensland prioritises its compliance efforts based on risk assessment and strategic planning. Data, information and intelligence is used in operational planning to increase effectiveness and efficiency of compliance activities.

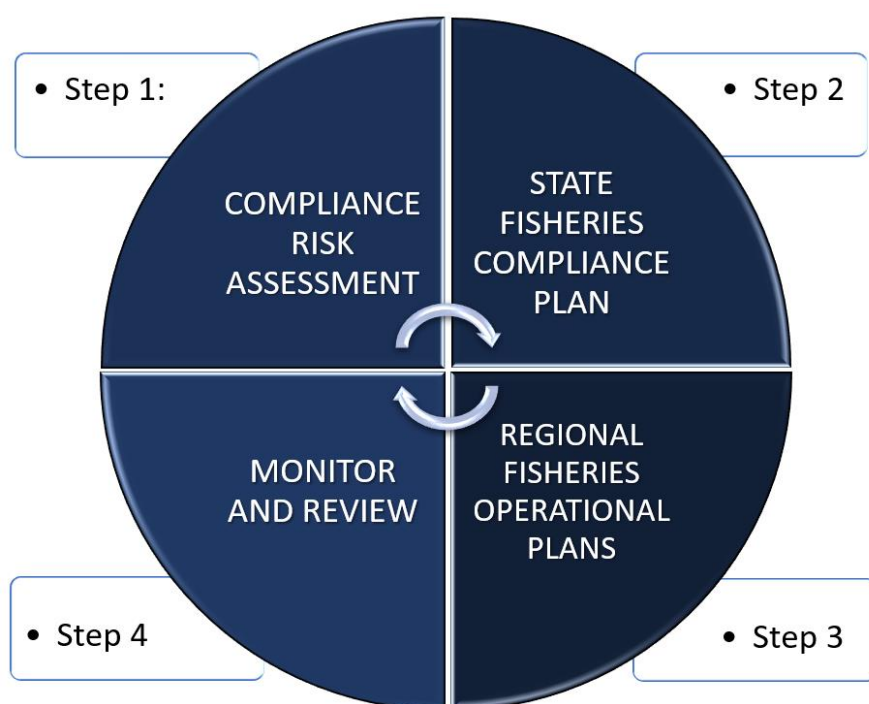


Figure 3: Compliance risk management and planning process

Compliance risk assessment

A compliance risk assessment is undertaken to identify Fisheries Queensland's compliance priorities and assess the inherent risks posed to fisheries resources and fish habitat. The risk assessment considers the likelihood and consequences of the risks with regard to:

- **sustainability and conservation** – sustainability of commercial fish species and impact on bycatch, fish habitat and the marine ecosystem
- **social and economic** – impact on the community, fishing industry and the Queensland economy
- **reputation and public interest** – reputational damage to Fisheries Queensland and the public's expectation of service delivery
- **regulatory and governance** – the severity of the consequence as a legislative offence and driver of non-compliance.

Fisheries Queensland staff with expertise in compliance, management, monitoring, research and fisheries assessment are consulted during the development of the assessments.

Fisheries Queensland uses key risk indicators that link to a specific risk and indicate possible changes in the likelihood and/or consequence of the risk (early warning systems). By setting and monitoring these key risk indicators through regular reporting, Fisheries Queensland can make proactive and informed decisions regarding changes in compliance risks.

State fisheries compliance plan

Fisheries Queensland's state fisheries compliance plan defines the activities to be undertaken to address Fisheries Queensland's business objectives and to mitigate compliance risks identified in the compliance risk assessment. The plan also outlines strategies that will contribute towards achieving an optimal level of compliance with the highest risk priorities. It also defines how compliance will be monitored and/or detected.

Regional fisheries operational plans

Fisheries Queensland's regional fisheries operational plans use an intelligence-based compliance approach and considers local fishery characteristics and resource issues to plan regional activities to address the risks identified in the state fisheries compliance plan.

Compliance strategies

Fisheries Queensland adopts 3 key compliance strategies that align with the *Australian fisheries national compliance strategy 2022–2026*.

