

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

FISHERIES BILL [*LORDS*]

First Sitting

Tuesday 8 September 2020

(Morning)

CONTENTS

Programme motion agreed to.
CLAUSE 1 agreed to, with an amendment.
Adjourned till this day at Two o'clock.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Saturday 12 September 2020

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The Committee consisted of the following Members:

Chairs: † STEVE McCABE, SIR CHARLES WALKER

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| † Bonnar, Steven (<i>Coatbridge, Chryston and Bellshill</i>) (SNP) | † O'Hara, Brendan (<i>Argyll and Bute</i>) (SNP) |
| † Bowie, Andrew (<i>West Aberdeenshire and Kincardine</i>) (Con) | † Owatemi, Taiwo (<i>Coventry North West</i>) (Lab) |
| † Butler, Rob (<i>Aylesbury</i>) (Con) | † Peacock, Stephanie (<i>Barnsley East</i>) (Lab) |
| † Coutinho, Claire (<i>East Surrey</i>) (Con) | † Pollard, Luke (<i>Plymouth, Sutton and Devonport</i>) (Lab/Co-op) |
| † Duffield, Rosie (<i>Canterbury</i>) (Lab) | † Prentis, Victoria (<i>Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs</i>) |
| † Fletcher, Katherine (<i>South Ribble</i>) (Con) | † Smith, Cat (<i>Lancaster and Fleetwood</i>) (Lab) |
| † Goodwill, Mr Robert (<i>Scarborough and Whitby</i>) (Con) | † Wild, James (<i>North West Norfolk</i>) (Con) |
| † Jones, Fay (<i>Brecon and Radnorshire</i>) (Con) | † Young, Jacob (<i>Redcar</i>) (Con) |
| † Morris, James (<i>Lord Commissioner of Her Majesty's Treasury</i>) | Rob Page, <i>Committee Clerk</i> |
| | † attended the Committee |

Public Bill Committee

Tuesday 8 September 2020

(Morning)

[STEVE McCABE *in the Chair*]

Fisheries Bill [Lords]

9.25 am

The Chair: Good morning. I will make the usual preliminary points. We have been asked to be fairly strict about social distancing, so I ask you to bear that in mind. If you find that you are bit constrained on one side of the room, people are allowed to sit where there is space; it will not affect your vote or anything like that. I also ask you to switch your phones and electronic devices to silent. Mr Speaker does not permit tea, coffee or other drinks to be consumed during the sitting.

We shall start with the programme motion, which was agreed at the Programming Sub-Committee yesterday.

Ordered,

That—

- (1) the Committee shall (in addition to its first meeting at 9.25 am on Tuesday 8 September) meet—
 - (a) at 2.00 pm on Tuesday 8 September;
 - (b) at 11.30 am and 2.00 pm on Thursday 10 September;
 - (c) at 9.25 am and 2.00 pm on Tuesday 15 September;
 - (d) at 11.30 am and 2.00 pm on Thursday 17 September;
- (2) the proceedings shall be taken in the following order: Clauses 1 to 11; Schedule 1; Clauses 12 and 13; Schedule 2; Clauses 14 to 19; Schedule 3; Clauses 20 to 23; Schedule 4; Clauses 24 to 29; Schedule 5; Clauses 30 to 35; Schedule 6; Clause 36; Schedule 7; Clauses 37 to 44; Schedule 8; Clauses 45 and 46; Schedule 9; Clause 47; Schedule 10; Clauses 48 to 54; new Clauses; new Schedules; remaining proceedings on the Bill;
- (3) the proceedings shall (so far as not previously concluded) be brought to a conclusion at 5.00 pm on Thursday 17 September.—(*Victoria Prentis.*)

The Chair: We are off to a flyer. We now begin line-by-line consideration of the Bill. The selection list for the sitting is available in the room; it shows how the selected amendments have been grouped together. Amendments on the same or a similar issue are generally grouped together, but please note that decisions on amendments take place not in the order they are debated—I know this occasionally confuses all of us—but in the order they appear on the amendment paper. The selection and grouping list shows the order of debate. Decisions on each amendment are taken when we come to the clause that the amendment affects.

Clause 1

FISHERIES OBJECTIVES

Luke Pollard (Plymouth, Sutton and Devonport) (Lab/Co-op): I beg to move amendment 61, in clause 1, page 1, line 11, at end insert—

“(1A) Any public authority with functions relating to fisheries activities or fisheries management must have regard to the fisheries objectives in the exercise of those functions.”

