

PRESS RELEASE

FISHERMAN FINED AT NORTH TYNESIDE MAGISTRATES' COURT

In a prosecution brought by Northumberland Inshore Fisheries and Conservation Authority (NIFCA) at North Tyneside Magistrates' Court on 24 January, Mr Trevor Martin Spouse of 2 Spiers Place, Eyemouth, Berwickshire, TD14 5HB pleaded guilty to five charges of fishing in breach of NIFCA Byelaw 7, which Prohibits the use of Mobile Fishing Gear within the English section of the Berwickshire and North Northumberland Coast Special Area of Conservation (B&NNCSAC).

Mr Spouse is the owner and master of the fishing boat Immanuel V11 based in Eyemouth, a 16.4m vessel. The offences took place on five occasions at the end of April and early May 2016 and were detected from the use of the Vessel's Monitoring System (VMS), a satellite monitoring system which all fishing vessels over 12m in length are required to have fitted to their vessel. In addition, Mr Spouse had received a Financial Administrative Penalty of £1,000 from NIFCA for a fishing offence in 2015. The Court also heard that Mr Spouse, who has a permit to dredge for scallops in the NIFCA district, was aware of his obligations under NIFCA Byelaw 7 Prohibiting the use of Mobile Fishing Gear in the English section of the B&NNCSAC. The Byelaw was introduced to protect rocky reefs, which are a designated feature within the site, from any mobile fishing gear which can contact the sea bed. It was also confirmed that when he was interviewed about these offences by NIFCA officers (IFCOs) he acknowledged that he was aware of the prohibition.

Having heard from Counsel for the prosecution and the defence solicitor, Mr Spouse was fined £750 for each offence and also ordered to pay a Victim Surcharge of £170 and £2,870 towards Prosecution Costs making a total of £6,790. In passing sentence, the district Judge said he took account of the size of the catch which was valued at about £25,000 for the five fishing trips made by Mr Spouse. However, the Judge also took account of the expenses of the boat, including paying the crew, which comes from the sale of the vessel's catch. The Judge also said that although the actions of Mr Spouse were deliberate, it was not possible to assess the extent of the harm which the fishing activity caused. He also noted that Mr Spouse had no previous convictions, that he had put measures in place to prevent any repetition of this offending, (and that he had tendered a guilty plea at the first opportunity, for which the Judge applied a one-third discount in the level of fine to produce the figure above).

Commenting on the case, NIFCA Deputy Chief IFCO Mark Southerton said "Officers closely scrutinise VMS to ensure regulations are being complied with and also to ensure that the activity of vessels is legal at all times, including during the night and at weekends. This case should therefore give confidence to fisherman acting legitimately and the wider public that everything is being done to ensure fishing activity is conducted within the law and that action will be taken in the event of illegal activity. Northumberland IFCA is committed to protecting the marine environment,

as well as the fishery off the coast of Northumberland to ensure healthy seas, as well as sustainable fisheries and a viable fishing industry”.

NIFCA Chief Executive Mike Hardy also said that “NIFCA has worked closely with the Marine Management Organisation (MMO) and Marine Scotland in the analysis of the data which has been gathered to make this prosecution possible. That collaboration will continue where necessary to ensure a joined up approach and protection of our seas. I would also wish to commend the Officers in this case for their thorough and professional approach and give an assurance to the public that we will continue to take appropriate action in respect of cases like this.”

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