SFPA

AN t-ÚDARÁS UM CHOSAINT IASCAIGH MHARA
SEA FISHERIES PROTECTION AUTHORITY

Sea Fisheries Protection

Authority

Strategy Statement

2011- 2013

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Section 1: Introduction

The Sea Fisheries Protection Authority (SFPA) works with the Seafood Industry and other partners to promote a culture of compliance with the legislation across our mandated area. Since our establishment in 2007, there has been an increased awareness and appreciation of the benefits of compliance reflected by initiatives such as the conclusion of agreements providing access to Third Country markets and the attainment by the fishing industry of internationally recognised accreditation including Marine Stewardship Council (MSC) Certification for a number of fisheries.

However, challenges still exist in pursuing the objective of compliance including the excess of total EU fishing capacity within EU waters and the lack of clear information on individual vessel quota allocation and out-take with respect to other Member States (MS). The perception of uneven enforcement of sea-fisheries and food safety law across MS must be addressed to ensure the uniform and fair regulation of all European fishers. To this end the introduction of Electronic logbooks (ERS) will be a significant step in addressing this issue.

The strategic goals we have identified for the next three years reflect the ambition and intent of the Authority to deliver on our mandate in a challenging and uncertain environment. Implementing an effective and credible control and enforcement system in the sea-fisheries and sea-food sectors is an essential aspect of maintaining access to export markets, and vibrant indigenous seafood market. We look forward to working with and supporting a seafood sector committed to responsible fishing and safe food production.

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Peter Whelan

Chairman

Section 2: Who we are

The Sea Fisheries Protection Authority (SFPA) was established in 2007 as an Independent Regulatory Authority operating in the public interest and accountable to the Joint Oireachtas Committee on Agriculture, Fisheries and Food. In addition to the head office in Clonakilty SFPA operates through a network of regional offices situated close to Ireland's main fishing ports. As the fishing industry operates on a 24 hour 7 day basis the SFPA also operates a round the clock control and enforcement system to ensure the provision of an effective and credible regulatory service.

The SFPA is Ireland's Competent Authority for the enforcement of sea-fisheries protection legislation and an Official Agency of the Food Safety Authority of Ireland (FSAI) for the enforcement of food safety legislation in the seafood sector up to but not including the point of retail sales.

The SFPA also provides advice and technical support to the Minister for Agriculture Fisheries and Food (The Minister), the Sea-Fisheries Protection Consultative Committee, control partners, other State organisations, the general public and others on sea-fisheries and food safety related matters.

To promote a culture of compliance with National and EU legislation, pelagic, demersal, deep-sea and shellfish landings by Irish, EU and Third Country vessels are routinely inspected by the SFPA in Irish ports. The catch, fishing records and documentation, fishing gear and food safety requirements are assessed by Sea-Fisheries Protection Officers (SFPOs). Administrative crosschecks including; Vessel Monitoring System (VMS) data, log-sheet data, sales notes records and transport documents are also routinely undertaken. In addition, SFPA inspections verify compliance with other EU technical conservation measures including measures to protect spawning and juvenile fish as well as those conservation measures implemented by Ireland to ensure compliance with a range of Environmental Protection legislation. SFPOs also engage in a range of at-sea inspection programmes including inshore patrols in conjunction with the Naval Service and Joint inspection patrols with the competent authorities from other MS operating in Irish waters and in those of other MS.

As part of our Food Safety remit the SFPA carry out approval inspections, audit and inspect food business' (including vessels) in the seafood sector on a risk assessed basis to assess compliance with National and European food safety legislation. The SFPA implements the National Microbiological Monitoring and Classification Programme for shellfish production areas and the National Marine Biotoxin Monitoring programme in collaboration with the Molluscan Shellfish Safety Committee (MSSC).

The effective implementation of food safety official controls is essential for the protection of Public Health and consumer interests and is also of major importance in maintaining access to important third country markets including Japan and the Russian Federation.

