

STATES OF JERSEY

Economic Affairs Scrutiny Panel

Sea Fisheries Bag Limits

THURSDAY, 18th JUNE 2009

Panel:

Deputy M.R. Higgins of St. Helier (Chairman)
Deputy C.F. Labey of Grouville
Deputy S. Pitman of St. Helier
Deputy D.J.A. Wimberley of St. Mary
Deputy J.M. Maçon of St. Saviour
Mr. T. Oldham (Scrutiny Officer)

Witnesses:

Mr. C. Isaacs (Jersey Recreational Fishing Group)
Mr. P. Gosselin

Deputy M.R. Higgins of St. Helier (Chairman):

I will go through the Panel first and then I will ask you to introduce yourselves. So if you would speak into the microphone so that we can see what person is speaking at what time. Again, if you have read the procedural document it gives you an idea of the powers of the Scrutiny Panel and your rights under it as well. Okay, I am Deputy Mike Higgins, I am Chairman of the Panel.

Deputy D.J.A. Wimberley of St. Mary:

Deputy Wimberley, St. Mary.

Deputy J.M. Maçon of St. Saviour:

I am Deputy Jeremy Maçon of St. Saviour.

Deputy C.F. Labey of Grouville:

Carolyn Labey, Deputy of Grouville.

Deputy S. Pitman of St. Helier:

Deputy of St. Helier, Shona Pitman.

Deputy M.R. Higgins:

Okay, and Tim Oldham is our Scrutiny Officer in the middle. So if I could ask you to introduce yourselves, please.

Mr. P. Gosselin (Sea Fisheries Advisory Group):

I am Peter Gosselin and I represent the anglers and the recreational fishermen on the Sea Fisheries Advisory Panel.

Mr. C. Issacs (Jersey Recreational Fishing Association):

I am Chris Issacs, I am basically representing a number of parties. I am the Dive Officer for Jersey Spearfishing Club and I have got the authority to represent the other spearfishing club over here called Club Apnea which is a couple of hundred members, and a collection - shall I say - of individuals who are low water fisherman, because they do not have any clubs or associations themselves.

Deputy M.R. Higgins:

All right, thank you. In fact, would you mind if I take my jacket off.

The Deputy of St. Mary:

While he is doing that, can I ask what you mean by represent, Peter?

Mr. P. Gosselin:

I sit on the Sea Fisheries Advisory Panel as a voting member representing the recreational anglers or recreational fishermen.

Deputy M.R. Higgins:

Is that a particular grouping or is it ... I assume there is lots of angling groups, have you been elected to

that position?

Mr. P. Gosselin:

Appointed by the ... there is one committee now that speaks for angling, that is a group which comprises of a representative of each angling club and the 2 major competition organisers.

Deputy M.R. Higgins:

Thank you. Can I explain, to start with, that the Panel pulled this legislation, in a sense, to have a look at it early on. It was one that we looked at, we thought it is one that should be scrutinised a bit more and that is why we have gone through the consultation and we have invited not only the professional fisherman but the department and yourselves and others to give evidence. So the Panel has not got a view, I will say that to start with. We are gathering evidence and the report that we will produce will be an evidence based document. We can either recommend it go through, recommend against it, make various comments or whatever. Okay, so could I ask you if you would like to just tell us what you would like to tell us about this particular law and any concerns or any good points or whatever.

Mr. C. Issacs:

If I could first just point out that this ... we called ourselves the Recreational Fishing Group a month or so ago. Fairly recently we have had advice in which they have told us that we can officially call ourselves an association even though we have not got legal recognition. We are now calling ourselves the Jersey Recreational Fishing Association and we represent the parties, which if you go back to our correspondence there is a list of the groups and organisations who we do officially represent. So we have moved on slightly from being ... when we submitted this document to you, from calling ourselves a sort of a group to being a bit more of a formal, but informal, association.

Deputy M.R. Higgins:

Can I just clarify again, sorry I am just trying to understand this, do you have elected officers, do you have an association ...

Mr. C. Issacs:

No, no.

Deputy M.R. Higgins:

So it is still an informal thing but ...

Mr. C. Issacs:

Yes, it is still informal ... Peter, can sort of ...

Mr. P. Gosselin:

Those who can, do.

Deputy M.R. Higgins:

As we all know.

Mr. P. Gosselin:

Yes.

Deputy M.R. Higgins:

That is fine, I just wanted to clarify that.

Mr. C. Issacs:

We will be moving on to the next stage very soon, as in legislating ourselves as an official organisation through the proper process and having a constitution and officers and chairman and all that. But we have not done that yet.

Deputy M.R. Higgins:

What we are trying to understand is, yes we know there are a lot of anglers out there but we do not know how representative different people are of those anglers, whether they are representing themselves or a number or whatever.

Mr. C. Issacs:

We can provide names and contacts for all the people we claim we represent, as in here we have got all major competing clubs and organisations, including the Rod caught Records Committee, Sinkers Sea Fishing Club, Club Apnea, Jersey Specimen Hunters Group, the Jersey Spearfishing Club, the Jersey Bass Festival Committee and the organisers of the Jersey Shore Angling Festival. We have got names, numbers and contacts for all of those who will vouch that they support this association.

The Deputy of St. Mary:

Have all those people met in a pub somewhere to chat through this and then you are here because of that?

Mr. P. Gosselin:

They are all elected members from their own organisation.

Mr. C. Issacs:

They are elected from their organisations and who are, at this stage, unofficially sitting on our association.

The Deputy of Grouville:

How long has the association ... well, I know it is not technically formed yet but how long have you been having meetings?

Mr. C. Issacs:

Approximately about a month.

The Deputy of Grouville:

Right.

Deputy M.R. Higgins:

This is basically in response to the legislation, is it?

Mr. C. Issacs:

This was ... we all of a sudden, as you can see ... we all of a sudden realised when this sort of raised its head again that it was a potential reality and maybe it would happen and all of a sudden that has spurred people into action and thought: "Right, we have just got ..." Our views obviously, for whatever reason, were not put forward properly or were not considered properly in the past and we must have let it drop over the years and all of a sudden we thought: "Right, we have got to do something about it now."

Deputy M.R. Higgins:

In fact, can I just ask you to go back through the history of this. What we are trying to establish basically what involvement you had before, what was being said, what was being done and how we got to the position we are at now where the legislation has come forward. That would be useful to us.

Mr. P. Gosselin:

Can I just come in here? I was at the very, very first meeting to propose this type of legislation. At that time I was not representative of anybody, there was no representation for leisure fishermen on the Sea Fisheries Panel. I was called in at very short notice to provide an angling presence while the legislation was proposed.

Deputy M.R. Higgins:

Can you give us an indication of when that was?

Mr. P. Gosselin:

About 18 months ago, 2 years ago. At that time we were not made aware of the depth or the range of what was proposed, only that the commercial fishermen were complaining that they were not making enough money and that they were laying the blame at the foot of the angling fraternity who they allegedly thought were selling a large quantity of fish through the back door. The legislation was primarily at that time aimed to cease that problem.

