

Conservation Officer's report for CFSA AGM 26th Jan. 2013.

Distinguishing between Recreational Sea Angling and commercial fishing.

Background.

The single most crucial ingredient for successful fishing, regardless of whether recreational or commercial, is FISH.

FISH have been getting both scarcer and smaller for many decades. Today's anglers can only compare the quality of their current fishing to how it was when they first started fishing.

There is however, irrefutable science to show how the 'baseline' has shifted in terms of what fishers regard as "the good old days".

So what I, and other sea anglers, regard as 'good' fishing back in the 1960s & 1970s, may actually have been significantly worse than it was in the early 1900s.

There are old historic photos of cod, so large, that it took two men to carry them across Billingsgate market a hundred years ago! Common skate used to be caught in St Ives and Mounts Bay 80 – 100 years ago! Sixteen turbot including five over 28 lbs caught in an afternoon on rod and line off Black Head in the 1960's! A 14lb plaice caught on a long line landed into St Ives in 1972!

All around the globe the signs are overwhelming – we are overfishing and not giving enough fish a chance to reach old age. What this is doing to the gene pool, no one really knows yet.

The CFSA met a couple of years ago and it was generally agreed amongst older and the most experienced members that the quality of sea angling had deteriorated by about 80% over the last three to four decades.

Since the early 1990's, the voice of RSA has been getting louder. Inclusion of RSA in the complex process of formulating fisheries policy and strategy is still relatively minimal but is increasing. I'm of an age that I can recall DEFRA (or MAFF, as it was then) stating categorically they were the sponsors of commercial fishing and had no remit or responsibility for RSA. The Government Dept. with that responsibility was the DCMS. DEFRA did appreciate however that their function of managing marine fisheries impinged on RSA.

Those of us at the coalface, representing RSA, pointed out that the Minister of Sport would find it very difficult to develop the sport of tennis without tennis

courts, or snooker without snooker tables. We asked how was the Sports Minister meant to develop RSA whilst his department had absolutely no say on fish stock management and whilst fish were becoming smaller and scarcer. Slowly, VERY slowly, we succeeded in getting politicians to recognise how RSA was excluded from playing any meaningful role in the process of formulating fisheries policies. The story is a long one and not for this AGM here today but now, some 15 years later, DEFRA are increasingly acknowledging our existence and I have here a copy of DEFRA's quarterly publication, Fishing Focus, where RSA is given some coverage.

The amount of influence RSA exerts is directly linked to its determination to be heard and unlike many other stakeholders who have provided the necessary resources for full time professional representation, RSA still relies for the most part on volunteers.

Putting our heads above the parapet and "having our say" is not easy. Our demands generally call for more restrictive management in order to end overfishing and restore fish stocks, and that message has rattled more than a few feathers and consequently attracted criticism.

And one of the most frequent criticisms of RSA has been that recreational sea anglers sell fish.

That is the stick that gets picked up most frequently to beat RSA with.

There have been letters in the sea angling press accusing recreational anglers of selling fish; there have been Sea Fisheries Committee prosecutions of individuals who retained undersized bass AND WERE SELLING THEIR bass, described as recreational sea anglers who kept and sold undersized bass; the Marine management Organisation recently issued a Press Release accusing recreational anglers of selling fish; Paul Taylor was on the receiving end of criticism of RSA selling fish during his representation of RSA on Finding Sanctuary; and I have many more example where RSA is constantly under attack because of accusations that anglers are selling their fish.

At the risk of sounding immodest, there are few anglers who have had more experience than myself, trying, as a volunteer, to represent the interests of RSA at the coal face of representation, locally, regionally and nationally, including numerous Ministerial meetings. I have had to defend RSA from the accusation that recreational sea anglers are selling their fish, numerous times.

What defence can RSA offer?

I know of no better defence than quite simply:

Recreational sea anglers go fishing for sport, for fun, for relaxation and for a feed of fresh fish for personal consumption. Recreational sea anglers do not sell their catches.

Those who fish and sell their catch, are fishing commercially.

The essential claim we have repeatedly made is that RSA is just that: “Recreational Sea Angling” and if and where fish are being sold, even when the method of capture is rod and line, such fishing activity is demonstrably “commercial fishing”.