Responsibilities

The SFPA's mandate is laid down in Section 43 of the Sea-Fisheries and Maritime Jurisdiction Act 2006, which prescribes the principal functions of the Authority as:

to secure efficient and effective enforcement of sea-fisheries law and food-safety law,

to promote compliance with and deter contraventions of sea-fisheries law and food-safety law,

to detect contraventions of sea-fisheries law and food-safety law,

to provide information to the sea-fisheries and seafood sectors on sea-fisheries law and food-safety law and relevant matters within the remit of the Authority through the Consultative Committee or by any other means it considers appropriate,

to advise the Minister in relation to policy on effective implementation of sea-fisheries law and food-safety law

to provide assistance and information to the Minister in relation to the remit of the Authority,

to collect and report data in relation to sea-fisheries and food-safety as required by the Minister and under Community law,

to represent or assist in the representation of the State at national, Community and international fora as requested by the Minister

to engage in any other activities relating to the functions of the Authority as may be approved by the Minister.

Mission

The Sea Fisheries Protection Authority is committed to the effective and fair regulation of the sea-fishing and seafood sectors that fall within our mandate. This means all fishing vessels operating within Irelands 200-mile limit, Irish fishing vessels wherever they operate, and all seafood produced in Ireland wherever it is marketed.

Vision

The SFPA's vision is for an Irish seafood industry that is internationally renowned for the production and supply of safe sustainable seafood, catching or farming fish in waters where everyone experiences equal treatment.

Values

The values that underpin the SFPA's mission and vision are

Collaboration	SFPA will work to ensure maximal service delivery through effective co-operation and co-ordination of activities with all our Control Partners.
Co-operation	SFPA recognises the importance of adopting a co-operative approach with stakeholders in achieving its mission
Efficiency	SFPA is committed to ensuring the best attainable Value for Money in its use of resources.
Equity	SFPA believes in a system of regulation that is implemented effectively and equally across all Member States.
Excellence	SFPA embraces the pursuit of excellence in its strategy, its operations, and in its people.
Fairness	SFPA is committed to enforcing the legislation with which we are entrusted in a consistent, proportional, transparent and professional manner.
Respect	SFPA adopts and expect an attitude of respect in all our actions; respect for our natural resources, for our laws, for our stakeholders and for our staff.

Section 3: Operating Environment

The operating environment and the context within which this strategy is formulated is characterised by uncertainty. Facing into 2011, Ireland is experiencing significant challenges across all sectors of the economy including continuing downward pressure on public sector resources. The National Recovery Plan imposes further significant pressures on the resources of the SFPA which is already operating in an environment of budgetary constraints including a moratorium on recruitment and promotion. SFPA anticipates the further tightening of resources will create significant challenges for the management of the organization and the delivery of services.

Regulatory Environment

SFPA operates within a complex National, European and International legal and regulatory context. The Common Fisheries Policy (CFP) entails a complex body of legislation which is in a constant state of flux with the status of particular stocks and the availability/take up of various quotas subject to continuous review and frequent amendment. As a consequence the National regulatory system for Fisheries Management must also be regularly adjusted. The lifetime of this strategy is likely to see fundamental restructuring of key components of EU fisheries legislative framework.

Food safety legislation and standards are also subject to continuous review and adjustment in light of emergent threats to public health or experience of food incidents.

In addition to implementing legislation the SFPA is itself also obliged to comply with a wide range of legal and operational obligations including the obligations laid down by the Department of Finance's Code of Practice for the Governance of State Bodies and the agency oversight role of Department of Agriculture, Fisheries & Food together with data reporting requirements, laid down by European and International agencies, and service requirements described in European Food Safety legislation impose legal obligations on the SFPA as do other essential considerations including Data Protection, Health and Safety obligations, Employment law and the Code of Practice for the Governance of State Bodies.

Providing an effective, responsive, professional service in this constantly changing environment requires ongoing investment in training and development of all staff, to maintain high standards of service delivery, and the availability of expert legal advice to ensure adherence to legal requirements.

Policy Environment

The rich fishing waters for which Ireland has responsibility constitute a highly valuable resource bringing with it an important strategic position for Ireland in implementing EU fisheries policy. These waters provide important fishing opportunities for fishing vessels from other Member States and Third countries as well as Irish fishers.

The CFP is the European Union's legal framework for the management of fisheries and aquaculture with the objective of ensuring the sustainable exploitation of marine resources. Total allowable catches (TAC's) remain one of the main tools used for the management of fisheries and are set each year by the Council of Fisheries Ministers on the basis of scientific advice and other relevant issues. These TACS are allocated to each MS in line with the principle of Relative Stability which ensures that each country receives a set percentage of the overall TAC.