Deputy M.R. Higgins:

At that time did they give you any evidence to support what they were saying?

Mr. P. Gosselin:

No.

Deputy M.R. Higgins:

What sort of proposals were they making? Did you see a draft law or proposals for a law at that stage?

Mr. P. Gosselin:

No. No.

The Deputy of Grouville:

So they were saying that it was only for commercial reasons, that it was not for conservation reasons?

Mr. P. Gosselin:

There was no mention of conservation at all. It was ... the proposals came from the Economic Minister at the time direct, not through the panel. They were proposed by him at the meeting and my involvement was after he had left I left the meeting as well.

Deputy M.R. Higgins:

Can you just confirm who the Minister was at that time?

Mr. P. Gosselin:

Yes, Ozouf.

Deputy M.R. Higgins:

Philip Ozouf.

Deputy S. Pitman:

So did you have anything ... you say proposals, were you given anything in black and white?

Mr. P. Gosselin:

No.

Deputy S. Pitman:

You were not? So what were the proposals?

Mr. P. Gosselin:

The proposals were that measures should be introduced ...

Deputy S. Pitman:

There was no detail?

Mr. P. Gosselin:

No.

Deputy M.R. Higgins:

Sorry, I just want to go back to this. It is the Minister himself who said this legislation was going to

come in?

Mr. P. Gosselin:

Yes.

Deputy M.R. Higgins:

What did he say to justify bringing the legislation in?

Mr. P. Gosselin:

He had been approached by a group of commercial fishermen whose income was suffering. I mean those were not his exact words. To be perfectly honest, I was not feeling 100 per cent at that time and I was not ... I did not make notes, I had no idea of what the meeting was going to be about.

The Deputy of St. Mary:

So you were literally pulled in for this ...

Mr. P. Gosselin:

Yes, as an angling representative. Prior to that I had spent 15 years as the Sea Anglers' representative on the panel, but at that time I had been absent from the panel for 5 or 6 years.

Deputy M.R. Higgins:

Specifically for that meeting you had had no briefing?

Mr. P. Gosselin:

No. I had a couple of minutes briefing from Simon Bossy immediately prior to the meeting but nothing in depth.

The Deputy of Grouville:

During the meeting did he give you any papers to support his arguments?

Mr. P. Gosselin:

No.

The Deputy of Grouville:

Did he say that he was representing or that this had come from all the commercial fishermen or just a random grouping?

Mr. P. Gosselin:

I was given the impression that this was a group of commercial bass fishermen who were lobbying the Minister.

The Deputy of St. Mary:

Was there any discussion within the panel, because here comes the Minister, he says such and such, and then what happened?

Mr. P. Gosselin:

What happened? I left the meeting.

Deputy M.R. Higgins:

So it was basically a statement and that was about it?

Mr. P. Gosselin:

Yes, if you want to put it that way, yes.

The Deputy of Grouville:

Did he put it to you that these bag limits were a fait accompli or it was up for discussion?

Mr. P. Gosselin:

Based on my previous experience of the way the panel have worked, I assumed, perhaps erroneously, that these would be brought forward in the form of a proper proposal and then debated openly but at that time I did not receive minutes or any further information until about 3 or 4 months ago when this reared its head again.

The Deputy of St. Mary:

Were you invited back to other meetings?

Mr. P. Gosselin:

No.

Deputy M.R. Higgins:

Did anybody else go to meetings that you are aware of, representing anglers?

Mr. C. Issacs:

There was a period just before Peter was brought in where Keith White - you will probably see the name come up - he was ... as I say, it all gets a little bit complicated because approximately 2-2 and a half years ago the first time that the subject of this bag limit was brought up, a group of recreational anglers, about 200, all gathered in the Société Jersiaise meeting room and we all had a big meeting chaired by Andrew Syvret. At the time Andrew Syvret had recently been sitting on a panel, I think, in that position, he was announcing that he was no longer sitting in that position and somebody else had to take over his position on the panel. That was part of his reason but the second reason for getting everybody together was over the bag limit suggestion. After that meeting, probably a matter of weeks after that meeting a small core group got together under the banner of the Recreational Association in an informal way, as we are now, basically to advise a representative to sit on the panel to put our views forward. There was nobody that wanted to sit on the panel at the time apart from Keith White. I was in that small core

group, one of about 4 or 5 people who was basically advising Keith on the views to, to put forward to the panel. That all went a bit wrong. Keith went to a couple of meetings and then sort of just stopped going and we are really not sure exactly ... nobody is really sure exactly what was agreed fully by him or what was said and we cannot seem to get any sense out that situation.

The Deputy of Grouville:

So what you are saying is he was there to put the views across and he did not. Do you know what he did put across?

Mr. C. Issacs:

I was there ... he attended possibly 2, maybe 3, panel meetings and I was there sort of in his small core group every time after every meeting. Everything that Keith was saying, everything we were saying and what he was saying on our behalf was based on the assumption that we had absolutely no say whatsoever in this, that it was a foregone conclusion, we had been specifically told by numerous parties involved in this, including - and we cannot prove this - at one of the public meetings by Mike Smith, that it is a foregone conclusion, bag limits will come in. We can either object to them and achieve nothing or we can support them and try get something out it. So Keith White did sit on the panel for those number of meetings on that basis, that we fully believed that we had no option to object whatsoever to it, we just had to go along with it and try and basically sort of grovel to the commercial fisherman: "Please make some concessions on your side just to demonstrate you are not trying to stamp on us."

The Deputy of St. Mary:

How do you get that feeling ... that is very important that people get a feeling that they do not really have an input. So how do you ... and Keith White sits there and apparently ... can you explain how that happens?

Mr. C. Issacs:

The impression, the feelings that I have got from that are not directly through Keith White. This was primarily an impression that was put across to us sort of at the Société meeting. We were told publicly that it was a foregone conclusion, it had had ministerial approval here. It had initial U.K. (United Kingdom) Secretary of State approval. We were told that at that stage.

The Deputy of Grouville:

So when was this?

Mr. C. Issacs:

This was a couple of years ago.

The Deputy of St. Mary:

Have you got a date?

Mr. C. Issacs:

I could probably provide a date but I cannot remember when it was. It was at a Société meeting that all the recreational anglers got together ...

The Deputy of St. Mary:

There was a fair number of them?

Mr. C. Issacs:

Yes.

Deputy M.R. Higgins:

If you could provide the date it would be very useful. Also can I ask who, again, was it that made these statements about the ministerial approval was there, the U.K. approval was there and so on? Who made all these statements? Was it the same person?

Mr. C. Issacs:

Fisheries ... as I say a Fisheries ... and I seem to remember it being someone from Fisheries stood up and made that comment at that meeting. I cannot remember, I think it was Mike Smith; I do not think it was Simon Bossy, I think it was Mike Smith. Following that Keith White, as he reported back to us - the small group ...

