



Compliance Strategy

2020 - 2025

CONTENTS

01.

Purpose

GMA's role	3
Compliance and Intelligence Division's operating context.....	3
Our Vision	3
Our Values	4
Our statutory objective.....	4

02.

GMA's risk- based approach to compliance

Risk-based and Intelligence-led operations.....	5
Outcome-focused.....	6

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For more information about Game Management Authority go to www.gma.vic.gov.au

03.

GMA's Compliance Strategy

Our compliance objectives	7
Education services to support compliance	7
Information services	7
Choosing a compliance option.....	7
Our options to address non-compliance (GMA's approach)	7
Compliance monitoring inspection	7
Written warnings	8
Infringement notices	8
Prosecution	8
Seizure.....	8
Considering public interest.....	8
Transparent decision making	9
Targeting/Reporting.....	9
Authorised Officers.....	9

04.

Our future direction

05.

Ensuring success





01. PURPOSE

This Compliance Strategy (the Strategy) sets out the Game Management Authority's (GMA's) vision for delivery of its regulatory functions and activities over the next five years. The Strategy explains how we will successfully tackle the strategic challenges we face and in doing so, sets the direction and intent of our ongoing regulatory effort.

The Strategy informs our Compliance and Enforcement Policy.

These documents represent key elements as a regulator and position us to deliver on these regulatory commitments by the way we plan and deliver compliance and enforcement activities.



Figure 1. GMA's strategic documents

Our compliance approach involves a combination of:

- › Partnerships
- › Information technology (including social media), advice, guidance and education
- › Intelligence
- › Assessment
- › Audit
- › Inspection
- › Investigation
- › Enforcement
- › Evaluation (Performance)

This Strategy explains the linkages between the activities and how our intelligence holdings are used to improve industry outcomes.

GMA's role

The GMA's values are the basis for the way we do business and are demonstrated every day through the actions of our staff, whether they are working in regional areas or metropolitan offices.

The values shape and influence our ongoing recruitment, training and development of staff, performance planning, recruitment and relationships with stakeholders.

Compliance and Intelligence Division's operating context

The context in which the GMA operates incorporates a range of government policy and community drivers. This includes the following:

- › Departmental compliance policies and systems
- › Legislation and Regulations
- › Ministerial Statement of Expectations
- › Victorian community expectations
- › Other government agencies and regulators
- › Political
- › Social
- › Economic
- › Resource Protection
- › Values

The GMA considers itself to be risk-based and intelligence-led regulator with a strong emphasis on improved outcomes for the Victorian community.

Our Vision

OUR VISION IS:

Game hunting in Victoria meets community expectations as a sustainable and well-regulated activity based on science and conducted in a responsible manner.



Our Values

OUR VALUES ARE:

- › We respect each other – and the commitment of all our stakeholders to their work and their causes. This value is evident in the quality and diversity of our relationships with each other and with our stakeholders
- › We act with integrity, courage and transparency by focusing tightly on our role as an impartial, predictable and transparent regulator on behalf of all Victorians
- › We value expertise and advice based on sound scientific evidence and direct experience
- › We are always open to learning from and engaging with our stakeholders
- › We aspire to excellence in our behaviour, our work and our outputs

OUR FIVE STRATEGIC

GOALS ARE:

1. Make evidence-based education a cornerstone of our work
2. Understand the ecology and biology of game species and the impact of hunting on these species to achieve sustainability
3. Be respected and recognised as an effective regulator
4. Implement an effect risk-based, intelligence-led compliance strategy
5. Increase our capability, capacity and expertise

Our statutory objective

The GMA is an independent statutory authority established to promote sustainability and responsibility in game hunting in Victoria in accordance with the *Game Management Act 2014* (the Act).

The GMA also performs the regulation, investigation and disciplinary functions conferred by or under the Act, the *Wildlife Act 1975* and the *Conservation Forests and Lands Act 1987*.



02. GMA'S RISK-BASED APPROACH TO COMPLIANCE



The GMA takes a risk-based and intelligence-led approach to prioritising compliance activities, applying the following principles:

- › Targeted
- › Accountable
- › Effective
- › Adaptable

Risk-based and Intelligence-led operations

A core element of the GMA's compliance approach is the effective use of intelligence to inform decision making about how to manage key compliance risks and issues including our operations.

Intelligence gathered during our regulatory operations is supplemented by multiple other sources including, information shared by other regulators, information

from local councils, industry stakeholders, other government agencies, online forums, social media and the public.

Additionally, GMA receive reports from industry stakeholders and members of the public around potential breaches of the law, which is a vital source of intelligence that helps us assess risks and act as, and when, appropriate.

