



INSPECTIONS AND INVESTIGATIONS CODE OF CONDUCT

This Code of Conduct should be read in conjunction with other statutory and policy requirements.

RESPONSIBILITIES

Inshore Fisheries and Conservation Officers (IFCOs) are employed by Cornwall Inshore Fisheries and Conservation Authorities (IFCA) to routinely carry out inspections of:

- fishing vessels;
- sea fisheries resources;
- fishing gear;
- fish merchants and retailers;
- premises and vehicles used in connection with fishing for sea fish;
- shore gatherers, anglers and any other person engaged in the exploitation of sea fisheries resources.

This is required in order to monitor compliance and enforce EU, UK, local fisheries and environmental legislation, both ashore and out to the 6nm limit, as drawn from the baselines around Cornwall. Some IFCOs also enforce legislation on behalf of neighbouring IFCAs and other government bodies, such as the Environment Agency and the Marine Management Organisation. IFCOs hold appropriate warrant/identity cards for the inspections work they may conduct, which will be made available for inspection upon request, or as soon as it is practicable to do so.

Whilst carrying out inspections, IFCOs will endeavor to conduct them in a courteous, fair and professional manner. They will state their intentions and may ask for assistance in order to carry out their duties. Those persons subject to inspection are expected to show a level of co-operation and courtesy that will allow an IFCO to undertake their duties without fear of reprisal, harassment or abuse and to avoid any action which would amount to obstruction of an IFCO.

To comply with health and safety regulations, a person subject to inspection, particularly the master of a vessel, should alert an IFCO carrying out inspection work to any potential hazards. It is expected that the master and crew of a vessel, or any other person being inspected, will maintain good communication with an IFCO to try and ensure health and safety is not compromised.

Inspections and any subsequent investigation will, so far as reasonably practicable, be conducted in a manner which causes minimal interference to a person's business and/or fishing operations.

On conclusion of an inspection, an IFCO will inform a relevant person(s) at the scene of the findings. Where there is clear evidence of an offence, words of advice or a warning may be given. In some instances, where an IFCO believes that a full investigation is necessary to establish the circumstances and facts surrounding a suspected offence, a relevant person may be cautioned, meaning that their spoken words and any interview with the person may be recorded and used in evidence. An officer may decide it is appropriate to caution a person at the beginning, or during, an inspection.

If, during an inspection, an IFCO deems it necessary to seize fish, fishing gear, documentation or any other object for evidential purposes, a receipt will be issued.

IFCOs are issued with body-worn cameras/audio recording equipment which may be operated in various circumstances, according to Cornwall IFCA policy which can be viewed via our website.

FISHING VESSEL INSPECTIONS

In order to facilitate the boarding and inspection of a fishing vessel, it is expected that the person in charge of the vessel will maintain a proper look-out and a listening watch on VHF radio channel 16, responding and co-operating appropriately to communications made by an IFCO. In the interests of health & safety, any person on board a vessel may be asked to assist with facilitating safe boarding by IFCOs needing to carry out an on board inspection and subsequent safe disembarkation by IFCOs. Examples of such requests may be to slow down, to offer a lee, haul gear on board and provide a suitable boarding ladder. Each individual boarding and inspection will dictate the nature of any request for assistance.

On board a vessel, an IFCO will identify themselves to the master and explain the purpose of the inspection and how it is proposed to proceed. The presence of the master can be requested for all or some of the elements of the inspection process. Assistance of the master and/or crew must be provided, if it is requested.

SHORE INSPECTIONS

Where IFCOs inspect fishing from the shore, they will identify themselves to any relevant person and explain the purpose of the inspection and how it is proposed to proceed. The presence of any person whose fishing is subject to an inspection can be requested. Assistance from the person whose fishing is being inspected must be provided, if it is requested. Inspection work may involve stopping and searching a vehicle and, in such a situation, the registered keeper or anyone travelling in it, can be required to provide assistance to an IFCO.

PREMISES INSPECTIONS

Where IFCOs inspect premises, they will identify themselves to any relevant person at the location and explain the purpose of the inspection and how it is proposed to proceed. The owners or occupiers of premises may be required to attend inspections and any person at the premises may be requested to provide assistance to IFCOs in respect of matters under that person's control.

INVESTIGATIONS PROCESS

IFCOs may decide to commence a full investigation into a suspected offence on the same occasion as the inspection, including offering a person the opportunity to voluntarily be interviewed under caution. Alternatively, or additionally, investigation

work may be carried out during the months which follow an inspection, in order that appropriate decisions can be made by Cornwall IFCA in regards to the outcome.

When Cornwall IFCA conducts a full investigation into a suspected offence, it will endeavour to complete it in a timely manner and notify a relevant person and/or company of the outcome and any follow up action.