The SFPA operates within a policy environment of a CFP system allocating catch opportunities to other MS within Ireland's 200-mile limit. The SFPA must meet the challenge of ensuring the fishing opportunities made available are exploited legally.

Technological Environment

The development and use of increasingly sophisticated technological methods for the monitoring, control and surveillance of fisheries activities facilitates a more targeted and less-intrusive approach to the effective regulation of fishing activity at sea.

The effective implementation of new ICT systems including the mandatory on-board Electronic Reporting Systems (ERS) and essential data management systems are of crucial importance in enabling the SFPA to fulfil its National, EU and International obligations. The use of electronic reporting systems will help ensure accurate up-to-date data is available to those managing our allocated catch limits.

The use of internet based communications enables more cost effective and widespread dissemination of information in a timely and accessible manner. SFPA intends to develop the use of web-based communications systems to the fullest extent attainable. These systems also facilitate the achievement of a level playing field for all fishing fleets operating in the Irish EEZ. The development of new technologies will be subject to the limit of funding available for the next three years.

Economic Environment

In common with many other countries, the Irish economy is undergoing a period of significant adjustment, the effects of which are expected to continue during the lifetime of this strategy. The constraints on national resources and consequent reductions in funding allocated to SFPA will represent a serious challenge to the organisation in striving to fulfil our remit.

This challenging macro-economic heightens the importance of indigenous industries and the potential contribution they can make to national economic recovery and long term sustainable development. In sharp contrast to many other sectors, revenue and employment in the seafood sector is expected to increase during the lifetime of this strategy. This development is predicated on an increased focus on; maximising the value of available fish catches, increasing activity in the seafood processing sector, marketplace differentiation and a continued increase in the volume of aquaculture production.

Securing and sustaining the economic development of the seafood sector requires numerous supports from various State Agencies and Government Departments. The implementation of a fair, transparent and effective regulatory system which ensures that Irish fish is legally caught or farmed, and that Irish fish processing is carried out to the highest standards of food safety, is essential to maintain consumer confidence at home and abroad.

Section 4: Strategic Relationships

The SFPA works closely with a range of partners in order to deliver our mandate. We intend to build and maintain these critical relationships into the future in order to maximise opportunities for co-operation and collaboration in service delivery.

The **Department of Agriculture, Food and Marine** (DAFM) is an important stakeholder, responsible for policy formulation, corporate governance oversight, and resource allocation. In addition, many DAFF divisions are engaged in implementation of regulations involving a direct interface with SFPA, e.g. quota and fishing effort management, food safety, food imports including Illegal Unreported, Unregulated (IUU) Fishing.

The **Food Safety Authority of Ireland** (FSAI) is Ireland's Central Competent Authority for Food Safety across the food chain from primary production to consumption. The functions of the SFPA in respect of food safety are detailed in a Service Contract Agreement with the FSAI.

The **Sea Fisheries Protection Consultative Committee** was established under Section 48 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 for the purposes of consultations and liaison with the sea-fisheries and seafood sectors and other relevant interests on matters relating to the functions of the Authority. The Consultative Committee consists of 14 members, appointed by the Minister, representing the sea-fishing catching, inshore fishing, seafood processing and aquaculture sectors and others with relevant Marine expertise.

The **Naval Service** and **Air Corps** are key control partners in fishery protection providing a sea-based inspection service and aerial surveillance in the maritime environment. Arrangements are in place to ensure sharing of fisheries data between the Fishery Monitoring Centre and the SFPA to ensure risk-based targeting of available control resource. Collaborative involvement by SFPA in at-sea patrols ensures the best outcome from shore-based and sea-going expertise. The SFPA works closely with the Naval Service in the management of vessel detentions.

The SFPA works in close co-operation with **An Garda Síochána,** in roadside vehicle inspections, and fisheries-related investigations. Sea-Fisheries Protections Officers also jointly undertake specific enforcement actions with members of An Garda Síochána particularly in relation to the detention of fishing vessels.

