

Plymouth Fisherman convicted and fined £2,700 for taking bass from a designated 'Bass Nursery Area' in Salcombe, South Devon

On 22<sup>nd</sup> April 2015 Newton Abbot Magistrates heard Mr Keith Grainger, the Master and Owner of the British registered fishing vessel Deano II (Port Letters and Numbers, PH996), plead not guilty to two charges brought by Devon and Severn Inshore Fisheries and Conservation Authority.

1<sup>st</sup> Charge – Between the 28<sup>th</sup> September 2014 and 1<sup>st</sup> October 2014 in the British registered fishing vessel Deano II PH 996 in Salcombe harbour tidal waters enclosed by a line drawn 90<sup>o</sup> true from Splat Point to Limebury point he fished for bass contrary to The Bass (Specified Areas) (Prohibition of Fishing) Order 1990 as amended and sections 5(1) and 11 of the Sea Fish (Conservation) Act 1967.

2<sup>nd</sup> Charge – Between sunset on the 29<sup>th</sup> September 2014 and sunrise on the 30<sup>th</sup> September 2014 within United Kingdom waters being the Master and Owner of the British registered fishing vessel Deano II PH996 failed to comply with Rule 26 (Fishing vessels) of the International Regulations for Preventing Collisions at Sea 1972.

After a full day's trial Mr Keith Grainger was found guilty on both charges and was fined £2000 and order to pay £750 towards the costs.

The case was brought by Devon and Severn Inshore Fisheries and Conservation Authority as a result of a joint enforcement operation carried out by Devon and Severn IFCA, Salcombe Security Solutions and the Police. Following the sharing of intelligence an operation over four nights tackling marine crime including theft from motor craft and illegal fishing was conducted by the three organisations. In court the prosecution successfully demonstrated that the 15 bass found by officers when the vessel was inspected at 0109hrs on 30<sup>th</sup> September 2014 had been illegally taken from within the designated waters of Salcombe harbour and that the vessel had not displayed correct lights during the fishing trip.

The Bass (Specified Areas) (Prohibition of Fishing) Order 1990 as amended creates 37 long standing designated areas around England and Wales designed to protect Bass (*Dicentrarchus labrax*). The designated areas are more commonly referred to as 'Bass Nursery Areas' and prevent the fishing for bass or the use of sandeel as bait from any boat in these areas.

Mat Mander, Deputy Chief Officer at Devon and Severn Inshore Fisheries and Conservation Authority said:

*'The case is significant in that it sends out a clear message to anyone thinking of fishing illegally for bass that Devon and Severn IFCA and its partner organisations are working effectively together and will take action against offenders including taking them to Court if necessary. ICES reported that bass stocks are currently under considerable pressure<sup>1</sup> and the EU are bringing in a range of management measures to try to reverse the recorded significant decline in the stocks. These measures already include the introduction of legislation that means that recreational fishers cannot retain more than three bass per day. (the practice of catch and release is not affected)<sup>2</sup>*

*If members of the public believe that they have witnessed illegal sea fishing activities they can report this to D&SIFCA using the out of office number 07740 175479. Information provided by the public supports D&SIFCA's risk based approach to enforcement.'*

<sup>1</sup> <http://www.ices.dk/sites/pub/Publication%20Reports/Advice/2014/2014/bss-47.pdf>

<sup>2</sup> [http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=OJ:JOL\\_2015\\_084\\_R\\_0001](http://eur-lex.europa.eu/legal-content/EN/ALL/?uri=OJ:JOL_2015_084_R_0001)