

Cornwall Inshore Fisheries and Conservation Authority

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PRESS RELEASE

Successful prosecution for using oversized vessel to dredge scallops off the Cornish coast.

Cornwall Inshore Fisheries and Conservation Authority (IFCA) successfully prosecuted the master and owners of the Pamela Jill (BM28) for using a vessel exceeding 16.46m overall length within the Cornwall IFCA district during two fishing trips in May and June 2018.

The master, Mr Arthur Dewhirst (60) of Northgate, Lowestoft and Pamela Jill Ltd (owners) entered guilty pleas to the vessel size charges At Bodmin Magistrates Court on 17 January 2019. A further eight related charges were withdrawn, but they were read to the court as aggravating features. The magistrates handed down fines and costs totalling £15,411.

The vessel was dredging for scallops which are an important and high value species for many fishermen. Cornwall IFCA has various byelaws and regulations, such as the maximum vessel size, to limit fishing effort and to try to ensure a sustainable fishery. When larger vessels such as Pamela Jill fish illegally within the Cornwall IFCA district, they reduce fishing opportunities for smaller, more locally based inshore boats.

Cornwall IFCA used the satellite Vessel Monitoring System (VMS), which all fishing vessels over 12m must have fitted by European law, to determine that the Pamela Jill was operating inside the Cornwall IFCA district. Analysis of the electronic log books and sales notes from the vessel, together with the VMS data, provided strong evidence of dredging for scallops within the district.

Fishing vessels targeting scallops in the district are restricted to a maximum

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overall length of 16.46m, but the Pamela Jill was significantly larger than that, being 26.15m. It was estimated that the value of the catch illegally removed from the district was approximately £6,000.

The court heard that the Pamela Jill had an Automatic Identification System (AIS) fitted - another mandatory remote monitoring system that can be viewed by the general public. However, it was not transmitting during times when the vessel was within the Cornwall IFCA district and this was not explained by Mr Dewhirst.

Cornwall IFCA Principal Enforcement Officer Simon Cadman said "Since 2016, Cornwall IFCA has used data from remote electronic monitoring systems in seven of its investigations to establish illegal fishing activity within the district.

"The strength of evidence it provided was essential to prove illegal fishing incidents had taken place out of plain sight from fishery authorities. Data produced by various monitoring systems has proven to be a vital tool for Cornwall IFCA to provide an effective enforcement regime in its district, together with the sea-going and land-based patrols carried out by its officers."

Note to editors

Sentence/penalties:

Charges:

Fishing for shellfish using a vessel exceeding 16.46m overall length within the Cornwall IFCA district on:

- 30.05.18
- 31.05.18
- 01.06.18
- 02.06.18

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Master – Mr Arthur Dewhirst

Fines: Charge 1- £3200
Charge 2 - No separate penalty
Charge 3 - £3200
Charge 4 - No separate penalty

Victim Surcharge: £170

Costs: £3481.42

Total £10, 051.42

Owners - Pamela Jill Ltd

Fines: Charge 1- £1600
Charge 2 - No separate penalty
Charge 3 - £1600
Charge 4 - No separate penalty

Victim Surcharge: £160

Costs: £2000

Total £5360.00

Total overall: £15,411.42

Legislation relating to offences charged

Cornwall Sea Fisheries District Shellfish Boats Byelaw 2011

A further 8 charges of:

- 4 counts of operating more than 12 dredges at any one time
- 4 counts of fishing for scallops with the 7pm to 7am curfew hours

These were dropped by the prosecution but heard in court as aggravating factors.

Cornwall IFCA manages the inshore fisheries around the Cornish coast out to the six nautical mile limit from the baselines, which include the Eddystone rocks. It makes and enforces local byelaws relating to fisheries and the protection of the marine environment, and may also enforce other national and EU fisheries legislation.

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If you would like to find out more about fishing regulations in Cornwall please visit www.cornwall-ifca.gov.uk. Or call us on 01736 336842.

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