

# GOLF GREENKEEPING

and Course Maintenance  
The Official Magazine of the  
British Golf Greenkeepers'  
Association  
Founded 1912

The Association is affiliated to the  
English and Welsh Golf Unions

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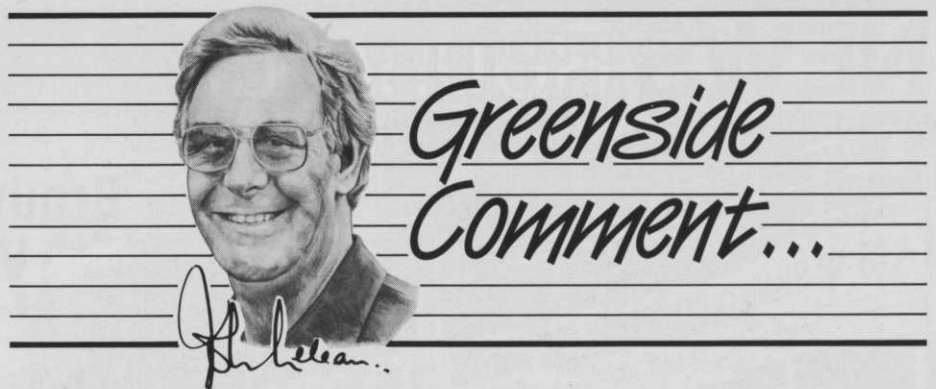
Golf Greenkeeping and Course Maintenance is published by: Wharfedale Publications Limited, P.O. Box 12, Wetherby, West Yorkshire LS22 4SR. Telephone: (0937) 63181. Published ten times per year. Copies for non-members by subscription. £10.00 a year. Single Copies £1.50 postage paid. Published for the British Golf Greenkeepers' Association by: Wharfedale Publications Limited.

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Printed by: W. Kristall Ltd., Leeds.

**Published by:**

**JOHN LELEAN**  
Wharfedale Publications Limited  
P.O. Box 12, Wetherby,  
West Yorkshire LS22 4SR  
Telephone: (0937) 63181



## TREASURE HUNTERS CONVICTED

Last December we drew attention to the case before local magistrates concerning four young Birmingham men, accused of stealing 448 golf balls from lakes on the Brabazon Course at the Belfry. This was no ordinary ball scavenging affair but a highly organised operation with two men in wet suits scouring the bottom of the six foot deep lakes at night with two others, knee deep on the lake edge, with nets.

The presiding magistrate, realising the legal implications, decided to send the four accused on to the Crown Court for trial by jury. The outcome already widely publicised in the national press was a verdict of guilty, but as two of the accused had outstanding fines from other courts, the Recorder, Mr. Jonathan Goldring said he had decided not to add to their financial commitment, but gave all four a conditional discharge. Strange as it may seem a 'conditional discharge', where someone is found guilty but no punishment imposed is a conviction, despite the appearance to the general public that they have 'got away with it'.

The legal precedent now set, will outlaw the organised mass reclamation of lost golf balls on private property, but is unlikely to be used as a point of law against small boys finding the wayward drive in the woods.

After the verdict a spokesman from the Law Society was quoted as saying "It will be up to each court to look at individual cases, but picking up odd balls on a golf course is not likely to be regarded as a criminal offence".

The court ruling refers only to private courses and a situation arising from a similar foray on a public course could produce a different result.

St. Andrews, one of our best known public courses already has a local bye-law covering the searching for abandoned golf balls.

As we have said before, lost golf balls have always been regarded as one of the few perks for greens staff. Those who climb over the fence specifically to hunt for balls are dishonest whether the law says so or not. Without realising, many of these 'scrumper' are putting themselves in grave danger and it is unlikely that any golfer's insurance would pay out to someone who was proved to be trespassing with intent to steal by finding, even if they did receive a fatal injury from a well hit ball.

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