The GMA's regulatory approach is intelligence-led, risk-based and outcome-focussed. This is illustrated and described in further detail below.



Figure 2. GMA's approach to being a risk-based, intelligence-led regulator

The GMA recognises that risk is a combination of two elements: consequence (the degree of risk or harm to public safety or game management) and likelihood (the chance that non-compliance will occur).

The GMA will focus on risks to:

- › Public safety (both hunters and non-hunters)
- › Sustainable game harvesting; and
- › Non-game protected wildlife

When the GMA starts the enforcement process following an incident or risk or non-compliance, the level of risk or harm in the circumstances and culpability of the offender are considered on public safety, conservation, resource, biological and economic implications regarding the actual incident and offence.

The following specific issues will be considered:

- › Threats to public safety where game hunting occurs, which includes protestor activity
- › The conservation importance
- › Deliberate resource abuse by the person(s)
- › Biological considerations
- › Consequence of the offending
- › Personal gain to the person(s); and
- › Whether or not the person has a prior history of offending

The regulatory model uses elements that can be applied when inspection activity and other compliance resources are targeted to areas with the potential to cause significant harm.

Ultimately, effective compliance, which includes awareness and education, will be the driver for behaviour change within the hunting and non-hunting community, to best support the achievement of GMA's objectives.

Outcome-focused

Our use of a range of compliance tools is underpinned by a strategy that ultimately seeks to effect improved industry wide outcomes. The GMA promotes awareness and education as an effective way of achieving increasing voluntary compliance. We make decisions on compliance actions to achieve outcomes that deter unlawful conduct and promote future compliance.

The GMA takes enforcement action to serve the public interest. We exercise discretion to focus on those actions that warrant a regulatory response.

The nature of the problem and the desired outcome drives the decision on which of our broad range of compliance and enforcement tools we use. Given that our key objective is voluntary compliance, wherever possible, most engagements with industry will be for the purposes of **voluntary compliance, assistance and education.**

However, where the issue requires urgent action to stop or cease the alleged conduct, the GMA may move straight to court action. For systemic issues, a multi-faceted compliance strategy, using several tools in combination, may be used to target an entire practice.

CONTINUED CRACK DOWN ON POACHING



03. GMA'S COMPLIANCE STRATEGY

Our compliance objectives

As a regulator, the GMA works to prevent harm through a compliance approach that strongly emphasises prevention and targeted enforcement action.

By using a risk-based, intelligence-led and outcomes focused approach to compliance decisions, the GMA can allocate our resources more efficiently, to **target those that do the most harm**. This enables us to act quickly against those that present the highest risk to Victorians to achieve more sustainable outcomes.

Education services to support compliance

To support voluntary compliance the GMA uses a range of mediums to inform regulated persons about their responsibilities and rights. The GMA uses digital, telephone and face-to-face channels to achieve this.

Information services

The GMA is committed to making its services available through digital platforms and will ensure ongoing development and innovation of these services to meet and exceed the needs and expectations of all Victorians.

Hunters that are well-informed and empowered drive industry compliance and standards.

Choosing a compliance option

To be effective, the spectrum of options to achieve compliance are wide and not only include legal options, but all the activities a regulator uses to encourage compliance. The GMA can use these options if the person elects not to cooperate, or where there is a serious contravention of the administered legislation.

In practice, a risk-based approach means that GMA focuses its regulatory activities and resources on regulated persons and compliance areas where the relative risks of possible or actual non-compliance are greatest. Generally speaking, the higher the risk associated with non-compliance, the more serious, resource-intensive and timely the regulatory response by GMA. Comparatively less time, effort and resources will be dedicated to compliance areas where the risks are relatively low.

Our options to address non-compliance (GMA's approach)

The GMA has a range of options to address non-compliance of legislation. These range from warning letters and infringement notices through to court action for the more serious matters. These tools can also be used in combination. The broad range of tools ensures that GMA has the flexibility to respond in a way that is both targeted and proportionate to the seriousness of the problem.

Compliance monitoring inspection

An inspection aims to detect whether there are breaches of legislation and/or regulations. Inspections are used to determine whether enforcement action is required. The GMA conducts a planned and targeted state-wide audit program based on compliance and enforcement priorities. Resulting from these audits, recommendations aimed at improving identified issues may be made.



Written warnings

Written warnings may be issued by GMA Authorised Officers where breaches of the legislation/ regulations, licences, notices, permits, and regulations are of a minor nature, with no material impact.

Infringement notices

This is a notice asserting a breach of the law and imposing a financial penalty. This allows straightforward breaches of the law to be dealt with by payment of a fine, rather than commencing court proceedings.

Prosecution

The GMA will consider prosecuting an individual where other enforcement measures are deemed inadequate or inappropriate.