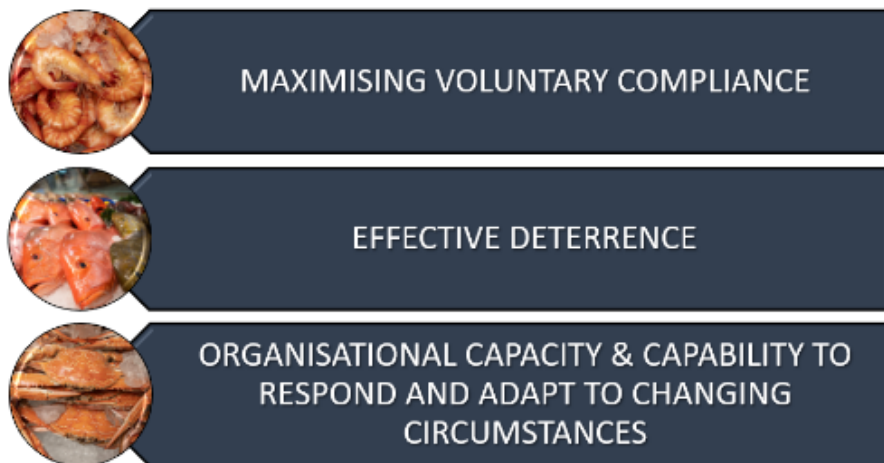


Figure 4: Key compliance strategies

Maximising voluntary compliance

Voluntary compliance is the principle that individuals and organisations will comply with rules and regulations on their own accord, without the need for coercion or enforcement. Maximising voluntary compliance reduces the cost and effort needed for compliance monitoring, allowing QBFP to target intentional, organised and serious offending.

Due to Queensland's geographical size and the extent of fishing activities and fisheries development actively being undertaken, Fisheries Queensland adopts mechanisms to generate and maintain an active willingness for all persons to comply with the rules and regulations in the interest of sustainably managing our fisheries resources and conserving fish habitat.

Maximising voluntary compliance occurs through:

- **self-regulation and co-regulation** – fostering a sense of ownership and responsibility that encourages environmental stewardship
- **knowledge and awareness** – providing stakeholders with real-time access to rules and the best available scientific information to facilitate an understanding of their purpose and the impact of failing to comply
- **understanding social and cultural values** – recognising community and cultural values in compliance planning while promoting traditional fishing rights and interests.

Self-regulation and co-regulation

Fisheries regulations are developed by the Queensland Government after consultation with the community and fisheries stakeholders. Fisheries Queensland leads consultation processes on behalf of the government to ensure that key stakeholders have input into the development of fisheries policies and legislation.

Working groups are the primary mechanism that Fisheries Queensland use to engage directly with stakeholders about the collaborative management of Queensland fisheries. Working groups are non-statutory advisory bodies and include a range of stakeholders, including commercial and recreational fishers, charter operators, seafood marketers and processors, and people with conservation interests.

A partnership approach to fisheries management contributes to achieving an optimal level of compliance. Self-regulation and co-regulation measures (e.g. codes of conduct and codes of practice) facilitate industry involvement in the design of fisheries management. These measures are used as a means of reducing the administrative burden on government and the regulatory burden on industry.

Knowledge and awareness

Educational activities increase knowledge, awareness, understanding and acceptance of Queensland's fishing rules. To raise awareness of fishing rules and promote good fishing practices, Fisheries Queensland uses the best available scientific information, which underpins fisheries management strategies, to deliver educational initiatives via a number of channels including:

- brochures and flyers (such as the *Queensland recreational fishing guide*)
- formal and informal presentations to community, school and industry groups
- media releases and e-newsletters (such as *Catch News*)
- social media communities (such as the Women in Recreational Fishing Network)
- mobile apps
- the departmental website and call centre.

Fisheries Queensland uses technological platforms (such as social media and mobile apps) to increase the visibility and reach of information.

Fisheries Queensland's social media channels (Facebook, Instagram and Youtube) reach approximately 137,000 followers and provide an opportunity to engage with clients in real-time to address compliance trends or customer queries.

Free mobile apps are also provided for the recreational and commercial fishing sectors.

The recreational fishing app (Qld Fishing 2.0) allows recreational fishers to:

- browse and search for fish species, including the use of artificial intelligence to identify catch
- access and search recreational fishing rules
- contact Fisheries Queensland and report unlawful fishing to the Fishwatch hotline
- purchase a permit to fish in over 60 stocked dams and weirs
- access geotargeted fishing rules to help determine if fishing is allowed in a particular location.

