

## **DSIFCA 19\_25 – Retention of undersized lobster**

During a patrol within the District on Friday 22<sup>nd</sup> August 2025, D&S IFCA officers observed a commercial potting vessel hauling pots within the D&S IFCA District.

After the vessel completed work on the pots, officers boarded to conduct an inspection. The individual identified themselves as the named representative on a valid D&S IFCA Potting Permit and confirmed that the day's fishing had begun at 10:00 and was all within the D&S IFCA District. The catch retained on board consisted solely of lobsters (*Homarus gammarus*).

Upon inspecting the catch, officers identified a total of eleven lobsters, one of which was under the Minimum Conservation Reference Size (MCRS) of 90mm. The undersized specimen measured 87mm in carapace length. The individual stated that all lobsters had been measured using a suitable gauge, which officers confirmed.

The undersized lobster was photographed and then returned to the sea. When cautioned, the individual confirmed their identity, acknowledged catching the lobster within the D&S IFCA District, and accepted that the specimen was undersized. No mitigating factors were offered beyond an admission of error, and the individual appeared surprised and remorseful about the breach. Officers noted that the individual was cooperative throughout the inspection and interview process.

### **Relevant Permit Conditions and Regulations**

#### **D&S IFCA Potting Permit – Paragraph 1.3(e):**

1.3 “A permit holder or named representative is not authorised under this Permit to remove from a fishery within the District:

e) a lobster less than 90mm measured as the length of the carapace, parallel to the midline, from the back of either eye socket to the distal edge of the carapace.

### **Offences to Consider**

- Retention of a lobster below the Minimum Conservation Reference Size, contrary to condition 1.3(e) of the D&S IFCA Potting Permit, Paragraph 2 of the D&S IFCA Potting Permit Byelaw, and Section 163 of the Marine and Coastal Access Act 2009.

### **Outcome**

The Authority reviewed the case and was satisfied that the evidential test had been met. The Authority considered the Public Interest in this case and recognised that the breach was minor with no financial gain from the offence and considered the individual's prior record of compliance. In line with the Authority's Compliance and Enforcement Strategy, an Official Written Warning was issued for the offence.