

# Blaming Baiters Doesn't Get Fisherman Off Hook for Fisheries Violation



A lobster fisherman was charged with a *Fisheries Act* violation after a pair of female crabs were found impaled as bait inside one of his traps. After failing in his bid to deny the offence, the fishermen claimed it happened without his knowledge or consent and blamed his 2 helpers for not heeding his instructions to use only male crabs to bait the traps and 'leaving it to them' to do the job right. Not good enough said the court. The fisherman couldn't 'slough off' responsibility by delegating. He needed but failed to produce log books, receipts for male bait or other evidence to substantiate his claim that *he* did everything right. The fisherman claimed the judge was misreading the 'knowledge and consent' part of the law by imposing a quasi-due diligence requirement but both appeals court said the judge was right and upheld the sentence [[Griffin v R](#), 2018 PECA 21 (CanLII), July 19, 2018].