Deputy M.R. Higgins:

A steering group effectively.

Mr. C. Issacs:

Yes, the recreational steering group.

Deputy M.R. Higgins:

It was the representatives of the different angling organisations, like a steering group.

Mr. C. Issacs:

As he reported back to us following those meetings the same feeling was portrayed that basically: "Do not bother trying to object to this, you go along with it and try and get something out of it or get nothing."

The Deputy of Grouville:

So it was not necessarily Keith White misrepresenting the group with what he was told?

Mr. C. Issacs:

It was what he was told, there is also ... this is where it get slightly complicated because Keith has also got his own personal ... had his own very strong personal ideas about this in that he, unlike the majority of recreational anglers, wanted bag limits anyway, no matter what. He is a so-called elite catch and

release fisherman. Every bass he catches goes back alive and that is what ...

The Deputy of Grouville:

For conservation reasons.

Mr. C. Issacs:

Yes, very much so.

The Deputy of Grouville:

He did not appreciate these bag limits were for commercial reasons?

Mr. C. Issacs:

He did not seem to be totally against them because he was quite happy with them coming in anyway because anybody who puts any fish back is of benefit as far as he is concerned, to him and to everybody else.

Deputy M.R. Higgins:

Okay, one thing I would like to establish, were there any minutes or any documentation along with this verbal feedback you had been getting about what was going on? Is there anything that we can see.

Mr. C. Issacs:

Not for the verbal feedback that came from Keith to us because it was ... it was all done in a fairly informal way. It was not all minuted and everything. There will be obviously documentation of the minutes of the meetings of the Advisory Panel where Keith sat. That may not reflect any of his sort of objections to it because his position on there ... which myself and Tony Hart and 3 or 4 others sent him to sit on the panel to try and negotiate for us. Not object to it because we really did not think we could object. So to try and negotiate some concessions out of the commercial fishermen.

Mr. P. Gosselin:

Can I just come in there? Mr. White has an extremely strong personal view. His agenda is extremely Mr. White, to the exclusion ... I know him quite well. In fact at one stage I employed him. He is the ultimate elitist in angling and believes that his view is the only permissible one. To that end, it was one of the reasons why he did not work for me for very long. **[Laughter]**

Deputy M.R. Higgins:

If you could now take us forward then from those meetings and bring us up to date.

The Deputy of St. Mary:

Just one more question on this steering group, or sort of steering group, when Keith White reports back to this little group that is a sort of regular meeting and if he is not there you are still meeting?

Mr. C. Issacs:

No, he needed to be there because he was the representative, our supposed representative.

The Deputy of St. Mary:

It was literally a feedback thing?

Mr. C. Issacs:

Yes, a feedback thing.

The Deputy of St. Mary:

Then those representatives would then feed back informally to ...

Mr. C. Issacs:

Well, to their groups and organisations, which I would have to say at the time was not particularly ... I could only represent, as I say, one or clubs that ... we have not got, or we did not have that time,

anywhere near the representation we have got now, not even touching on it. (Addition for clarification - I was the only fishing club representative.)

The Deputy of St. Mary:

Okay, fine.

Deputy M.R. Higgins:

Before you go forward, if I could just ask one other thing then, you mentioned that Keith White went to, was it, 2 meetings, 2 or 3 meetings?

Mr. C. Issacs:

I am estimating, yes.

Deputy M.R. Higgins:

Did you have anybody else who went after him or was the decision already done and dusted by the time he finished?

Mr. C. Issacs:

I think that is what happened. I think in the few meetings he was there, because he gave his ... because they could then claim unanimous support for this because even the recreational guy, as in Keith White, was saying he supports the bag limit proposal, then I think that was enough for the panel then to move forward. So that all happened, all this happened in a short space of time of a few meetings.

Deputy M.R. Higgins:

Right, if you can bring us forward to the present day, if you can, and anything else that you want to add.

Mr. C. Issacs:

After that point ... as I say, after a very small number of meetings Keith White stops. We are really not

sure what happened, there are some personal things involved, but he no longer turned up for the panel meetings, no longer met with this group and just disappeared, effectively. Then the panel had no representative whatsoever for the recreational fishermen for - how long was it, Peter?

Mr. P. Gosselin:

Two years. Up until about last September.

Mr. C. Issacs:

Until Peter basically came back in.

Deputy M.R. Higgins:

Okay, so, Peter, can you bring us forward then from last September.

Mr. P. Gosselin:

After I joined there were a couple of references to the legislation, primarily that it had been ... I think the first reference was it was delayed and the panel was annoyed that it had been delayed going through the Privy Council. Then the next reference to it was that it had passed the Privy Council and ... I cannot give you dates, I have not researched that part. I apologise for that. Until a lot of anglers suddenly started to realise that the implications were not based on conservation but on pecuniary gain for commercial fisherman, it was almost a non-event. About 5 or 6 months ago when people started to realise, some people had picked up they could view the legislation ...

Mr. C. Issacs:

One thing also regarding this misleading or missing information, at no point has it been publicly put out in the *J.E.P (Jersey Evening Post)* or any sort of public form of documentation, or to general consultation. The proposal itself **[Interruption]** there was some critical points missing from it which even now a lot of recreational fishermen do not understand, which relates to ... but being an enabling law, as in once the law comes in, it will not require sort of to go back again to have more species added

to the list and the species already on there be lowered in numbers or quantities. That has been, I would almost say, selectively omitted from almost everything. But, as far as we understand, that is the case. It does not even appear in the whole full draft document here.

Deputy M.R. Higgins:

The document there is obviously regulations which come under the primary law. So you are correct in saying that there is an enabling law which gives the overall powers, and again we are going to have to look a bit more closely at the enabling law, but that the comes underneath it, yes, to bring the requirements into the law and they can be amended easier obviously than changing primary legislation.

The Deputy of Grouville:

Yes, it will just be down to the Minister and he will probably delegate it to one of his officers.

Mr. C. Issacs:

But we have been struggling to try and get that point across to the recreational fishermen when we are trying to get their comments and feedback on this, they are saying: "That cannot be right" and we are saying it is.

Deputy S. Pitman:

Can I just ask then, in the regulations that currently exist there is absolutely no input in there from your organisation?

Mr. C. Issacs:

Sorry, the current regulations?

Deputy S. Pitman:

Yes, the draft regulations.

Mr. C. Issacs:

The only input into this that came from us would have been for those couple of meetings when Keith White was sat on the panel where he was quite happy to sort of go along with the bag limits, as I say, for 2 reasons. One for his own personal reasons and, secondly, because we - all of us - honestly believed that we had no other option. We thought we were really going to come out of it with nothing otherwise.

Deputy S. Pitman:

So there is nothing in the regulations that has come from you?

Mr. P. Gosselin:

No, not directly.

