

Gloucester Crown Court Outcome

Devon and Severn Inshore Fisheries and Conservation Authority (D&S IFCA) has devoted considerable time and resources to the recent three-week trial conducted in Gloucester Crown Court over alleged illegal dredging for scallops in the D&S IFCA District.

D&S IFCA is very grateful to the Jury for the close attention they gave to the case and feels that the trial provided excellent guidance with the issues presented in such cases. We respect the decision of the Jury and understand that the process was lengthy and contained some evidential challenges.

At the first hearing in the Magistrates' Court in 2016, the Magistrates agreed with the defendants' solicitor's view that the matter should be referred to Crown Court. D&SIFCA's decision to prosecute was vindicated by the fact that the body of evidence was left to the Jury as evidence capable of leading to convictions, and despite acquittals, there were four counts upon which the Jury could not reach a verdict. The Judge recognised the evidential challenges presented in such cases and observed that the case required a trial for its resolution. There was no criticism of the decision to institute proceedings and to pursue the matter to trial.

D&SIFCA is leading the development of Vessel Monitoring Systems (VMS), which we believe will be central to fisheries management and enforcement in the future. It is hoped that VMS use will enable fully documented fisheries, which will be an essential part of safeguarding the future of the inshore fishing industry and conserving the important marine habitats within these areas.

Four successful prosecutions using VMS evidence have already been achieved by D&S IFCA and a further four Financial Administrative Penalties, which also relied on VMS data, have been accepted by members of the Fishing Industry.

A review of the trial is currently underway, and these proceedings have strengthened both D&SIFCA's resolve to prosecute where necessary, whether in summary trial or before the Crown Court, but also our knowledge of the matters to be addressed as evidence in such cases.