



Association of Salmon Fishery Boards

Water Bailiff Appointments by District Salmon Fishery Boards January 2005

Introduction

The Association of Salmon Fishery Boards is the representative body for Scotland's 41 District Salmon Fishery Boards (DSFBs) including the River Tweed Commission (RTC), which have a statutory responsibility to protect and improve salmon and sea trout fisheries. The Association and Boards work to create the environment in which sustainable fisheries for salmon and sea trout can be enjoyed. Conservation of fish stocks, and the habitats on which they depend, is essential and many DSFB's operate riparian habitat enhancement schemes and have voluntarily adopted 'catch and release' practices, which in some cases are made mandatory by the introduction of Salmon Conservation Regulations. ASFB creates policies that seek where possible to protect wider biodiversity and our environment as well as enhancing the economic benefits for our rural economy that result from angling. An analysis completed in 2004 demonstrated that freshwater angling in Scotland results in the Scottish economy producing over £100 million worth of annual output, which supports around 2,800 jobs and generates nearly £50million in wages and self-employment into Scottish households, most of which are in rural areas.

Background

The bailiff training course was introduced in 2001 and was developed by the Institute of Fishery Management (IFM) and the ASFB. Its aim is to ensure that all bailiffs operating in Scotland can demonstrate an acceptable standard of knowledge of law enforcement in view of the powers which bailiffs can exercise. The course has also provided added security for Boards as employers who can, if necessary, demonstrate that their employees are adequately trained for the job should any liability issues arise during the course of a bailiff's duties. The course has also been officially recognised by the Scottish Government insofar as they have required all the bailiffs appointed by Ministers (for areas where there are no DSFBs) to undertake the course.

The Association believes that the position whereby bailiffs can operate in Scotland without having undergone any formal training is untenable, from several perspectives:

- Water Bailiffs have powers of search, arrest, entry and seizure. It is therefore of utmost importance that Water Bailiffs are knowledgeable in terms of the extent of their powers and the appropriate circumstances under which they can be exercised. All Water Bailiffs should have sufficient skills and knowledge to allow them to carry out these duties to the best of their ability – the responsibility is on the employer or appointing authority to ensure this happens.
- The credibility of witness statements or evidence provided in court may be undermined if a Water Bailiff presenting evidence or witness testimony has not successfully completed the relevant training.
- Boards should ensure that they are not exposed in terms of liability arising from the actions of an individual during the course of their duties.

Policy Position

The course is now well established, and many Boards have trained personnel. Since its inception in 2001, the Association has been encouraging all Boards to ensure their bailiffs complete the course. For the reasons outlined above, the Association's formal position is that no warrant card should be granted to an individual who has not successfully completed the IFM examination.

We require that all Boards adopt this policy, regardless of whether you employ bailiffs full-time, part-time, or on a seasonal or volunteer basis.

If you have any queries about this policy, or the training course, please contact the Association without delay. Training courses will continue to run annually each spring and further details on this can be obtained from the ASFB or IFM at the address above.

For further information please contact:

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