Mr. C. Issacs:

Keith did ask for some sort of commercial concessions and there is nothing appeared in the regulations to suggest that there is going to be any form commercial concession for the bag limits.

Deputy M.R. Higgins:

Did you have any discussions, though, about the number of fish they are talking about, or number of lobsters they were talking about?

Mr. C. Issacs:

Yes, yes, yes. We have gone into that in quite a bit of depth in our analysis which we have submitted.

Deputy M.R. Higgins:

Can I just ask one other question, too? Going back to the enabling law, did you have any input at all into the enabling law?

Mr. C. Issacs:

Well we did not know it was an enabling law until we were told it was.

Deputy M.R. Higgins:

Okay, that is fine.

The Deputy of Grouville:

So the reasons why you had input into how many bass, how many lobsters ...

Mr. C. Issacs:

No, sorry, we did not have an input into that.

The Deputy of Grouville:

You did not have? Right, okay.

Mr. C. Issacs:

No, but those figures, as they say, are not unreasonable but we have totally taken that whole argument apart in saying you cannot go down and catch 20 ormers anywhere now. Ormers are not a commercial species, why should they be in there?

Deputy M.R. Higgins:

I do not want to cramp your style in terms of how you make your presentation to us because we are here to hear what you have got to say, but obviously you feel ... different things have been said that it is flawed or whatever you think is unreasonable. Can you just take us through it so we have got it all down; one we will have it on tape and, secondly, we can listen to what you have got to say and then we can perhaps question you on some of it.

Mr. C. Issacs:

Yes. We did try and sort of almost put it down in writing in this document we submitted. That has all

been approved by ourselves, by the people we represent, so that ... we were intending on that being our verbal submission so to speak.

Deputy M.R. Higgins:

Okay, but is there anything you want to expand on, or you even just want to take us through. We have got this and we will be taking note of it and it will form part of our report but we would like to hear what you have got to say on this as well.

Mr. P. Gosselin:

Can I start on the - pages are not numbered - analysis of the draft proposal document, the first item, the benefit of regulation, setting restrictions on the number of fish or shellfish that maybe caught by a recreational fisherman. Everywhere in the world where there are bag limits, and I mean everywhere that we have been able to find using our contacts, using the internet, we cannot find anywhere where bag limits are applied on their own to recreational fishermen. They always go hand in hand with some form of regulation of the commercial effort. It would be counterproductive, I think, to even believe that restricting part of the sector would produce benefits.

Deputy J.M. Maçon:

Why do you think that is done? Why do you think it applies to anglers and commercial fishermen at the same time?

Mr. P. Gosselin:

Because we are dealing with a mobile stock, we are not dealing with a pile of boxes here and a pile of boxes there. We are dealing with a stock which is interactive with its environment. We are not dealing with definitives.

Deputy J.M. Maçon:

Do you think that it is down to conservation in other areas and not down to protecting commercial

interests?

Mr. P. Gosselin:

Every area where I have been able to view, where there are bag limits, it was part of a conservation effort, but on the whole sector.

Deputy J.M. Maçon:

Yes, okay.

Deputy M.R. Higgins:

Just carry on, please.

Mr. P. Gosselin:

I cannot say anything more on that.

Deputy M.R. Higgins:

No, no, just any comments you want to make on any part of the document.

Mr. C. Issacs:

We did try our hardest to try and put everything down as accurately and as succinctly as we could in the document so we would not have to sit and basically read it all through to you now. But ...

Deputy M.R. Higgins:

I am grateful for it because, again, we will be going through all these in detail, I can assure you, and we will be taking note of them but I really want you to use the opportunity to draw out anything in particular that you want to.

Mr. P. Gosselin:

I know you are the diver but there is a thing on scallops.

Mr. C. Issacs:

The scallops I do not think ... it is not a major point. It is picking ... what we have done is dissect it, we have dissected it part by part. The report ...

The Deputy of St. Mary:

On the ormers, which is your third points, others have said, or one other has said if ormers were restricted to 20 a day, I think it is, then anyone who has got half a brain and knows where there are more than 20 ormers will go there next day and get another 20. But then so what? You see, I do not know how you react to that.

Mr. P. Gosselin:

Sorry, that ...

The Deputy of St. Mary:

Because the ormers is one third of this proposal after all.

Mr. P. Gosselin:

Firstly, there are only 3 or 4 tides a month for 3 or 4 months a year when you are permitted to take ormers. The idea of taking 20 and then going back to the same venue and finding another 20 is almost ludicrous.

The Deputy of St. Mary:

Yes, okay.

Mr. P. Gosselin:

They are not that common. Nobody that I know of these days can work that hard. The main part of the

ormer population is beyond the reach of shore gathering. The ones that are taken legally migrate inshore. If there is a large amount of ormers appearing on the market then it is almost certain that they are taken illegally with diving equipment. But the shoreline does not produce enough ormers for everybody in the Island to take 20 ormers per day, 3 tides a month during the season.

The Deputy of St. Mary:

Is it a reasonable measure in view of the fact that ormer stocks might recover from this disease? So if they were to recover what would be the position then?

Mr. P. Gosselin:

There would still be insufficient stock. Ormering has always been the pursuit of a tiny minority which is why they are so highly priced. If they were available in huge quantities nobody would want them.

The Deputy of St. Mary:

Fishing on the Minkies, how does the Minkies ormering or whatever it is ormering is called ...

Mr. P. Gosselin:

Well, it is still in recovery.

The Deputy of St. Mary:

Sorry, it is still recovering.

Mr. C. Issacs:

It is probably about the only place where you possibly could go now and get a catch of exceeding 20 ormers. You would be very, very hard pushed to get that around the immediate coastline of Jersey, not because there is none there but because the rest of the stock is ... you cannot get to them. They are just sometimes only a few metres away but underwater.

The Deputy of St. Mary:

Forgive my ignorance, is diving for ormers illegal full stop?

Mr. P. Gosselin:

Yes.

The Deputy of St. Mary:

So you are saying if they appear on the market somebody has been diving, how would ...?

Mr. P. Gosselin:

Not 100 per cent certain because there is somebody farming them.

The Deputy of St. Mary:

Okay, right.

Mr. P. Gosselin:

But it is their scarcity that makes them valuable.

The Deputy of St. Mary:

Is the anti-diving provision enforced, in your view?

Mr. C. Issacs:

As much as possible, yes. There has been some boats ... there has been boats confiscated by Fisheries, yes, they are very sort of strict on that.

The Deputy of St. Mary:

How many times a year would you say that there is an enforcement and you can say somebody has been ...?

Mr. P. Gosselin:

Every time one or other of the Sea Fisheries officers is on duty somewhere, as far as I am aware.

Deputy M.R. Higgins:

How do they police it? Are they using a vehicle, are they using a tug or are they using ...?

Mr. P. Gosselin:

They are on the shore.

Deputy M.R. Higgins:

They are sort of roaming around, are they?

