

By: Assistant Chief IFCO

To: Kent and Essex Inshore Fisheries and Conservation
Authority – 20 May 2016

Subject: **ENFORCEMENT UPDATE**

Classification Unrestricted

Summary:

This report will provide Members with an update on enforcement work carried out within the District

Introduction

In undertaking its regulatory responsibilities, KEIFCA starts from the position that the vast majority of the community of people, organisations and industries using the marine area are compliant with the regulation and control that affects them. KEIFCA works to try to ensure that all parties understand both what rules apply to their particular industry and the rationale for the regulation being necessary.

Full compliance with EU, UK and in particular local fisheries and environmental legislation is the overall aim of the Authority. This aim is best achieved through the adoption of an adaptive co-management approach to fisheries management.

Risk based Enforcement

A risk based enforcement framework is in place to analyse the risks different fisheries pose at various times throughout the year. This framework scores the likelihood of offences occurring and the impact of those potential offences. This analysis is then supported by officer knowledge of the spatial and temporal variation in fisheries, species and gear types used throughout the district. As risks change within the District the framework will be updated to reflect the current position. For this reporting quarter the primary risks have been compliance with the whelk permit byelaw, compliance with technical conservation measures relating to quota species and bass education ahead of the primary bass time starting next quarter.

Intelligence led approach

Information Reports (IR's) are being introduced as the primary method of recording, storing and collating information and intelligence which is then used to inform our risk based approach. This is an evolution of the practice of good communication between officers and responsiveness to local issues which has always existed within the organisation. With increasing enforcement workloads with the new MPA byelaws being introduced and a greater emphasis on some high risk fisheries, effective targeting of enforcement resource is now more essential than ever. A National Intelligence Project being piloted in the Northern Region (Northumberland IFCA, North Eastern IFCA, North Western IFCA and Northern Area MMO) that follows the National Intelligence Model and incorporates a tasking and coordination process is proving very successful with an anticipated National roll-out for the remaining regions including the KEIFCA District later this year.

Operational Planning

The application of an intelligence led approach is being introduced in the production of operational planning documents which are completed for targeted patrols across the District as well as more detailed operational plans for specific operations over longer periods. These planning documents also record outcomes from these patrols to feed into future work via Information Reports.

Enforcement Activity

Over the past quarter 40 patrols both at sea and ashore have been carried out, at sea patrol were limited by the sale of the Ken Green and Nerissa not being ready to carry out operational duties. There are always fluctuations in the number of patrols throughout the year and whether they occur on shore or at sea, which is affected by a number of factors including the specific risks being targeted, staff resources, weather, other duties and the objectives of the patrols. The objectives of many of the patrols during this quarter were to ensure that both commercial and recreational fishermen were aware of and educated about the bass regulations prior to the larger numbers of bass entering the District in mid-April.

Offence reports

Over the past quarter two offences were detected, one relating to undersized bass and one relating to landing of undersized whelks in contravention of the whelk permit byelaw.

Offence Outcomes

One verbal warning has been issued and one offence is currently being investigated.

On 4th February 2016 officers attended Basildon Crown Court where Mr Terry Stimpson appealed a Magistrates Court guilty verdict relating to two counts of using a towed fishing instrument within the District with an overpowered vessel. The Crown Court upheld the original verdict and imposed £3000 in costs in addition to the original £1800 in fines and costs from the Magistrates Court.