This amendment would place a duty on public authorities to have regard to the fisheries objectives in exercising their fisheries functions.

The Chair: With this it will be convenient to discuss amendment 62, in clause 2, page 3, line 33, at end insert—

“(3A) The Secretary of State must annually lay a statement before Parliament on progress towards achieving the fisheries objectives.

(3B) The first such statement under subsection (3A) must be laid before Parliament within 12 months of this section coming into force.”

This amendment would add a requirement on the Secretary of State to lay before Parliament an annual statement on progress towards achieving the fisheries objectives.

Luke Pollard: It is good to be back in the Fisheries Bill Committee. A few of us in the room—the hardy few—are alumni of the last time that we had a sitting of the Bill Committee, which was a good debate. We have a Committee that is made up of all political parties and is focused on getting the best deal for our fishers, which is what the Opposition seek to do by proposing a number of amendments that look at how we strengthen our fishing sector, how we make it more sustainable, and how we do so clearly. I know there has been a lot of misdirection around positions on fishing in the past, especially after the Second Reading debate. However, I trust that there will not be any further misdirection by political parties’ press offices, especially the ones responsible for the rather shameful adverts that we saw after Second Reading.

Labour supports the Bill. We support it because we want our fishers to have a sustainable future. We want to see a coastal renaissance that creates more jobs in fishing, lands more fish in British ports and enables us to eat more local fish. It is in that spirit that we have tabled a number of amendments. Amendments 61 and 62 stand in my name and that of the shadow Fisheries Minister, my hon. Friend the Member for Barnsley East. A lot has changed in the past two years, but I hope that we can make some real progress and get a good deal, because time to get a good deal for our fishers is running out, with the hard deadline for our departure from the Brexit transition period the end of the year.

Clause 1 sets the tone for the entire Bill, highlighting the objectives—what they are, and how they will be put into practice—but it also sets the tone for the next 50 years of fishing in Britain. If we get this right, we have the opportunity to create more jobs and that coastal renaissance, but we will need amendments to the Bill to get there. That is the simple challenge that I put to members of this Committee. How sustainable do we want our industry to be—indeed, do we want it to be sustainable or not? Our amendments show clearly that we want fishing to be more sustainable, because there is no future for fishing if it is not sustainable. Sadly, that is not implied by the Government amendments.

The amendments in the House of Lords that made sustainability the prime consideration of fisheries management were a really important statement. It said that Britain will not be overfishing, that Britain values our fish stocks, and that we will support our industry so that it has a sustainable future. Those Lords amendments were a beacon of sustainability and good environmental practice, and we should defend that in this Committee.

I am pleased that the Government took the time to consider the amendments proposed by Labour the last time that this Bill was discussed—indeed, a large number of those amendments have now been made and they

will be defended by the Government. I am grateful to the Minister and her officials for listening to our arguments, if not at the time then subsequently, and for accepting those amendments. But when it comes to sustainability, we need to recognise that more needs to be done.

Fishermen and women are some of the original stewards of our environment. Many of those I have spoken to in Plymouth, which I represent, and in fishing ports across the country know how important it is that fishing is sustainable, that we protect our ecosystems. We must recognise the impact climate change is having on fish stocks and reproduction rates, on the zones where certain species are found, and on the growth of certain species in some fishing areas and the decline of species in other areas.

We have these objectives for the Bill, but the Bill does not explain what will be done about them and how they will be achieved. What is the point of having these objectives that we have all worked so hard on if they are not going to be achieved? Our amendments are very simple. Amendment 61 would oblige any public body that has functions relating to fishing to have regard to the objectives, instantly giving them a practical aspect. There is already a requirement in the Bill for a report to be made, but we should give the Bill some teeth by ensuring that the report is presented to Parliament, as amendment 62 sets out. My hon. Friend the Member for Barnsley East will say more on this when we discuss clause 2.

Both amendments relate to the important idea that fisheries must be our key consideration. Why would anyone not support amendment 61? If Members do not support this amendment, they do not want public bodies to pay due regard to these objectives.

The Chair: Mr Pollard, I am sorry to interrupt you, but I just want to be sure that we have all understood that amendment 62 is also being discussed now.

Luke Pollard: Yes, Mr McCabe. I am still on amendment 61. I beg your pardon; I will get to amendment 62 in just a moment.