Mr. P. Gosselin:

They stand on the slipway and they have the right to inspect your catch and they measure the catch.

The Deputy of St. Mary:

But what are they looking for, size or ...?

Mr. P. Gosselin:

Size, yes.

The Deputy of St. Mary:

Size, but whether you come out of the sea in a wetsuit? How do they police that diving, because enforcement is an important part of this whole thing?

Mr. P. Gosselin:

It is very difficult. Very badly.

Deputy S. Pitman:

So would you say that the current laws in place are enough to protect the ormers at the moment, and the other fish ... just the ormers at the moment?

Mr. P. Gosselin:

Well, our area of expertise, to be perfectly honest, does not lie in policing or the ormer fishery. Primarily we are what was termed wet fishermen.

Mr. C. Issacs:

I am a diver as well so I have got a pretty good idea of what happens underwater.

Deputy M.R. Higgins:

Sorry, we are getting the message about the ... we understand that you are not the policers of this, but we are trying to understand to what extent it is policed from your knowledge.

Mr. C. Issacs:

I think personally the fisheries have put quite an effort into policing the current ormer and low water fishing situation. It is almost impossible to tell how successful that is because they do not know how many people they do not stop.

Deputy M.R. Higgins:

Have you ever heard of any prosecutions?

Mr. C. Issacs:

As I say, as I mentioned, there has been some fisherman, we can confirm those ... there have been quite a number and involving people's boats being confiscated. So there have been ... that is a very serious deterrent for anybody who is thinking about doing anything involving a boat with ormers. The

implications are less on the shore because you can only be fined.

Deputy M.R. Higgins:

That is ormers, but ...

Mr. C. Issacs:

Yes, that is ormers, that is one specific thing.

Deputy S. Pitman:

But there is already legislation in place for that?

Mr. C. Issacs:

Yes.

Deputy S. Pitman:

The key for these bag limits is the commercial element. Also we are told of the bass fishermen.

Mr. P. Gosselin:

Yes, there is no commercial targeting of ormers by a large part of the commercial fishery. It is a red herring, if you like.

Deputy M.R. Higgins:

Just like a sweetener?

Mr. C. Issacs:

That is ... as we have mentioned, we really strongly believe that it was put in there for that reason because we seriously believe that a bag limit of 20 ormers will achieve absolutely nothing to the overall stocks.

Deputy M.R. Higgins:

I might add that we all noticed from the beginning, it is one of the reasons why we did decide to consider this, that the only one we were conserving was ormers. The only conservation issue ...

Mr. C. Issacs:

Yes, that is true. It is true, that is the only measure which is a claimed conservation measure, yes.

The Deputy of Grouville:

So if this whole idea is to protect the commercial element of the bass fishermen and some of the lobster fishermen, because they have introduced a restriction ...

Mr. P. Gosselin:

Well, lobster fishing is another red herring.

The Deputy of Grouville:

Yes, because there are plenty. So there is obviously an element of commercial fishermen who are complaining about the commercial side?

Mr. C. Issacs:

Not with ormers, with bass primarily.

The Deputy of Grouville:

Yes, with bass.

Mr. C. Issacs:

Primarily with bass.

The Deputy of Grouville:

Because this is why we are told that these bag limits ... I believe Senator Ozouf explained that he was getting lobbied by bass fishermen. So this is why this is ... these regulations have been tabled. So would there be, in your opinion, a better way of dealing with this?

Mr. P. Gosselin:

Yes, quite simply allow predation (added for clarification – ‘taking by fishermen’) only of mature stocks. At the present time the majority of the predation takes place on stock which are yet to breed. Partly due to demand from restaurants, we do not have a great deal of top chefs in Jersey, as you know. They all want convenient plate sized fish. Quite happily rip off the customer, charging them £16 for 2 ounces of flesh. Sorry, that is a thing of mine. **[Laughter]** Do not ever eat fish in a restaurant. But at the moment the size limit is 2 or 3 seasons before breeding. Pawson and Pickett 1994 did a huge amount of research on the maturity of bass. They estimate, or they proved, that bass mature at 42 centimetres.

The Deputy of St. Mary:

That is they can breed?

Mr. P. Gosselin:

That is their first breeding year when they attain 42 centimetres. If you raise the size limit to 45 centimetres and give them effectively - every fish - 2 breeding seasons, perhaps 3 in a good year. If they have good growth there then the stocks will become more sustainable.

The Deputy of Grouville:

I did not believe the bass was for conservation reasons, it is for commercial.

Mr. P. Gosselin:

Sorry, you asked us if there were a measure that would work, everywhere else in the world where they

have introduced size limits that allow the stock to breed, the stock generally increase where everything is kept equal.

Mr. C. Issacs:

I think there is a slight misunderstanding there, are you asking about anything that would resolve their problem with the illegal sales?

The Deputy of Grouville:

Yes, because obviously there is an element of illegal sales, so would there not be or is there a better way of dealing with the illegal sales rather than introducing these bag limits, in your opinion?

Mr. C. Issacs:

I have got the Defra publication here which is called *Chartering a New Course*, it is October 2005 starting a new direction with fisheries policies and management. It is all readily available on the internet, we can pass you on copies. That just makes lots of comments which I have earmarked here which support our case, funnily enough. One of their aims is to improve transparency and traceability in compliance - this is to do with sales of fish, all right - for example through the registration of buyers and sellers, electronic logbooks and administrative penalties. That is how you deal with the illegal sales. This is in the Defra document.

Deputy J.M. Maçon:

I am interpreting that as saying you should put some sort of burden of proof on retailers, is that what that is suggesting?

Mr. C. Issacs:

You bring in legislation that says that anybody who purchases bass on a commercial scale - how you establish that at this stage I am not sure - must be registered as a sort of commercial bass purchaser. They could be subject to checks from Sea Fisheries or whichever authority, for any bass on their

premises, to check where those bass have come from. If they open the freezer and they have got 20 bass there, to say: "Right, where did those 20 come from?" and they can produce a receipt to say: "They came from this, this, this" whatever his name is, licence number or whatever. Now that is perfectly feasible, perfectly enforceable and would not require a relentless amount of resources because the deterrent value on that for these - assuming the penalties are high enough - purchasers would be more than enough to say: "Look, I am sorry, I am not going to risk buying them off you because if Fisheries happen to come around tomorrow and say: 'Where did you get those bass from?' I am stuffed."

Deputy M.R. Higgins:

Is there any other method you like to put forward or suggest could be used?

Mr. P. Gosselin:

There is a possibility that each commercial fisherman is given tags which are then attached to the fin of each fish. Once those tags are attached they can be numbered, the fish traceable from the commercial fisherman through to the point of sale. The whole thing of selling fish ... to my mind asking us about it is a bit of a no no, because anybody who sells fish is a commercial fisherman, regardless of how they do it and the professional fishermen or the commercial fishermen's association should be on top of policing their own industry. What they are doing is sidelining their faults and putting them on to the recreational fishermen saying it is our fault there are faults in their system.