The **Director of Public Prosecutions** (DPP) directs and supervises public prosecutions of cases in respect of sea-fisheries legislation and gives the SFPA general direction and advice in relation to specific cases.

The **Marine Institute (MI)** is Ireland's national agency for Marine Research, Technology Development and Innovation. In food safety MI are control partners providing extensive analytical services and scientific advice. In fishery control MI and SFPA collaborate in the area of data-flows to best inform scientific research.

Bord Iascaigh Mhara (BIM) has a key role to develop the Irish Seafood Industry by providing technical expertise, business support, funding, training and promoting responsible environmental practice. SFPA and BIM collaborate on many different aspects that affect the fishing industry including the management of inshore fisheries, Industry training, aquaculture, fishing gear technology and fisheries statistics.

Inland Fisheries Ireland (IFI) is charged with ensuring the protection and conservation of fisheries resources in inland waters, and sea angling. The IFI and the SFPA cooperate with view to overall efficiency of state inspection services, and specifically in the area of inshore fisheries control operations.

The SFPA works closely with a number of **International Partners** including European Institutions and their Agencies that have key roles in Sea Fisheries and Seafood Safety. The Directorate General for Health and Consumers **(DG SANCO)** is the Commission department with responsibility to ensure that food and consumer goods sold in the EU are safe. Its Food and Veterinary Office **(FVO)** has responsibility to audit the competent authorities of EU MS and third countries to ensure necessary control systems are in place to verify compliance with EU food safety legislation. Its work involves

support from other agencies including the European Food Safety Authority **(EFSA)** with a key role in risk assessment regarding food and feed safety.

Directorate General for Maritime Affairs and Fisheries **(DG MARE)** is the Commission department responsible for the implementation of the CFP and of the Integrated Maritime Policy. In this role DG MARE participates with the MS in a number of key international fisheries management structures including the North East Atlantic Fisheries Commission **(NEAFC)**, the International Commission for Conservation of Atlantic Tunas **(ICCAT)** and the Community Fisheries Control Agency **(CFCA)**.

Section 5: Organisational Risk Management

As part of its corporate governance obligations, the SFPA has developed a risk management framework and is implementing a risk management process directed towards the effective mitigation and management of key risk issues. Among the categories of strategic risk which the Authority will address over the duration of the new strategy include:

Legal and regulatory – the risk of SFPA not meeting or delivering on its legal and regulatory obligations as a regulator/ enforcer of fisheries and related legislation, as a key influencer within its specialist area and as a public service body subject to the governance obligations of state body code, employment legislation, data protection and other obligations

Reputational – relating to the impairment or loss of reputation of SFPA as an effective enforcer/regulator or loss of confidence of industry, European Commission, public, government departments and other stakeholders in the important work of the Authority.

Inter-agency – this reflects concerns in relation to effective stakeholder interaction, joined up approaches and cross cutting issues. For SFPA to be effective it needs to foster robust relationships with industry, governmental agencies, other regulators and all those with whom it has service level agreements and/or memoranda of understanding.

Policy and Operational – this is a broad category reaffirming the need to ensure protocols and policies adopted and standard operating procedures are properly developed and implemented. Information capture and management is a key function within SFPA. The Authority has a strong dependence on ICT resources both internally and through DAFF, to support its activities and to facilitate continuous developments.

Personnel resources– reflecting concerns in relation to the adequacy of staffing with the requisite knowledge, skills and competencies particularly in context of public service embargos and the loss and retirement of key staff

Budgetary and financial resources – relating to the availability and adequacy of budgets to meet revenue and capital obligations in the context of delivering mandatory service and contingency resources required

Section 6: Strategic Goals

The development of this Strategy Statement included a process of consultation and discussion both internally and externally. The primary objectives for the SFPA for the three years 2011 – 2013 are described by five Corporate Strategic Goals for which a range of related strategies and performance indicators have been identified to enable SFPA monitor and report on its progress in achieving its mandate.

Goal 1. Promote compliance with and effectively enforce sea-fisheries and food safety law.

Goal 2. Influence effective and uniform application of EU Community sea-fisheries and food safety legislation in Ireland and other Member States.

Goal 3. Optimise the use of modern Information, Communication, Technology solutions to maximise organisational efficiency and service delivery

Goal 4. Be an authoritative voice nationally and internationally in development of policy and effective implementation of the law.

