

Date: 10 September 2009

Unlicensed Morecambe Bay gangmaster convicted

The first prosecution of a gangmaster for using workers to gather shellfish without a licence has taken place after he was found using five migrant workers, none of whom had the required permit to gather cockles on the sands at Morecambe Bay. Four of these men were subsequently rescued by the Morecambe lifeboat five miles from the Morecambe Bay shore in rising tides.

The other man made off across the sands on an all-terrain vehicle.

Mr Harold Benson of Market Street, Flookborough, Cumbria, pleaded guilty to contravening the Gangmasters (Licensing) Act 2004 at Preston Crown Court on 1 September 2009. The Act was passed into law shortly after the Morecambe Bay tragedy in 2004 when the actions of an illegal gangmaster led to 23 Chinese cockle pickers being cut off and drowning in the rising tidal water.

The prosecution of Mr Benson followed an incident on the 13 September 2007 where Mr Benson was spotted organising men on the Yeoman Wharf cockle beds south of Flookborough. After being confronted by Sea Fisheries officers, Mr Benson sent a distress call to the Liverpool Coast Guard reporting the men were in danger from the rising tide, which led to the Morecambe lifeboat being launched to rescue them.

Mr Benson who had previously been warned that he would need a licence to operate as a gangmaster had originally pleaded not guilty. His initial claim when interviewed was that the men were nothing to do with him and had "messed about with some rakes" on the sands five miles from shore.

Following the initial incident an investigation by the Gangmasters Licensing Authority found he had organised the men and provided them with equipment and accommodation at the Truckhaven Lorry Park, north of Carnforth as well as taking them out onto the bay.

Mr Benson was fined £600 and ordered to pay £4,000 in costs. If this is not paid within three months Mr Benson will face imprisonment.

Paul Whitehouse, Chairman of the Gangmasters Licensing Authority, said

"The teamwork demonstrated in this case between the local Sea fisheries committee and ourselves should act as a warning to anyone else looking to break the rules."

“Morecambe Bay is a notoriously dangerous area, which has seen tragedy in the past. Any cockling must be done in a professional manner with the safety of those involved paramount at all times”

Jim Sheridan MP for Paisley and Renfrewshire North, who introduced the Gangmasters Licensing Bill, said:

“I am delighted that this prosecution was successful. This sends a clear message to those using people to gather shellfish that they must abide by the law.”

Dr Steven Atkins, CEO of the North Western and North Wales Sea Fisheries Committee said:

“The Committee welcomes this successful prosecution as an important step to promote responsible management in the cockle industry. The collaboration between the GLA and the NWNWSFC in the 2007-8 season together with the new restricted permit and requirements for a safety training course, brought a package of much needed improvements to the regulation of the Morecambe Bay cockle fishery.”

Notes to editors

1. The Gangmasters Licensing Authority (GLA) was set up to curb the exploitation of workers in the agricultural, horticultural, shellfish gathering and associated processing and packing industries.
2. The majority of workers involved in these industries come from countries such as: Romania, Poland, Slovakia, Hungary, Bulgaria, Lithuania, Latvia, Pakistan and Portugal.
3. So far, 1,198 labour providers hold a GLA licence. Over 100 licenses have been revoked (8 with immediate effect). Two people and one business has been convicted for operating without a licence, with more prosecutions forthcoming.
4. The GLA stepped up its fight against those who abuse workers with the launch of Operation Ajax in June 2008. The operation was set up to increase the GLA's activities with an 18 month programme of unannounced raids.
5. The 2008 Annual review of the Gangmasters Licensing Authority by the Universities of Liverpool and Sheffield suggested that “The GLA and other regulatory bodies such as MBAG have made it harder for large gangs with bonded-labour to operate in the shellfish industry”.
6. Paul Whitehouse, GLA Chairman, is available for interview by contacting 0115 900 8962
7. Anybody who is aware of exploitation should contact the GLA on 0845 602 5020 or report anonymously at www.gla.gov.uk/report

End

Public enquiries: 0845 602 5020

Media enquiries: 0115 900 8962