Deputy S. Pitman:

What they are saying is that there is enough recreational fishermen selling fish which is affecting the commercial market significantly.

Mr. P. Gosselin:

Sorry, I just stated that anybody who sells fish is involved in commerce and there are therefore commercial fishermen. They are no longer recreational fishermen. We cannot speak for people who are not part of our group.

Deputy M.R. Higgins:

Okay, could I ask the question, it is alleged by the commercial fisherman that there is a small number of people, that they know who they are ... are you aware of anyone who is selling fish, who has not got a (j) licence or a boat and is selling fish?

Mr. C. Issacs:

We all have our suspicions, shall I say. We certainly could not go as far as naming names but we also have our suspicion ...

Deputy M.R. Higgins:

If you believe that you could, you would be protected under the ...

Mr. C. Issacs:

No, I am sorry but I am not getting into that one, but ...

The Deputy of St. Mary:

On a fairly large scale or on a small scale? Are we talking about 3 at the back of local pub or are we talking ...?

Mr. C. Issacs:

I could name you one case, not personally as a name but I could give you one example of somebody who recently, going back a few years ago, retired for work as a prison warden, they spent 2 or 3 years fishing all day, every day in St. Ouen in a little boat with no fishing licence, putting nets all across the bay, and much to our annoyance they sold most of their fish to the Atlantic Hotel but they did not, like, turn up with the fish and the man holding the money while the Sea Fisheries officer is standing there watching them, okay, it was all done ... it is almost unenforceable law because you only ... he was giving it to his friend, his friend would go and sell it, then somehow the money would find its way back

to him. He did that for almost a year (added for clarification - before purchasing a license) and the Fisheries could only stand there and watch him do it, we seen them come down the beach and check him and watch him drive off with crates of fish. The Fisheries officer knows what he is doing with those but he knows he cannot follow those fish to the point where money changes hands for them. So, that is just one example but there are very few, a handful at the most, of people who have ever done it on that sort of scale. That is effectively, as Peter was saying, on a commercial scale. (Added for clarification reference the earlier point - This was not an example of a recreational fisherman selling surplus fish, this was a full time commercial fisherman fishing without a license.)

The Deputy of St. Mary:

They are ones who are doing the damage to the market. If I go out and magically catch 6 fish and sell one, so what.

Deputy J.M. Maçon:

So, in your opinion, is there therefore then a problem with the licence given and the enforcing of such licences? Would you suggest that perhaps is more of the problem?

Mr. C. Issacs:

We suggest that is all of the problem in dealing with what they are claiming. The whole proposal - I mean, you have probably gathered by now, even just reading it - is nearly 100 per cent based on this commercial interest issue. The reason for that is because the current law is effectively unpoliceable, totally. Because it is so full with blatant loopholes and means of avoidance that the people are almost breaking it in face of the Fisheries officers who cannot do anything about, and we know that is the cause of much annoyance (added for clarification - to fisheries). There are possible ways but, as I say, we are not experts on that side of things, of toughening up and giving them more monitoring enforcement surveillance powers which I do not think they have got at the moment, Sea Fisheries, I think there is only ...

Deputy M.R. Higgins:

I think if you check something like regulation of investigatory powers, they are probably on the list of having surveillance powers, yes.

Mr. C. Issacs:

Well, maybe they have but they ... you know, we sympathise with them because we do not agree with these guys who are sort of doing this either. But, on the other hand, not agreeing with those guys doing it is a slightly different issue to us accepting penalties on all of us because of this little handful.

The Deputy of Grouville:

So if they were to target these core fisherman, and if you know who they are then they must know who they are or they are not doing their job properly, tagging fish tails or a sort of paper audit trail within the restaurants ...

Mr. C. Issacs:

The audit trail is probably the key to ... we think is the key way forward to them resolving that particular problem.

The Deputy of Grouville:

Could be a way forward rather than introducing ...

Mr. C. Issacs:

The bag limits, as we have mentioned, totally and utterly unenforceable if somebody is already breaking the law selling illegal fish. They have already got all their loopholes and everything worked out. Bag limits - it is not in our interest to go through the whole list of them - have got a whole load of loopholes and things for avoidance as well that can be fully exploited by these people already breaking the law. So it will make absolutely no difference to stopping them doing what they are already doing.

Deputy S. Pitman:

What are those loopholes?

The Deputy of St. Mary:

Shall we go into camera? [Laughter]

Mr. C. Issacs:

As an example, you could go out and you could catch X number of, say, bass, you can give it to a friend. He can go off and take them home, or go and do something with them, catch another 5, give them to somebody else all in the same day, as long as you are not caught at any point at any time with more than 5 in your possession, fresh bass, then you are okay. You can take them home, freeze them, go and catch another 5. There are huge loopholes in it. Do not get me wrong, I am not saying that bag limits laws do not work, the whole basis on which they do work and they have worked in other countries and other places, is on some respect for the law and some co-operation from the recreational fisherman on what it is trying to achieve, and they will work on the innocent majority. It is the non-innocent minority who they will not work on which is what they are actually supposedly, according to this documentation, going to tackle.

The Deputy of St. Mary:

Yes, that is the thing, you are claiming it is not fit for purpose that if you have this law will not make any difference.

Mr. P. Gosselin:

This legislation, as it is, is not going to change the behaviour of a minority of people. Therefore to our eyes it is bad legislation, it achieves nothing. It is, if you like, an administrative burden but the department has already claimed it is not going to increase their burden. Then why do it? Besides which there is a sting in the tail. This legislation only applies to Jersey people. According to one of the codicils at the end, it does not apply to French boats or English boats.

Deputy M.R. Higgins:

Do not worry, we have picked that up.

Mr. P. Gosselin:

Yes, but it does not say whether those boats are licensed or not in the legislation so a defence in law is that I am of a different nationality, that does not stick too well in an old Jerseyman's craw.

Deputy M.R. Higgins:

Sorry, Tim, what time is the next one?

Mr. T. Oldman (Scrutiny Officer):

3.30 p.m.

Deputy M.R. Higgins:

Okay, so we are going quite well. What I wanted to do, you have come up with some very, very good information for us ...

The Deputy of St. Mary:

There was something that Peter said just then, if it is not going to affect the behaviour of this minority ... not that is not the tack, no it is teasing out also why this legislation is found to be oppressive by your members, if you spell that out sort of exactly because 5 fish, enough for my family.

Mr. C. Issacs:

It is not the numbers that we are objecting to, it is the principle. We are objecting on principle to what is being proposed. Also, if you remember, we said earlier on, it is an enabling law. It might be 5 now but they can bring any other species they like in, put them on the list, and they can even bring the 5 down once it is all in without having ... with just one sort of ministerial tick on the box or something like that. So it is the principle on which it is being brought in. If it is brought in on this principle now, the

principle that it is justified and right to do this to protect the interests of commercial fishermen, then the next time a commercial fisherman comes back and says: “We think it should come down to 2 because we are still struggling to sell our fish, **and we think there should be green pot and there should ...**” I mean, what is going to happen then? If this is a precedent, and if this is anything to go by, the same will happen again.

