



THE DO'S AND DON'TS OUT ON THE WATER – HOW TO PROTECT YOURSELF

This Information Sheet IS NOT legal advice.

It is information for fishers engaged in their community's Moderate Livelihood fishery.

Before you set out to fish, you should have:

1. A copy of your community's moderate livelihood fisheries plan
2. A notebook with the captain's name, the vessel's name, and a list of the captain and all crew and pens for taking down information
3. A way of taking pictures – your phone, a camera, etc.
4. The name and contact information of your community's Fisheries Manager, the KMKNO Fisheries Coordinator and your lawyer or your band's lawyer, if you or they have one (you can keep this information in your notebook).

If Boarded or Approached at Wharf side by Enforcement Officials:

1. Remain calm and polite – whatever the attitude of DFO or RCMP officers. Getting upset will only make things worse.
2. Have your pen and notebook ready when approached by enforcement officials.
 - a) Note the time of day, and the day, month and year you were boarded or met at the wharf.
 - b) Note the location of the event - which wharf, where at sea?
3. Give enforcement officials with the following information:
 - a) Your name and position – captain, co-captain, deckhand, etc.
 - b) Show your Status card.
 - c) Tell them which Band you are from.
 - d) Tell them that you are fishing with or under the authority of your community's government or that of another community who has permitted you to fish in their waters – and tell them which community gave you permission. (Chief & Council, Fisheries Board, etc.) Show them your copy of the moderate livelihood fishing plan.
 - e) After you have provided the basic information identifying yourself, your crew and occupation (fishing for a moderate livelihood under *Marshall*) **SAY NOTHING ELSE**. Direct all questions to your Band Council, Fisheries Officer or legal counsel [this will depend on the community plan and other factors - who fishers are to consult]
 - f) In your notebook, make a list of all the information provided by all the crew members to enforcement officials.
4. From the enforcement officer get:
 - a) The officer's names, ranks, detachments, and contact information – phone numbers, email addresses, cell phone numbers and write all of that information in your notebook. You can show it to the officials and ask them to make sure it is accurate and perhaps initial it to show they agree the information is accurate.
 - b) Ask why you were stopped, boarded, approached at the dock, etc. and put their answers in your notebook. If the officials won't answer, note that in your notebook, too.
5. If your gear or your catch or vessel (or all of it) is seized:
 - a) Write down a list of everything taken by the enforcement officials – number of traps, nets, etc. and include, as far as possible, an inventory of just what was on your vessel if it is seized - gear, radios, clothing, food, etc.
 - b) Take pictures of your gear, catch, or vessel being seized.
 - c) Make the enforcement officials give you a dated and signed receipt for everything taken from you. Put it with the other notes in your notebook.
6. As soon as possible after the encounter or seizure, report it to:
 - a) Your Band Office
 - b) Your Band's Fisheries Officer
 - c) The KMKNO Fisheries Coordinator
 - d) Your lawyer, or your Band's lawyer, if you or your Band have a lawyer.

and put a note in your notebook saying who you reported the incident to and when.