Amendment 61 would ensure that public bodies—national Governments, regulatory bodies, science bodies and, in relation to funding arrangements, bodies of the Government that allocate funding to our coastal communities—have due regard for the objectives. If they are not to have due regard for them, why are they there at all? Why have a sustainability or ecosystem objective, or a bycatch objective, if they are just to create lines in the Bill and are not an important part of it?

Turning hurriedly to amendment 62, Mr McCabe, the important part of laying the statement before Parliament is that we want the opportunity to discuss it on an annual basis. In the previous Bill Committee, the transcripts of which I am sure the Minister has read thoroughly, there was a good debate about the frequency with which the Government should report to Parliament. Historically, we had the annual fisheries debate in Westminster, which was designed to strengthen the hand of the Fisheries Minister ahead of the December Fisheries Council, to set out clearly for them the concerns of our fishing sector and coastal communities, and to ensure that they would fight the corner of the species and

sectors that were most at risk. However, the annual fisheries debate has become slightly less frequent, and it has moved around because of the frequency of fisheries Bills. Having an annual report laid before Parliament and therefore discussed by parliamentarians is the key part of amendment 62 that would allow us to look at what progress has been achieved towards the objectives. Amendment 61 states that people must have due regard in the exercise of public functions, and amendment 62 states that there must be decent scrutiny of the progress towards those objectives. Both are important starting points for the Bill. Both set the tone, which is that sustainability must be the prime consideration.

Although there is good, sound logic to say that all the objectives are equal, there is one simple truth: if we overfish our seas, there will not be enough fish left for a fishing industry to exist. That is why sustainability has to be the prime consideration. I want jobs in our coastal communities to continue. That is the argument that Labour Members present. We need to make sure we manage our fish stocks at sustainable levels, that we do not set total allowable catches above maximum sustainable yields, and that we ensure that sustainability is the prime consideration at all times. For that to take place, we need to make sure that all public bodies have due regard to the objectives set out in the Bill. I know that the Minister and her officials have worked very hard on those objectives and will make further proposals to improve them shortly, but what is the point of all the work that has gone into those provisions if no regard is paid to them?

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Victoria Prentis):

It is a real pleasure to serve under your chairmanship, Mr McCabe, and to speak to this important Bill. I hear what the hon. Member for Plymouth, Sutton and Devonport says about Labour's support for the Bill, and I am grateful for the genuinely consensual way in which Labour and Conservative Members normally work on fisheries. Those negotiating on our behalf with the EU hear how this House speaks as one on fisheries, as we did very strongly on Second Reading. We are all determined to get the very best for our fishermen.

It is fair to say, as the hon. Gentleman did, that the previous Committee worked hard to improve the Bill. Those improvements and those made in the other place are reflected in the Bill before us today. I am grateful to all the people who worked so hard to bring it to its current incarnation.

The blanket requirement that amendment 61 would place on all authorities is not appropriate. It is for the fisheries administrations to determine appropriate policies for meeting the objectives set out in the Bill. Public authorities already have relevant duties under a vast amount of other legislation. A statutory body's objectives and duties will be set out in primary legislation. Inshore fisheries conservation authorities already have a duty under the Marine and Coastal Access Act 2009 to seek to ensure that the,

“exploitation of sea fisheries resources”,

is carried out in a sustainable way. Under that Act, the Secretary of State may give guidance to an IFCA on how it performs the duty, and the IFCA must of course have regard to such guidance. I am worried that the amendment could dilute the accountability of fisheries

[Victoria Prentis]

policy authorities, as clearly established in the Bill, by dividing responsibility for the objectives more broadly across a wide range of public authorities, which might lead to divergent approaches.

A similar argument applies to amendment 62. The Bill already contains a robust framework of reporting and review requirements that will provide sufficient information to inform and drive progress against the fisheries objectives. Clause 11(1) states that the fisheries policy authorities must, every three years, prepare and publish a report on the extent to which the policies set out have been implemented. Clause 11(2) requires the report under subsection (1) to include the extent to which the policies contained in a relevant fisheries management plan have been implemented and how they have affected stocks.

Bearing in mind the number of objectives, we strongly believe that an annual reporting requirement would place a disproportionate burden on fisheries managers and the industry for not a great deal of gain. Not enough would have changed in a year, and the report might have little value. It would divert needed resource away from direct fisheries management, reduce the authorities' ability to move towards co-management with the industry, and potentially hamper the deliverability of the eight objectives.