The commercial fishing app (Qld eFisher) increases administrative efficiency for commercial fishers and provides access to information to ensure compliance prior to, and during, commercial fishing trips. The app allows commercial fishers to:

- view quota balances (available quota and total quota reported for the season)
- submit information about a fisheries matter to Fisheries Queensland (including pre-trip notices, logbook entries and quota notices)
- view the status of vessel tracking equipment and manually report in the event vessel tracking equipment malfunctions
- report interactions with threatened, endangered and protected animals.

Understanding social and cultural values

Fisheries Queensland acknowledges the importance of engagement with various community groups to:

- promote compliance with fisheries legislation, in particular among cultural and linguistic diverse (CALD) communities whose languages, ethnic backgrounds and shared social practices differ from those of the English-speaking and Anglo-Celtic culturally affiliated majority
- preserve traditional fishing rights and interests of First Nations peoples who may hold spiritual or cultural affiliations to land or sea where fishing is considered tradition or custom.

Fisheries Queensland prepares multi-lingual information on rules and regulations, undertakes cultural awareness training and appoints Cultural Liaison Officers across Queensland to engage with Traditional Owners and CALD community groups.

Effective deterrence

Deterrence can be specific (seeking to deter the offender from committing further offences) or general (seeking to deter other members of the community from committing the same or similar offences).

Fisheries Queensland considers the driving factors that influence a person's decision to offend, such as:

- a perceived lack of knowledge of potential consequences
- the financial incentive or desire to increase catch
- the probability of apprehension and severity of sanctions applied
- cultural or social norms (breaching fisheries rules may be seen as acceptable behaviour).

To apply effective deterrence, QBFP considers that following when undertaking compliance monitoring and enforcement:

- **consistency and certainty of enforcement** – non-compliance is consistently detected and punished, and that the consequences should be perceived as fair and proportionate to the offences
- **tailoring deterrence measures to the target audience** – different approaches may be needed for different groups, such as children, first-time offenders or repeat offenders
- **promoting alternative behaviours** – incentivising reporting of illegal fishing activities and compliance with rules and regulations to promote positive social norms that discourage harmful behaviours.

Reporting illegal fishing

Fisheries Queensland implements mechanisms to receive and record information regarding suspected illegal fishing. The community are encouraged to report illegal fishing practices via the:

- **Fishwatch hotline** (1800 017 116) – a 24-hours-a-day, 7-days-a-week hotline (toll-free within Queensland) allows the public to report suspected illegal fishing directly to QBFP
- **Fishwatch report** – an online form for reporting suspected illegal fishing is available on the department's website, the recreational fishing app (Qld Fishing 2.0) and Fisheries Queensland social media channels.
- **Department of Agriculture and Fisheries Customer Service Centre** (13 25 23) – the call centre records and refers information about illegal fishing to the relevant QBFP district for investigation
- **QBFP** – illegal fishing can be reported directly to the relevant QBFP district at a QBFP office, by phone or during field-based compliance activities.

Information received from a member of the public is confidential. If an inspector becomes aware of the identity of an informant, the person's identity is not made known, directly or indirectly, to the suspect or any other person, unless required by law. This is vital to protect the informant and maintain the credibility of the reporting program.

Compliance monitoring

Compliance monitoring is undertaken to determine whether activities are being carried out lawfully. Information obtained through compliance monitoring is used to prioritise enforcement responses and strategies.

QBFP's monitoring capability includes:

- electronic access to authority transfers and entitlement use
- electronic access to commercial catch and fishing effort
- electronic access to commercial fishing vessel movements
- an infield electronic inspection and monitoring system, including e-ticketing
- advanced surveillance capacity, including use of covert cameras and drones
- social and print media
- infield education and extension
- offshore and remote area operational capability using fit-for-purpose vessels and vehicles
- specialist training
- electronic data collection and extraction and analytical systems
- evidence collection via body worn cameras
- illegal fishing hotline.

Enforcement

Enforcement action is undertaken to hold people accountable for their actions and to achieve effective deterrence. Enforcement penalties, either direct or following court prosecution, act as a personal and general deterrence against non-compliance. Effective enforcement is fundamental to the successful implementation of fisheries legislation, as legislation that is not enforced rarely fulfils its legislative objectives.²

The degree and type of enforcement action taken should be proportionate to the nature and severity of non-compliance and represent value for public money. To determine an appropriate compliance response, Fisheries Queensland considers:

- the seriousness of the damage or degree of risk of that damage to a fisheries resource
- the benefit the alleged offender stands to gain from non-compliance (generally, the greater the benefit, the more severe the enforcement response required to create deterrence)
- the intent of the alleged offender (whether the alleged offence was deliberate) and any attempt to conceal the offence
- the probability of detection of the offence (offences less likely to be detected would ordinarily warrant a greater deterrence penalty)
- whether the breach is a continuing or repeat offence
- the offender's culpability and previous history of compliance with fisheries legislation
- the likely administrative costs of any enforcement action to be taken and whether a response is likely to be cost-effective
- the likely effectiveness of an enforcement response in achieving the desired result.