Goal 5. Continue to develop a high-performing Public Sector organisation of effective, focused, professional people.

Goal 1:

Promote compliance with and effectively enforce sea-fisheries and food safety law.

Strategies	Outputs
1. Develop arrangements that demonstrate the proportionate and appropriate application of legislation	**1.1.** Revise and review the SFPA Enforcement Policy. **1.2.** SFPA Compliance Strategy implemented by SFPA and Control Partners. **1.3.** Necessary systems and protocols in place to facilitate consistent use of available compliance building measures. **1.4.** Effective tracking and review system in place for all case files. **1.5.** Bi-annual review of all enforcement activity.
2. Keep industry informed on matters pertaining to sea-fisheries and food safety law and listen to feedback offered	**2.1.** Work with the Consultative Committee on sea fisheries and food safety compliance requirements. **2.2.** Production of Fisheries Information Notices' (FIN's) and Guidance Documents **2.3.** Publication of new legislation on SFPA website **2.4.** Local provision of information and advice to all food business operators. **2.5.** Training seminars workshops, and meetings with individual industry groups
3. Coordinate risk based inspection and enforcement services with a view to effectiveness and efficiency	**3.1.** Annual plans and inspection targets established with control partners. **3.2.** Risk-based criteria established for inspection and compliance activities **3.3.** Targeted investigations into the activities of high-risk operators. **3.4.** Completion of SLA with Naval Service and Gardaí **3.5.** Work with IFI to clarify roles responsibilities
4. Ensure appropriate standards and consistency in the carrying out of official control functions.	**4.1.** Design and implementation of Quality Management Systems for key business processes, including associated internal audit procedures. **4.2.** Results of external audits from DG Mare, DG Sanco and FSAI. **4.3.** Outcome of Official Visits to and from Third Country Control Agencies.

Goal 2:

Influence effective and uniform application of EU Community sea-fisheries and food safety legislation in Ireland and other Member States

Strategies	Outputs
1. Actively support the Community Fisheries Control Agency in pursuing the uniform implementation of sea-fisheries law across the EU	**1.1.** Participation in all key CFCA Administrative Board meetings **1.2.** Participation in Joint Deployment Plans with other Member States. **1.3.** Work with the CFCA to initiate a control programme involving all fleets operating in western waters and to secure agreement from all Countries with vessels fishing in this region of their commitment to ensuring compliance with the requirements of the CFP
2. Work with the Competent Authorities of other MS to promote a uniform standard of Monitoring, Control and Surveillance (MCS).	**2.1.** Twice yearly meetings with the control authorities of Spain, France and the UK to share information on MCS and enforcement activities **2.2.** Document and report suspect activity to relevant Control Authorities **2.3.** Inspections by Irish SFPO's in other jurisdictions. **2.4.** Vessel inspections by other Member States in Ireland
3. Work with Naval Service and Air Corps to ensure control of fishing activity in the Irish EEZ.	**3.1.** Risk-based evaluation of the current fisheries fleets and vessels operating on the Irish EEZ **3.2.** Inspection benchmarks to include vessels in Irish EEZ which are not likely to land in Ireland
4. Make recommendations to the Minister and to the Commission on improvements to international controls.	**4.1.** Reported instances where data analysis has initiated investigations or where breaches of community legislation are identified/suspected **4.2.** Reports of any systematic defects in control systems encountered
5. Pursue the effective and uniform implementation of the ERS system across MS	**5.1.** Implementation of SFPA elements of the ERS project within agreed project timelines **5.2.** Develop systems to monitor and report on the implementation of ERS systems across MS active in Irish EEZ **5.3.** Develop systems to maximise the control value of ERS data.
6. Engage with the European Commission to ensure the uniform application of food safety law	**6.1.** Participate in relevant Commission and EFSA technical and expert working groups of relevance to the seafood sector

Goal 3:

Optimise the use of modern information, communication and technology systems to maximise organisational efficiency and service delivery

