

Press release: Whitby man handed community order for illegal salmon and sea trout fishing

A Whitby man has been handed a 12-month community order for illegally fishing for salmon and sea trout.

William Arthur Elwick, 53, of Abbot's Road, Whitby, must now carry out 240 hours of unpaid work after he was sentenced on Friday 24 March at Scarborough Magistrates' Court.

He had admitted two charges of gill net fishing without a licence after being caught red-handed on 4 July 2016.

Chris Bunting, prosecuting for the Environment Agency, told the court that enforcement officers caught Elwick while they were carrying out night-time patrols along the lower River Esk and tideway.

At around 12.30am near Chainbridge Riverside Retreats, Ruswarp, officers discovered a gill net that was stretched across the full width of the river. They heard splashing at several points of the net where fish had become entangled.

Another gill net was found upstream near Briggswath, again stretching across the full width of the river.

The investigating officers carried out covert surveillance of the nets and called in the police to help search for the culprit. Elwick was found hiding in a bush.

He had in his possession 23 sea trout and two salmon. These were seized, along with his nets and other equipment.

Gill nets are illegal to use within inland waters. An examination of the seized fish revealed clear signs of physical harm including lacerations along fins, with bloodied wounds and scale loss. This damage is consistent with the fish having been captured in an entanglement net, such as a gill net.

A spokesperson for the Environment Agency said after the hearing:

Illegal fishing of this kind is a crime, and we will investigate and prosecute anyone who is caught breaking the law.

The River Esk has a relatively small catchment and any significant illegal fishing activity will inevitably have a major impact on fish populations. The illegal netting of salmon and sea trout poses

a threat to the wider ecology of the River Esk, including the fresh water pearl mussel which relies on salmon and sea trout for their life cycle. The Yorkshire Esk is one of the few rivers in the United Kingdom that still has a population of pearl mussels.

We are grateful to North Yorkshire Police for their support in apprehending the defendant. Anyone who believes that illegal fishing is taking place should report the matter to our incident hotline on 0800 807060 so we can investigate.

A representative from the Yorkshire Esk Rivers Trust said after the hearing:

Elwick's actions were illegal and damaging to the local ecology of the River Esk. This type of crime also has a detrimental impact on the local economy. By taking these fish illegally with the intent of selling them off for personal profit, Elwick is depriving his neighbours up the Esk valley the chance to make legitimate income from these fish which studies have shown are worth about ten times as much to local businesses than the value Elwick will have gained.

Our message to local people is to be aware of where you buy your fish. Only buy from a reputable seller, and if you believe someone is trading in illegally-caught fish, report the matter to the Environment Agency.

In mitigation, the defendant told the court that he had committed the offences during a period of unemployment and that he would have sold the fish had he not been apprehended. At that point he hadn't been entitled to benefits and had no income. Elwick is now back in full-time employment.

He was also ordered to pay £2,985 in legal costs.