The Common Fisheries Policy regulations describes recreational fishing as fishing where no part of the catch is sold.

The European Anglers Alliance also defines RSA as fishing with rod and line where non of the catch is sold or bartered.

The Angling Trust who robustly replied to the Marine Management Organisation accusations, also have agreed that RSA is when no fish are sold.

Even the United Nations Food and Agricultural Organisation defines recreational angling as an activity where the catch is not sold or bartered.

As Matt Pengelley of Looe once said, the CFSA has to get its house in order on this issue IF it is to be respected as a credible voice in representing RSA across the County.

I believe he is absolutely right and that the CFSA, instead of just reactively defending RSA when ever we are accused of being fishmongers, has to proactively promote the argument that the organisation represents Recreational sea angling and is nothing whatsoever to do with commercial fishing.

Informing the debate.

There are three classifications or categories of commercial fishing. This has nothing to do with ‘fishing methods’.

- A. Fishing that takes place from a boat **with** engine.
- B. Fishing that takes place from a boat **without** engine.
- C. Fishing that takes place from the shore.

The only category for which licenses have been made available is A.

Categories B. & C. have not been provided with any opportunity to become licensed.

I should add, that recently, some twenty years after licenses were handed out for category A., there are now plans to hand out licenses for category B, some time this year. I know of no plans to do the same for category C.

Consequently, the selling of fish caught from a boat with engine [category A.] that is not licensed, is illegal.

Selling of fish captured from categories B. & C. is perfectly legal.

Remember, these categories are not licensed BECAUSE licenses have never been available, not because individuals have chosen to avoid a license. That is a crucial point to bear in mind.

Licences for category A. were issued in early 1990's from the Government and applied to the boat/vessel, NOT the individual fisherman. There is no such thing as a licensed fisherman. Licenses were handed out FOC and once handed out, no more have been available. As a result, licenses acquired a value and are now traded between individuals.

So when you hear how a fisherman had to buy a license, the license is not like a TV licence, or a shotgun licence, or the road tax licence, or indeed like a freshwater fishing license, where the Government collect a regular fee. The money that changes hands for commercial fishing licences changes hands between fishermen. The government gets absolutely nothing.

As far as I am able to find out, fishing is the only extractive marine activity for which the Government does not charge. Those who build wind turbines, extract gravel, drill for oil or do pretty much anything commercially in the marine environment pay serious license fees to the government, but not commercial fishing.

An equivalent situation would be a freshwater angler applies for and gets sent a freshwater angling licence completely free of charge. Once the Government have issued a prescribed number of licenses, no more are available. The only way an individual can take up freshwater angling is to buy a licence from someone who is prepared to give theirs up or who has died.

Fishing methods and understanding how the use of rod & line confuses the issue.

I, and others, have endeavoured to defend RSA by claiming that just because an individual uses rod and line, does not mean that the user is fishing recreationally. We have pointed out that rod and line is an entirely legitimate method, used by commercial fishers for a number of species.

However, there can be no doubt that the use of rod & line to capture fish to sell is frequently perceived as recreational anglers selling fish.

Here is a true story to illustrate the point.

I recall the case of an individual in North Wales (2008) being prosecuted (quite rightly) for being in possession of undersized bass. In Holyhead Magistrate's Court, the individual was said to be in possession of 80+ bass with 20 of them less than the minimum landing size. The court heard how the individual regularly caught large quantities of bass with rod and line from the shore and sold them. The only offence of course was that of retaining undersize fish. The Sea Fisheries Committee issued a press release describing him as "a recreational sea angler".

He patently wasn't fishing recreationally! When I raised the issue with the SFC and asked them why they chose to use the description they did, I was told he was using a rod and line so clearly he was a recreational sea angler even though they acknowledged he was selling the fish. I asked them whether they would describe someone who was fishing from a licensed boat with rod and line and who had retained undersized bass as a 'recreational sea angler' and the Clerk didn't know. When I asked how their Press Release would have read if the culprit had been using staked out gill nets rather than a rod and line, the Clerk didn't know how they would have described him.

I hope all this helps you to understand why the CFSA has to address these issues, assuming the CFSA is indeed attempting to represent ONLY recreational sea angling.

Ultimately, that is not my decision but a decision for all of you to make.

Malcolm Gilbert