Strategies	Outputs
1. Improve remote computing capability and availability to SFPA staff	**1.1.** Implement Virtual Private Network connections for SFPA data management
2. Enhance use of IT based communications	**2.1.** Upgrade SFPA website to enable swifter navigation and search functions **2.2.** Provide SMS information dissemination service via SFPA website
3. Enhance SFPA food safety data management capability	**3.1.** Implement an efficient effective data capture management and reporting system for food safety data **3.2.** Develop systems to implement administrative cross-checks with fisheries data flows.
4. Enhance functionality of the Integrated Fisheries Information System	**4.1.** Work with DAFM Information Management Team to implement improved IFIS reporting and automated data cross-check capabilities **4.2.** Evaluation of fitness-for-purpose of data management systems
5. Comply with SFPA data reporting obligations.	**5.1.** All mandatory fisheries and food safety reports submitted within required deadlines. **5.2.** Coordinating inputs of other agencies
6. Enhance data collection and dissemination role in the context of the Electronic Reporting System	6.1 In collaboration with key-users enhance the data collection and dissemination system placing particular emphasis on accuracy, timeliness and verification against other fisheries data 6.2 Review and evaluate the system following enhancement to confirm the targets have been achieved and best use is being made of the data

Goal 4:

Be an authoritative voice nationally and internationally in developing policy and effective implementation of the law.

Strategies	Outputs
1. Provide expert advice on sea-fisheries conservation and sea-food safety to the Minister, the Oireachtas, Control Partners, National, European and International Agencies	**1.1.** Clear, comprehensive, reasoned expert advice provided. **1.2.** Minister provided with appropriate advice on the effective implementation of legislation as requested **1.3.** Effective tracking systems in place to ensure all Parliamentary Questions (PQ's) are responded to within relevant timeframes **1.4.** Develop and implement effective system to track the provision of responses to Public Representatives.
2. Participation in, and influence on the outcomes of national, European and international technical working groups relevant to SFPA's mandate including regular exchanges with other regulatory bodies both nationally and overseas.	**2.1.** Meetings attended and outcomes derived **2.2.** Information received and relayed **2.3.** Feedback to and from the Consultative Committee and the Molluscan Shellfish Safety Committee (MSSC) **2.4.** CFCA meeting attendance

Goal 5:

Continue to develop a high-performing Public Sector organisation of effective, focused, professional people.

Strategies	Outputs
1. Implement an Effective Performance Management and Development System across SFPA	**1.1.** Clear individual goals and a system in place for reviewing performance **1.2.** Annual co-ordinated training programme developed to ensure availability of necessary training/educational opportunities for staff to enable them carry out their allocated functions and responsibilities in a competent, professional manner.
2. Active inclusion of staff in the Strategic and business planning process.	**2.1.** All Staff consulted in the Strategic planning process. **2.2.** Clear system in place for the inclusion of staff in the **2.3.** monitoring and review of Strategy implementation **2.4.** Staff input reflected in relevant business plans
3. Ensure effective leadership, support, motivation and development of staff	**3.1.** Staff are provided with the necessary facilities, equipment and information to carry out their duties safely and effectively **3.2.** Clear mechanisms in place to address staff individual or group concerns
4. Ensure that best practice is embedded in all aspects of corporate governance in the organisation	**4.1.** Clear Financial Procedures which comply with Department of Finance policies are developed and implemented **4.2.** Outcome of the annual audit by the Comptroller and Auditor General **4.3.** SFPA Corporate Governance Manual completed and implemented **4.4.** Report on Corporate Governance compliance to DAFF on a regular basis and annually in the Annual Report **4.5.** Reports of SFPA Audit Committee **4.6.** Findings of Value for Money Audits **4.7.** Implement effective SFPA Risk Management Framework across the organisation

Section 7: Evaluation & Review

SFPA is committed to the continuing improvement of all aspects of its organisation. To achieve this SFPA will engage in the evaluation of the 2011-2013 Strategy, which involves the systematic assessment of the impact, relevance and effectiveness of strategic goals. The purpose of evaluation is to ensure public accountability for the efficient use of resources and to demonstrate high standards of governance. Evaluation is also conducted to improve and/or to review services and programmes and can be a mechanism to amend/adapt goals in the light of changing circumstances.

SFPA will evaluate its progress on the implementation of its goals on an annual basis. Progress will be reported to DAFM on a six monthly basis and in the annual report.