² Gunningham, Neil. (2010), 'Enforcement and compliance strategies', *The Oxford handbook of regulation*, Oxford University Press, 2015.

Enforcement tools

Fisheries Queensland may take enforcement action using one or more of the following enforcement tools:

- administrative action
- caution notice
- infringement notice
- prosecution
- court order
- enforcement notice/order (for Planning Act offences).

Administrative action

Fisheries Queensland may take administrative action against a person who holds an authority (a licence or permit) in certain circumstances.

Administrative action may include suspension or cancellation of an authority:

- if the chief executive is satisfied the suspension or cancellation is necessary or desirable for the best management, use, development or protection of fisheries resources or fish habitats
- for non-payment of fees
- during an investigation involving the contravention of quota entitlements.

If Fisheries Queensland proposes to suspend or cancel an authority, a written notice is issued to the authority holder inviting them to show, within 28 days, why the proposed action should not be taken. An authority holder has the right to apply for a review of the chief executive's decision – internally within Fisheries Queensland and externally through the Queensland Civil and Administrative Tribunal.

Caution notice

A caution notice is an official written notice, in lieu of a penalty, for minor breaches against fisheries legislation. Cautions are recorded by Fisheries Queensland for the purpose of:

- considering appropriate enforcement responses for future non-compliance by the alleged offender
- identifying non-compliance trends that warrant targeted education and enforcement.

A caution may be issued in, but is not limited to, instances in which:

- the offence is minor, of a technical nature, or can be rectified immediately
- the alleged offender gains no benefit from the commission of the offence
- a caution is fair and appropriate with regard to the alleged offender's compliance history, antecedents and age (i.e. whether the person is a child)
- the alleged offender has taken corrective or mitigating action to remedy the alleged offence.

Infringement notice

Infringement notices may be issued for breaches against fisheries legislation that are not in the public interest to prosecute in a Magistrates Court. An infringement notice imposes a monetary penalty to punish an offender and act as a deterrent against future non-compliance.

Fisheries Queensland may issue an infringement notice in person, by mail or by email (upon agreement by the alleged offender). The alleged offender is provided 28 days to:

- pay of the fine in full
- elect to pay the fine in instalments
- elect for the matter to be heard in a Magistrates Court
- make a declaration stating another person was responsible for committing the offence.

A failure to take action within 28 days will result in additional fees associated with referral of the debt to the State Penalties Enforcement Registry.

Prosecution

Offences of a serious nature may be prosecuted in the Magistrates Court. Briefs of evidence are submitted to the Department of Agriculture and Fisheries legal representatives who independently adjudicate matters in accordance with their [prosecution policy](#).

The departmental legal representatives determine whether:

- a prima facie case exists (i.e. admissible, substantial and reliable evidence that an offence known to the law has been committed by the alleged offender)
- there is a reasonable prospect of conviction on the evidence available
- it is in the public interest to prosecute.³

Legal proceedings may be initiated by issuing a complaint and summons against the alleged offender at the discretion of the legal representative. If a person commits an offence of engaging in trafficking activity for priority fish (section 89C of the Fisheries Act), the alleged offender may be indicted by the Director of Public Prosecutions.

If found guilty by the Magistrates Court, the defendant may be subject to the following punishments:

- fine
- suspension or cancellation of an authority
- additional penalties based on the wholesale value of fish if they were taken in trade or commerce
- imprisonment (for an offence against section 89C of the Fisheries Act)
- another sentence for the appropriate punishment and rehabilitation of offenders provided for in the *Penalties and Sentences Act 1992*

³ Public interest considerations are enumerated in the department's Prosecution Policy.

Court order

The Fisheries Act allows a court to make an order prohibiting a person from carrying out a particular activity relating to fishing, or any other order the court considers appropriate. Fisheries Queensland may seek a court order if:

- a person is convicted of a serious fisheries offence
- the person has been convicted of the same or any other serious fisheries offence at least 2 other times in the previous 5 years

A person who fails to comply with the court order commits a further offence.

