

New Code for Theft of Fishing Rights: 116/11 - Quote this code when reporting incidents of Fishing Without Permission to the Police

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IMPORTANT: Code for Theft of Fishing Rights: 116/11

Quote this code when reporting incidents of Fishing Without Permission to the Police

Read why below...

Fishing without permission is a Schedule 1 Theft Act 1968, and therefore criminal, offence. It is not the Environment Agency's (EA) responsibility to deal with this but that of the police. Understandably, this is not an area of law in which police officers are generally trained, so the Angling Trust are in the early stages of liaising with all 43 forces to educate officers regarding their responsibility. To date, we have concentrated, due to VBS and Operation CLAMPDOWN 2 (OCD2), on forces in SE England, all of which are engaged on joint VBS/EA/police patrols in that region and in support of OCD2. Indeed, a Hampshire Police officer recently checked, purely coincidentally, one of our Area Coordinator's licenses; this was very encouraging, but unfortunately the police's overall understanding remains inconsistent. In an effort to resolve this, last year the Angling Trust uploaded the 'Elementary Guide to Angling Law & Fisheries Enforcement' to the Police Online Knowledge Area (POLKA) - making this simply guide available to every police officer in England. This, however, relies upon an officer searching that database for information, so the upload is not a cure-all. We now, however, have one - and hence why we need your help.

Every offence which the police are duty bound to deal with has a unique Home Office Code. We now have the Code for Theft of Fishing Rights: 116/11. If, therefore, anglers quote this when reporting incidents, the police will understand that they must deal with the matter, rather than misinterpret the situation as a civil matter and/or pass the job off to the EA. Provision of the Code will mean that from the initial stage the call taker will understand that this is a police matter, and police officers responding can check the relevant instructions.

Finally, and in addition to the good news above, we have had a recent result with the Crown Prosecution Service (CPS). One of our fishery owner members was the victim in such a case of Fishing without permission, which the police duly processed, but at court the CPS lawyer completely misunderstood the Theft of Fishing Rights offence and discontinued those proceedings. Acting upon our advice, said member complained to the CPS. Gerry Wareham, the Deputy Chief Crown Prosecutor, recently acknowledged the error, apologised, and instructed all CPS lawyers to proceed with such cases - and if

in doubt liaise with Andrew Vaughan, the Lead Prosecutor. This really is a major step forward.

Dilip Sarkar MBE
Fisheries Enforcement Manager
Angling Trust