There is of course nothing to prevent a parliamentary debate—a Government debate, an Opposition day debate or a Back-Bench debate—from taking place if that were considered appropriate as an annual event, or more frequently. I for one am always happy to talk about fisheries policies in Parliament and I am sure that the hon. Member for Plymouth, Sutton and Devonport is, too. However, that does not change my view of this amendment, and I therefore ask him to withdraw it.

Stephanie Peacock (Barnsley East) (Lab): I hear what the Minister says about how we have all sorts of options, including as Back Benchers. Is not the point, though, that we can have lots of debates on this issue but they are not legally binding and will not compel the Government? It is just nice for us to talk about it. The point that the amendment is making is about the need for a legal requirement for the Government to follow.

Victoria Prentis: For the reasons that I have set out, I believe that the reporting requirements that need to be legally binding and are in the Bill are more than sufficient, but I am not in any way denigrating the idea that we might want to talk about fisheries far more often.

Luke Pollard: I am a big fan of having votes on these proposals and putting Labour's positions clearly, but on this amendment, I have listened to what the Minister has said and I am happy not to push it to a vote. I like the commitment that the Minister has given to good scrutiny of fisheries policy in the future. I beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Luke Pollard: I beg to move amendment 71, in clause 1, page 1, line 11, at end insert—

- “(i) the public asset objective;
- (j) the safety and workforce objective.”

This amendment would add to the fisheries objectives the “public asset” and “safety and workforce” objectives, defined in Amendment 72.

The Chair: With this it will be convenient to discuss amendment 72, in clause 1, page 2, line 35, at end insert—

“(10A) The “public asset objective” is to manage fisheries, and the rights to exploit those fisheries, as a shared resource and public asset held in stewardship for the public good.”

(10B) The “safety and workforce objective” is—

- (a) to protect and enhance the safety of workers in fishing activities,
- (b) to set and protect minimum standards for wages, terms and conditions of employment in fishing activities,
- (c) to prevent modern slavery in fishing activities, and
- (d) to ensure the application and enforcement of the national minimum wage by HMRC on fishing vessels within the United Kingdom's Exclusive Economic Zone.”

This amendment defines the “public asset” and “safety and workforce” objectives.

Luke Pollard: For future reference, Mr McCabe, I will be dealing with all the amendments to the first clause.

In amendments 71 and 72, Labour is suggesting that we add two further objectives: a public asset objective and a safety and workforce objective. Each is important, but the safety one is particularly so. I know that there is a good amount of cross-party support for it, and I wish to ensure that that matter is kept separate from the cut and thrust of other political debates around fishing.

I have already spoken about why strengthening the objectives is important, but if we are truly to back our fishers, we need to go further. That is why Labour proposes two new objectives. The public asset objective would deliver on the pledge in the Government's original fisheries White Paper:

“We aim to manage these fisheries—and the wider marine environment—as a shared resource, a public asset held in stewardship for the benefit of all.”

That aim has cross-party support, but it seems to have got lost somewhere along the way between the White Paper and the Bill. In addition, the Conservative manifesto for the recent general election said:

“British farmers and fishermen should be able to profit by producing food and fish that are the envy of the world—both for their quality and the high standards to which they were produced...we want those same farmers and fishermen to act as the stewards of the natural world, preserving the UK's countryside and oceans as they have for generations.”

It is important that we recognise that our oceans are the inheritance of us all, and their fishers need to be their protectors but also their stewards along the way.

9.45 am

Listing fish as a public good in this Bill would allow us to say definitively that fish should be allocated for the benefit of the whole country. Ministers have not set that out clearly enough in the Bill. This is an important point, because this is where UK fisheries management has diverged from the management of fisheries of our European friends during the time when the UK has been in the common fisheries policy. Many of our European friends regard quota as a permission to fish that is allocated by fisheries authorities. The UK has—somewhat confusingly—allocated quota as a property right. That is a very important distinction, because a permission to fish can be based on the policies of the day, the practice, the stock levels, and the greater

understanding that the permission to fish is attached to the good that the quota delivers for the country. A property right of quota is a different beast altogether. I appreciate that—as the Minister will know—some of that definition is a result of court cases and not of primary legislation alone, which is why the Fisheries Bill provides us with an opportunity to clarify the intent of Parliament on the ownership of quota.