Enforcement notice/order

Fisheries Queensland may give an enforcement notice (or request a court to make an order) requiring a person to refrain from or remedy the commission of an offence under the Planning Act. The notice or order may require a person to take stated action within a stated period, including, but not limited to, the following:

- stop carrying out fisheries development
- demolish or remove fisheries development
- restore, as far as practicable, premises to the condition the premises were in immediately before fisheries development was started
- apply for a development permit.

Publication of compliance outcomes

Publicising compliance outcomes (such as significant detections, apprehensions and court results) maximises the deterrence effect and reinforces key messages about sustainability and responsible fishing. Fisheries Queensland uses the following channels to report compliance activities:

- Fisheries compliance reports on the departmental website
- media releases
- Fisheries Queensland social media channels.

No identifying information about offenders is published.

Organisational capacity and capability to respond and adapt to changing circumstances

Fisheries Queensland works within available resources to deliver an effective and efficient compliance program that is underpinned by strategic capacity and workforce capability. This includes a skilled, knowledgeable and diverse workforce, and adaptation of best practice in an evolving environment.

Skilled, knowledgeable and diverse workforce

Fisheries Queensland recognises the need to employ and maintain a professional workforce. Candidates for QBFP positions undergo extensive pre-employment testing to ensure they possess the required skills and traits to enable them to be effective in the role.

Inspectors receive ongoing training in investigation procedures, legislation and communication skills, with a strong emphasis on work health and safety. The training provides inspectors with the necessary competencies to perform their compliance role in a safe, professional and ethical manner. Inspectors involved in management or other specialist areas receive additional training specific to their role.

Continuous improvement and best practice

The regulatory environment is subject to change, particularly due to evolving technologies and changing government policy and objectives. Fisheries Queensland's compliance functions are adaptable to ensure the integrity of regulatory processes and, subsequently, the sustainability of Queensland's fisheries resources.

This is achieved by:

- ensuring there is a skilled, diverse and safe workforce through strong recruitment processes and a focus on professional development and training, workforce planning and retention
- maintaining membership and active involvement in national compliance groups (e.g. National Fisheries Compliance Committee), which facilitates ongoing dialogue across jurisdictional issues and information exchange on the latest compliance initiatives
- investing in new and emerging technology to support compliance outcomes (e.g. drones, satellite imagery, body worn cameras and forensic tools to extract data from electronic devices)
- using innovative, intelligence-based tools and methods to detect and deter offending
- regularly reviewing enforcement priorities determined via a robust risk-based methodology
- regularly reviewing internal policies and procedures
- maintaining close links with partner agencies, including Maritime Safety Queensland, the Queensland Police Service and Commonwealth and state marine parks services
- recognising broader traditional and cultural fishing rights and interests of First Nations peoples.

QBFP roles and responsibilities

Fisheries Officer

Fisheries Officers have detailed technical knowledge of fisheries and planning legislation, as well as a sound knowledge of other legislation under which they are authorised, including state and Commonwealth boating safety, marine park and nature conservation legislation.

They undertake a range of tasks and functions in a variety of physical and social environments in accordance with business practices and procedures. This includes inspecting fishers and wholesale and retail premises to ensure compliance with legislation, preparing briefs of evidence and attending court, assisting in the execution of major operations that can include the execution of search warrants, undertaking surveillance work, and assisting with the delivery of education programs to angling clubs, schools, multicultural groups and other forums through informative talks and practical fishing sessions.

Fisheries Officers work autonomously with limited guidance and are required to make decisions in the absence of procedures, applying discretion consistent with the strategic goals of the agency.

Significant technical responsibility exists for the application of new techniques, including drones, data extraction devices, surveillance equipment and navigation systems and associated software.

District Officer

Exhibiting independence, competence, and elevated levels of initiative, District Officers are responsible for prioritising and reviewing work, staff training and development, monitoring workflow and setting local plans that contribute to strategic outcomes.

They require detailed knowledge of the agency's operations combined with specialist knowledge of major activities within the work unit.

They are required to provide technical advice to other agencies, industry representatives and the public. The level of information provided, and recommendations made influence the decisions of others, including superiors and peers, especially in the monitoring, development and delivery of programs.

Senior Fisheries Officer (Fleet)

Senior Fisheries Officers (Fleet) require a superior level of technical knowledge in the operation and maintenance of significant marine assets, resulting from many years' experience and advanced formal technical training.