Deputy M.R. Higgins:

Two things: obviously there is also the question of the maximum £20,000 fine. What was your thinking about that?

Mr. P. Gosselin:

It is non-discretionary.

The Deputy of St. Mary:

Is it?

Mr. P. Gosselin:

According to the legislation as we read it, it is non-discretionary. There is a fine, if you are guilty it is £20,000.

Deputy M.R. Higgins:

We think it is “up to”. We had 2 different versions.

The Deputy of St. Mary:

Anyway, we will check that.

Mr. C. Issacs:

The figure is ludicrous obviously, considering what we are talking about.

Deputy M.R. Higgins:

I might add, by the way, it is another reason why we decided to look at the law as well.

Mr. C. Issacs:

I am not surprised.

Deputy M.R. Higgins:

Can I just ask you as well ... I am going through the same thing as you did.

Deputy S. Pitman:

Can I ask something while you are thinking? I just wondered if your organisation had any discussions with the commercial fishermen on the subject, on the way forward?

Mr. P. Gosselin:

The panel have been informed of the fishermen's opinions. We have never been invited by the commercial fishermen to discuss it. This is an unprecedented situation. We are unsure of the way forward. I am definitely unsure of who do I talk to and what do I say that does not make the situation any worse.

Mr. C. Issacs:

That is why there was this period after Keith White where the Fisheries Department were phoning individuals: "Please come and sit on the panel to represent recreational fishermen." We were turning around and saying: "What for?" Only to be told that basically that these bag limits are happening and that is that. No say about it. We were not being asked to come and sit and discuss and negotiate, we were just being asked as a presence on the panel.

The Deputy of St. Mary:

Can I follow that up because I have got a question, going back to a page in my notes, consultation, I think you mentioned it in connection with Keith White - it is all coming back to me. Exactly what consultation has there been?

Mr. C. Issacs:

With who?

The Deputy of St. Mary:

Normally with a law that is going to be this contentious, that affects so many people you would put out a Green Paper, you would ask for comments and instead of us getting wads and wads of letters, which we have had, this would go to the department and they would have to sift through them and they would have to reply and they would have to create a consultation paper saying what the views have been.

Mr. P. Gosselin:

Outside my remit, I am afraid, because I was not involved.

Deputy M.R. Higgins:

I think, to be honest, you have answered the question, there was not any wider consultations.

Mr. C. Issacs:

It would be that you would have evidence of it, somebody would be able to produce the documents, say: "Look this was a consultation that went out to public through the *J.EP.*" or whatever channels. It did not go out because it did not exist. We have got, just as an example, a copy here of Guernsey's - this is from 2006 - consultation document, 21 August 2006. "Dear stakeholder, consultation on the introduction of catch allowances for charter angling vessels not in possession of Guernsey fishing licence." This is effectively bag limits but the Guernsey version of bag limits that would have only applied to charter fishing vessels, okay, not to shore anglers, not to even recreational boat anglers, specifically to charter anglers.

The Deputy of St. Mary:

Which is a different ...

Mr. C. Issacs:

Yes, that is as far as Guernsey got with the equivalent bag limit proposal. They targeted a group which, they claimed to have fairly good evidence, was making a dent in the sort of ... and this was for environmental reasons, sorry. This was for stock protection reasons. This was nothing to do with protection of commercial fishermen's interest.

The Deputy of St. Mary:

Do you have any idea of how many comments they got back or was that just aimed at the charter people?

Mr. C. Issacs:

It is on the Guernsey legal information website.

Deputy M.R. Higgins:

We can check that.

Mr. C. Issacs:

As I say, I can leave you with various documentation here but it was specifically targeting the charter vessels. They did not even consider targeting anybody who was considered to be practicing sustainable fishing methods off the shore or other things they were doing.

Deputy M.R. Higgins:

I am just thinking ... is there anything else you want to say or anything else anybody wants to ask. I think will go through a lot of areas.

Mr. P. Gosselin:

I have one more point. It states in here that there will be no effect or beneficial effect on tourism. With deference to the ladies, it is a load of bullshit. The very hint of this kind of legislation, protection for the commercial fishermen, automatically puts the red flag up to a lot of people who would come here to fish.

Deputy S. Pitman:

I understand that has already had an effect on ... what is that effect?

Mr. P. Gosselin:

It has had a quantifiable effect. From a personal point of view one assistant editor of an angling magazine, one group editor of a group of leisure magazines and one recently retired official of the French National Federation of Recreational Anglers, if you like, have failed to turn up. These were planned trips that will not be taking place.

Deputy M.R. Higgins:

Do you think it is directly linked to this legislation?

Mr. P. Gosselin:

I cannot prove it. You cannot prove something that has not happened.

Mr. C. Issacs:

There are things that can be sort of "proven". Just to give you an example, regardless of what you think of spearfishing as a sport or whatever, we organise national spearfishing competitions over here where we get the U.K. national team come over and we get a one or 2 day event. They always come over, they really enjoy, they stay with us. If anybody (added for clarification - local) had ever come to any of these competitions they would never have seen anybody come out with more than 5 bass because it is almost

impossible as spear fisherman from the shore to come out more than 5 bass, okay? That is the first point. But the point I am trying to make is we have had some serious reservations from the British Spearfishing Association and affiliated parties about this local situation, about the bag limits and they have even suggested them boycotting any events over here would be a demonstration of their feelings about this unfair proposal being imposed on us.

The Deputy of St. Mary:

Why would they have those feelings?

Mr. C. Issacs:

Because is a political thing to do with ...

The Deputy of Grouville:

Yes, it is commercial versus recreational.

Mr. C. Issacs:

They are very ...

The Deputy of St. Mary:

It is because of motive, is it not?

Mr. C. Issacs:

Yes, because of the principles. Fishermen very much work on principles, even if they have not got all their facts right or anything. If they believe they have, they will stand up for their principle in a very sort of strong way and they have got very, very strong principles against anything that would help commercial fishermen to their detriment. There has been a lot of calls over many, many years now to totally ban certain commercial fishing practices involving putting nets right along the shoreline, all sorts of things. We do not want to go into that in great detail because we are not out to demonise commercial

fishermen just for no reason. But there is some very good stock protection and environmental reasons for that being sort of restricted or banned. We have been pushing for that for years and years. All of a sudden now the table has been turned on us and look what is happening, those guys can carry on doing that and we are being restricted. So that is where the understanding of fishing politics comes into it.

Mr. P. Gosselin:

I have just one last point.

Deputy M.R. Higgins:

Carry on, I am not trying to hurry you, do not worry, I want you to say everything you want to say.

