

A Code of Practice **For all fishermen setting any nets** **around the coastline of Cornwall**

If you are fishing with nets in an area where there is a known likelihood of significant accidental cetacean capture, you should observe the following good practices:

- Inform other fishermen as to where concentrations of cetaceans are being observed.
- Avoid setting nets in the vicinity of observed or reported concentrations of cetaceans.
- Set and haul nets at times of the day which help to minimise interaction with cetaceans.

If an accidental cetacean bycatch does occur, there are several responsible actions which can be taken to help keep further mortality to a minimum.

These are:

- Remove nets from a problem area.
- Let other fishermen know where nets are experiencing a cetacean bycatch.
- Have the incident officially recorded. (See note below).

NOTE: It is vitally important that all incidents are quickly reported to get a full picture of what is happening in any net fishery. This will enable swift, responsible actions to be easily implemented among all relevant fishermen.

Inform officers of Cornwall IFCA (Cornwall IFCA tel. 01736 336842) or the Cornish Fish Producers Organisation (CFPO tel. 01736 351050) when and where cetaceans are caught, their type and number. (Personal details will be held confidentially).

If significant levels of cetacean capture occur in locally set nets, CFPO and CIFCA officers will work together with net fishermen in the affected area to resolve the problem.

Listed below are some of the measures that will be actioned:

- Identify the area where nets are causing a problem. In the case of stranding data, weather patterns will be considered to help determine this.
- Recommend that, and encourage fishermen to remove all nets from a problem area.
- Post notices / send information to let fishermen know about a problem that has been experienced and the course of action considered necessary to address the situation.
- Monitor and assess the problem fishery to provide ongoing advice.

For further information or enquiries, please contact:

Cornwall Inshore Fisheries & Conservation Authority, St Clare Street, Penzance, TR18 3QW.
Tel: 01736 336842 or email: enquiries@cornwall-ifca.gov.uk

EXPLANATORY NOTE

This Code of Practice (CoP) was developed over a two year period (2004 and 2005). It followed a problem that was experienced in the winter bass netting fishery, where in two bays a significant number of cetaceans (mainly porpoises and a few dolphins) were accidentally caught.

Cetaceans are protected under the EC Habitats Directive which has been adopted into UK law, as well as other international agreements.

Action must be taken where fishing activity is causing a significant problem for cetaceans. The issue cannot be ignored and the fishing industry has to either take its own voluntary measures to minimise cetacean deaths, or face the imposition of legislation.

Officers of the Cornwall Inshore Fisheries & Conservation Authority (CIFCA) and Cornish Fish Producers Organisation (CFPO) have worked together with net fishermen, encouraging them to take their own responsible measures by adopting a CoP. This is to try and prevent the need for more legal regulation that may be difficult to work with, perhaps at times inappropriate and by its very nature inflexible.

This CoP allows fishermen to set nets as normal where there is no significant cetacean bycatch problem and take sensible, practical, avoiding action where it does happen. In the event of a problem arising in an area, the measures decided upon should be the most appropriate for that area, drawn up on a case by case basis. They can be re-assessed regularly and adjusted as necessary, based on events occurring in the fishery. Flexibility is a key function of this CoP.

All fishermen working any net in any area should have regard to this CoP. All nets have the potential to capture cetaceans, and any potential future 'hot spots' cannot be predicted. This was highlighted by a virtual cessation of porpoise bycatches during the 2005/06 winter and a greater number of dolphins being caught by some tangle nets. Observations of cetaceans in some coastal and offshore sea areas were reported at very high levels during those years.

In the past where codes of practice have been developed and not properly followed, legislation has been made to stop certain fishing activities, even at times when there may be no conflict in a fishery.

For this CoP to remain in place and thereby have the best chance of avoiding more legal regulation (for which there is strong pressure being placed on fisheries managers), it must be fully embraced by all net fishermen. **The requirement to report every accidental cetacean capture in nets is essential.**

Direct collection of information from fishermen will help in the assessment of any cetacean problem and form the basis for extra management measures in the fishery, should it be required.