High levels of autonomy and initiative are required in accomplishing operational objectives and undertaking at-sea patrols.

Senior Fisheries Officers (Fleet) develop and provide specialist technical advice to industry representatives. The level of information provided, and recommendations made, influence the decisions of others, including superiors and peers, especially in the monitoring, development and delivery of programs.

Habitat Investigator

Exhibiting professional independence, competence and elevated levels of initiative, Habitat Investigators manage and coordinate lengthy and complex habitat development investigations. They are proficient in all standard professional tasks within this discipline, including problem definition, planning, execution, analysis and reporting. They provide professional advice and consultancy services to other agencies, industry representatives and the public about fisheries habitats and the impacts of development.

Habitat Investigators have a comprehensive understanding of fisheries and planning legislation, regulations and development approval guidelines.

Flexibility, constructive responses to uncertainty, decision-making capabilities and judicious judgment regarding issue escalation are vital attributes that are critical for facilitating effective investigations and successful compliance outcomes.

Fisheries Investigator

Similar to Habitat Investigators, Fisheries Investigators also manage and coordinate lengthy and complex fisheries investigations, particular those involving systematic offending.

They are proficient in all standard professional tasks within this discipline, including problem definition, planning, execution, analysis, surveillance and evidence gathering (including statements and compiling reporting). They provide expert professional advice and consultancy services to other agencies, industry representatives and the public about fisheries compliance.

They provide ongoing training and mentoring for Fisheries Officers across these disciplines. They are proficient in court processes and are called on to provide evidence in support of Fisheries prosecutions.

Fisheries Investigators have a comprehensive understanding of fisheries legislation, the *Criminal Code Act 1899* (Qld) (as it relates to parties to offences and criminal responsibility), the *Evidence Act 1997* (Qld), and the *Acts Interpretation Act 1954* (Qld).

Flexibility, constructive responses to uncertainty, decision-making capabilities and judicious judgment regarding issue escalation are vital attributes that are critical for facilitating effective investigations and successful compliance outcomes.

Governance

The nature of the fisheries compliance role and the operating environment present a diverse range of physical, ethical and reputational risks for QBFP and the Department of Agriculture and Fisheries.

To ensure the safety and welfare of QBFP, and clients who are subject to compliance operations, there are a range of departmental processes and policies in place, which include:

- Launching, Retrieving and Operating a Patrol Vessel or Personal Watercraft
- Dealing with Dangerous People and Situations
- Remote Area Operations
- Vehicle Inspections
- Boarding Vessels
- Single Officer Duties
- Security of Officers.

To meet compliance objectives, it is essential that QBFP maintain an exemplary reputation with the community and stakeholders. There are a range of departmental policies and standards in respect to the required level of accountability, ethical behaviour and integrity expected of staff, which include:

- Information Privacy Awareness
- Information Security
- Code of Conduct and Ethical Decision Making
- Fraud Awareness and Corruption Prevention
- Health Safety and Wellbeing at Work
- Chemical Management.

Additional governance measures are also in place to ensure compliance services and the exercise of powers and sanctions are applied in accordance with legislation and the underlying policy intention and in a consistent and fair manner, which include:

- Fisheries Infringement Notice Manual
- Investigation Procedures Manual
- Guideline to the Investigation of Traditional Fishing in Queensland
- Guideline for the Investigation of Fisheries Development in Queensland
- Guideline for the Prioritisation of Fisheries Prosecutions
- Guideline for the Sale of Seized Fisheries Resources
- Administrative and Enforcement Directives.

Privacy

Personal information, including intelligence-related information, is collected by the Department of Agriculture and Fisheries for the purposes of administering and ensuring compliance with the Fisheries Act in accordance with the *Information Privacy Act 2009*.

As a law enforcement agency⁴, QBFP is exempt from certain provisions of the Information Privacy Act. This enables QBFP officers to perform functions or activities directed to the prevention, detection, investigation, prosecution or punishment of offences and other breaches of laws for which penalties or sanctions may be imposed, or for the execution or implementation of an order or decision made by a court or tribunal.

Personal information will not be used or disclosed for a purpose that differs from the reason it was collected. Some exceptions apply. Please refer to the Information Privacy Act for details. The department's privacy guide sets out how individuals can access personal information held by the department and how to lodge a privacy complaint.

⁴ Refer to Schedule 5 of the *Information Privacy Act 2009* for the definition of 'law enforcement agency'.