
In order to reverse the historical marginalisation of South African small-scale fishers, the Marine Living Resources Act 18 of 1998 legally recognised subsistence fishers, while the Limited-Commercial Fisheries sector was created in 2001. Despite these recent legislative changes, many traditional fishers in Hangberg still lack legal rights to harvest marine resources due to the dominance of the commercial fishing sector, the declaration of the traditional subsistence fishing area as a sanctuary zone within the Cape Peninsula Marine Protected Area, and the difficult organisational and legal requirements to access quotas. The government has been slow to implement the recommendations of the Subsistence Fisheries Task Group regarding the management of subsistence fishing, and has failed to make quotas available to subsistence fishers, making the only legal access to quotas through commercial or recreational channels. The result of this systematic exclusion from legal rights and quotas has left the bona fida fishers of Hangberg extremely vulnerable. Due to limited employment opportunities many have turned to poaching as a source of income, further increasing their vulnerability due to the high associated risks and consequences. Using the Pressure and Release model described by Wisner et al (2004), this research traces the progressive vulnerability of the fishers of Hangberg, examining their current status as poachers.