

Agenda Item - C5
Compliance and Enforcement Update
Kent and Essex Inshore Fisheries and Conservation Authority
Quarterly report for the period January 2018 to May 2018

Introduction

In undertaking its regulatory responsibilities, KEIFCA starts from the position that the vast majority of the maritime community is compliant with the regulations that affect 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.

Adopting the 'Prevention, Intelligence and Enforcement' model used by police forces across the UK, we are making best use of proven methods, using a proportionate approach and ensuring the taxpayer receives value for money.

We prioritise enforcement activity around less mobile stocks, where we can make a measurable difference alongside national and regional priorities.

Prevention Activity

Education and prevention has long been used within newly established MPAs, to educate and inform. Proactive contact with whelk permit holders produced much improved timeliness and volume of returns. Building stronger ties with valuable partners such as Border Force have enabled us to spread our coverage.

Early attendance at major angling competitions educating and informing participants has been effective.

Intelligence Activity

Intelligence gathered is reviewed at a bi-weekly tasking and coordination meeting for staff and is now well embedded. The MMO and Border Force regularly contribute.

Two officers recently visited the National Maritime Information Centre (NMIC) and Joint Maritime Operations Command Centre (JMOCC), which will be pivotal in co-ordinating fisheries enforcement and protecting our borders after EU Exit.

Details of patrols are shared with JMOCC in order to prevent 'blue on blue' incidents and enhance officer safety.

Facilities now exist for officers to conduct Police National Computer and local intelligence checks with both Kent and Essex Police, where circumstances justify this and it is proportionate.

Market intelligence, such as identification of spikes in demand for whelk and crab immediately before Chinese New Year allows us to deploy resources accordingly.

Enforcement Activity

Marine Protected Areas and shellfish have been local priorities. Whelk returns have improved considerably. In 2018 we intend to drill down into the data, ensuring returns are consistent when measured against other data. This is important as stock management is largely based on returns received.

Despite legislative challenges, officers continue to prioritise bass enforcement, which is a national priority, mainly through disruption.

Much closer working with Border Force, particularly along the Kent coast has resulted in Border Force officers crewing FPV Nerissa and IFCOs crewing Border Force coastal patrol vessels, for development of staff.

Border Force has a growing understanding of fisheries legislation and MPAs. IFCA vessels have unique capability for tasks such as hauling gear from the sea-bed and IFCA officers have in depth local knowledge and intuition when things appear to be 'out of place', which complements partners.

Offence Reports

- Four verbal warnings have been issued for whelk byelaw and net offences
- Two written warnings have been issued for whelk bylaw and marking of gear offences
- One FAP has been issued for whelk offences and is ongoing
- One prosecution in connection with the Thames Estuary Cockle Fisheries Order (fishing a closed area) is pending, with the case listed for 2 July 2018

Due to *sub-judice* rules and *Right to a Fair Trial* under Article 6 Human Rights Act, a detailed report on the offences is not appropriate at this time.

Training and developing staff

We continue to develop staff capabilities. The introduction of body worn video has assisted in the coaching and development of staff. A two day practical enforcement workshop including procedural matters is scheduled for June. This will build confidence amongst officers and ensure we fully comply with our duties of disclosure, which has undermined many large trials over recent months.

Jon Holl
Lead Compliance Officer