The GMA will consider the level of harm, risk of harm, likelihood of non-compliance and culpability of the offender when deciding upon the most appropriate course of enforcement action.

Seizure

The GMA has legislative powers to seize any item they believe to be used in a game hunting offence. This generally includes hunting equipment and vehicles (including boats). From time to time, GMA Authorised Officers may make an application to a Court that a forfeiture order be issued in relation to seized items and their destruction.

Considering public interest

Unregulated recreational game hunting can result in unsustainable, inhumane and unsafe hunting practices. There are examples from around the world where unregulated or uncontrolled hunting can lead to the severe decline or extinction of species.

In enforcing compliance with the relevant laws, the GMA aims to achieve safe, sustainable, humane and equitable hunting and establishing the GMA as an expert in its field.

The GMA exercises its regulatory powers in the public interest including deciding whether to prosecute.

Transparent decision making

The GMA will improve transparency to its stakeholders and the community. Documenting linkage between behaviour analysis and interventions to decide on a predictable enforcement action (possible sanctions) is part of the compliance regulation and contributes to the continual improvement cycle.

When the GMA undertakes enforcement activity, it will include information regarding the outcome in its Annual Report to Parliament. This disclosure is an integral part of Parliamentary reporting. All published information will be accurate and not infringe on privacy requirements.

The GMA may also publish enforcement data and information on its website to inform the public of the nature and outcome of prosecutions or alternative penalties, and, provide advice on how to prevent similar breaches. The GMA may also use this information to inform future strategies of monitoring and compliance.

Targeting/Reporting

Targeting/Reporting provides a critical element to the transparency and accountability of the compliance activities performed by the GMA and allows stakeholders to monitor our progress. Further, such reporting assists in targeting and prioritising our regulatory efforts and resourcing requirements.

Concerns and observations of communities are a key input to our regulatory effort. For this reason, engaging with the community is a priority for the GMA.

The GMA works closely with other agencies to ensure a whole of government approach to the regulation of game hunting in Victoria. These working relationships aim to facilitate decision making, provide authority holders with clear regulatory requirements, assure transparency and support robust engagement with the community.

We use a range of indicators to monitor our activities and performance. These being:

1. Communication with our stakeholders is clear, targeted, and effective;
2. Actions undertaken are proportionate to the regulatory risk being managed;
3. Compliance and monitoring approaches are streamlined and coordinated;
4. We are open and transparent in our dealings with our stakeholders, including Victoria Police and other regulators; and
5. The hunting community perceives the GMA in a positive light.

To be fully transparent with our stakeholders and the community, the GMA will publish enforcement data and information both in our Annual Report, which gets tabled in Parliament, and also on our website to inform the public of the nature and outcome of regulatory effort.

Authorised Officers

The GMA's Authorised Officers are trained and understand the responsibility associated with using the powers afforded by legislation. They have qualifications in their specialist areas, and exercise powers in accordance with their appointment as Authorised Officers and their delegations. Their training includes law, fairness in administration decision making, auditing, conflict and negotiation, and investigations.

Training will be undertaken regularly to ensure it remains current and all officers can maintain their skills and knowledge.

04. OUR FUTURE DIRECTION

The GMA will continue to focus on making intelligence-based regulatory and compliance decisions that have regard to the availability of evidence, level of risk and the outcome to be achieved.



DISTURBING PROTECTED WILDLIFE = MAXIMUM \$5000 FINE

Risk prevention and management is not just our responsibility. We work with, support and encourage industry to take a similar approach to reduce non-compliance and prevent impacts on the environment.

In support of this compliance strategy, the GMA will continue to work closely with all our stakeholders, the community and other government agencies seeking improved understanding of compliance drivers.

Our approach to compliance will adjust over time in line with the move to risk and standards-based regulation.

We believe that more confident Victorians operating in a well-regulated industry, where regulated persons and the community more broadly, understand their obligations, support a stronger, fairer, better Victoria.

05. ENSURING SUCCESS

Unregulated recreational game hunting can result in unsustainable, inhumane and unsafe hunting practices.



In enforcing compliance with the relevant laws, the GMA aims to achieve safe, sustainable, humane and equitable hunting, recognising the community benefits of game hunting and establishing the GMA as an expert in its field.

The GMA exercises its regulatory powers in the public interest including deciding whether to prosecute.

We will monitor our actions under this regulatory strategy, and evaluate our performance to:

- › understand the relationship between our activities and the outcomes we seek to achieve
- › communicate with stakeholders about our effectiveness
- › continuously improve the effectiveness of our approach over time and adjust our regulatory focus as needed.

We will set performance targets in GMA's annual plans and report our progress against these and Ministerial Statements of Expectations in our annual reports.