Mr. P. Gosselin:

Well, I thought it was going to finish at 3.00 p.m. Now I am getting your complaint. **[Laughter]** Where was I? There is a provision in the proposed law once the limit is reached that fish must be returned to the water in the state at which they came out. In other words, dead or could be dead. For the last 20 years the commercial fishermen have been fighting tooth and nail to remove a part of the European Fisheries legislation that compels them to put dead fish that are saleable back. Now they are proposing that we do what they do not want to do. End of case, I think. We do not want to put dead fish back but in certain cases we could be forced ...

Deputy M.R. Higgins:

Or faced with a £20,000 fine for 6 fish you would, yes.

Mr. P. Gosselin:

Yes, the 6 fish would cost £20,000.

The Deputy of St. Mary:

What is the arguing for stopping you doing that? I think I see what the argument is.

Mr. P. Gosselin:

The common fisheries policy of Europe is based on quotas. Quotas are another name, if you like, for larger bag limits. When you reach the end of your quota it is illegal to keep more. So you are forced to throw the fish back. With most commercial fishing methods being the way they are, all of those fish are dead.

The Deputy of St. Mary:

Explain that, I do not understand because you have a great big net ...

Mr. P. Gosselin:

The majority of fish caught around Europe and by ... the vast majority are caught in trawls. Regardless of having escape hatches or whatever measure, once the fish is trapped in a trawl it is dead. It is either crushed or suffocated.

Mr. C. Issacs:

As the net is pulled up into a ball ...

The Deputy of St. Mary:

That effectively kills them?

Mr. C. Issacs:

... there is tonnes ... you are talking tonnes and tonnes of weight of fish in there, maybe there are couple flapping around on the top but anything underneath that is ...

Mr. P. Gosselin:

More fish are thrown back than kept. It is a crime against nature. It is accepted as a crime against nature by everybody except the top echelons of fishery policy makers in Great Britain and Europe who

regard it as a legitimate tactic.

The Deputy of St. Mary:

It is sort of a different issue really.

Mr. P. Gosselin:

Yes, but ...

The Deputy of St. Mary:

Okay, so you have caught 5 then you just do not go and catch another one and throw it back.

Mr. P. Gosselin:

When you are fishing you do not always catch fish one at a time. You could ... bass have been eulogised, everybody thinks of bass as the salmon of the sea. They have given all sorts of names, the French call them Loup de Mer, the wolves of the sea. They are a fish. They are incredibly stupid at times. I have seen bass come up 6 at a time on feathers. If you catch 6 bass on a set of feathers intended for mackerel you are committing an offence, because if you have to return one of those fish it will be dead. Not always but it could be dead.

The Deputy of St. Mary:

Just trying to understand, it is the enforcement, it is always how we are ...

Deputy M.R. Higgins:

I must admit it is likely ... I would have that bring the catch back and the money should go to charity. Anyway that is beside the point. Has everyone asked their questions? Right, I am just going to ask one question which is not related to this particular thing but it is following up on your thing about conservation for a moment, about the fish and the size. We were told at one of the hearings that bass, for example, spawn off Guernsey, this particular bank there, and that is about the only place where they

spawn.

Mr. P. Gosselin:

It is one of the places they spawn, yes.

Deputy M.R. Higgins:

What you are saying is that we should protecting the spawning grounds and we should be protecting the fish up to a certain size from a conservation point of view?

Mr. P. Gosselin:

From a conservation point of view the ideal thing is to have a closed area, or a closed time if you do not know where the area is, when the fish are spawning. Also to protect all of those stock that are about to spawn. If you want to look at that just look at the recent minutes of the Sea Fisheries Panel when the commercial fishermen have agreed to remove all of their pots so that the French pair trawlers can go and trawl through the bream on their spawning grounds.

Deputy M.R. Higgins:

That has been agreed, has it?

Mr. P. Gosselin:

This is nothing to do with the States of Jersey, as far as I am aware. The first time I became aware of it was at the last Sea Fisheries meeting where it was stated by the professional fishermen that they had agreed to move to their static gear from an area called the Froquie box while the French trawl the spawning bream.

The Deputy of St. Mary:

Or at the spawning time?

Mr. P. Gosselin:

Yes, same thing.

Mr. C. Issacs:

It was for the benefit of potting, was it not? It was ...

Mr. P. Gosselin:

It was regarded as a benefit to the potters because then the French pair trawlers and trawlers will not be towing away their gear.

Mr. C. Issacs:

So we do effectively feel that they have sold us out on ...

Mr. P. Gosselin:

They sold the ...

Deputy M.R. Higgins:

Yes, you have got another point?

Mr. C. Issacs:

If I can just pick up on a couple more points here which are made in the same Defra document I referred to earlier on, this is *Charting a New Course* - which, as I say, I can provide you the links to. So this is on a very small but specific section referring to recreational angling. "We have already strengthened angling representation on the Sea Fisheries committees." This is the Defra, that has not exactly happened on ours. "To consult on measures to increase the numbers and size of bass of benefit to both recreational anglers and commercial fishermen." There are few other points. From another section, it is a difficult just taking these out as quotes as I am without composing it properly, this is to do with how they are proposing on changing (Defra) changing their whole way of looking at it to make it work better,

function better and suit everybody. “How are we changing? To deliver these actions we need to continue to change the way we work, especially with stakeholders. We will continue to listen and talk to a wide range of stakeholders. We will give information in the clearest simplest way possible. We will ensure policymakers spend more time away from their desks listening to stakeholders’ concerns.” Put it this way, that really sums up our whole case as far as I am concerned. This is from Defra.

The Deputy of St. Mary:

A question following that, when Keith White left the panel, he was there for 2 or 3 meetings, what steps did the panel take to make sure there was representation from the recreational fishermen on the panel.

Mr. P. Gosselin:

We do not know.

Mr. C. Issacs:

They did make an effort because I know they did speak to - Peter may not be aware - a number of people literally begging them to come and sit on the panel. Those individuals, I know them, and they just were not keen to be in that position. A position they felt they had absolutely no say in something that had already been decided for them. So on that basis Peter finally thought he could do something good on the panel. A lot of people had given up hope, basically, on the panel. So, that is behind him, he can now because he has now got the representation and the numbers and quantities and the opinions behind him which, to be honest, up until this point, no representative on the panel has had.

Deputy M.R. Higgins:

It is also quite possible following our report it may add some weight to it.

Mr. C. Issacs:

Hopefully. Hopefully, assuming you go along with some of our ...

Mr. P. Gosselin:

There are some who do not think I need any weight behind me. **[Laughter]**

Deputy M.R. Higgins:

Right, well can I thank both of you gentlemen for coming. It has been very, very informative and you have certainly added to the information that we have got and answered a lot of our questions. Thank you.

Mr. C. Issacs:

Thank you.

Mr. P. Gosselin:

Thank you.