If we have quota as a property right, we will experience what we have seen in the past few decades: the aggregation of quota by increasingly larger firms. Much of the quota—up to 50%—is owned by families on the *Sunday Times* rich list. Much of our quota is owned by foreign fishing interests that may have a brass-plate company in the UK or whose fishers fly a flag of convenience. I believe that one of the promises made to the people during the Brexit referendum was a greater connection between the fish in our waters and the benefit to our country. That is why a public asset objective is an important test, because it states that the fish caught in our waters should deliver an economic benefit to the country.

As Government Members know, Lord Gardiner of Kimble, the Minister for Rural Affairs and Biosecurity, set out in the other place that the national benefit objective

“seeks to ensure that a benefit to the UK is felt as a result of UK boats fishing stocks from UK waters”.—[*Official Report, House of Lords*, 11 February 2020; Vol. 801, c. 2168.]

I am sure that Members will agree that a vague promise of a benefit somewhere along the line is not the same as acknowledging that our fish stocks are a public asset and should benefit us all. That specificity is important. I encourage the Minister to accept the amendment so that there can be no doubt, obfuscation or sleight of hand in policy—particularly in the coming days—from this or any subsequent Government, about fish being a public good and benefits being shared by the nation.

If Parliament were able to make that really important statement, it would support not only the redistribution of quota, but the rebirth of fishing in many of our coastal communities. That would also mean that those who own quota under UK law—rather than simply having permission to fish—have a greater responsibility to fish in accordance with objectives based not just on their fishing licence, but on permissions granted by Government.

Unfortunately, we have not had an evidence session because the Bill started in the House of Lords. That process could do with updating, because Members should have had an opportunity to scrutinise the Bill earlier with expert advice. In the evidence session for the last iteration of the Fisheries Bill, we heard from Griffin Carpenter, an economist at the New Economics Foundation. He said:

“When I have spoken to stakeholders, even the quota holders, everyone starts from the same premise that fish is a public good, but from my perspective that has not been followed through in the way we treat the opportunity to fish that public good.”—[*Official Report, Fisheries Public Bill Committee*, 06 December 2018; c. 104, Q200.]

Members on both sides of the Committee will no doubt have had contact with Aaron Brown from Fishing for Leave. He and I disagree on much, but there was a point of agreement when he said:

“Fish always has been a public resource. Various judicial hearings have defined that as well. Indeed, it probably stretches all the way back into Magna Carta, right back through our constitution.”—[*Official Report, Fisheries Public Bill Committee*, 04 December 2018; c. 62, Q134.]

I do not have a copy of the Magna Carta with me, but the fundamental point was a sound one. I see the Minister reaching for her phone; if she is googling the passage about fish in the Magna Carta, I look forward to her response.

The key point is that fish should be a public asset. We should make the case for the fish in our waters to be caught, looked after and cared for to the benefit of our whole country. There is a subtle but important distinction between a permission to fish, which is the method of implementation of the common fisheries policy that our EU friends largely enjoy, and the quota aggregation used in the UK, where quota is owned, especially by the richest and, in many cases, by foreign-owned fishing companies. The Minister may disagree with that form of words and claim that it is not necessary, but it is certainly desirable.

We should ensure that the Bill and all fishers who are governed by it have a sense of the Government’s priorities. Having fishing as a public asset should be high in the Government’s and the Bill’s key priorities. It is fine to mention it in statements, which we will come to in due course, but being clear that fish are a public asset should be on the face of the Bill in the objectives. That is what our fishing communities want. If fishing is not a public asset and if quota is not a public asset, one might be challenged to question what will change if our exit from the common fisheries policy keeps the current ownership models of quota in place.

I said that I would try to keep the two objectives separate and I will now turn to the safety and workforce objective. I hope the Committee will understand that this has a special importance for me. Since being elected in 2017, we have lost two trawlers from Plymouth, with a loss of life on both. I therefore take safety measures for fishing very seriously. I am grateful to the Minister and to the previous maritime Minister, the hon. Member for Wealden (Ms Ghani), who have done an enormous amount to support fishing safety and, in particular, have listened to the campaigns of coastal communities, including the Labour council in Plymouth in supporting our lifejacket scheme—I will return to some elements of that later.

Labour’s safety and workforce objective amendment recognises that fishing is a dangerous career—it is a dangerous profession. Each year, we lose British fishers to the sea. On Second Reading, the Secretary of State was right to pay tribute to the six fishers who died, and I joined him in paying our respects. It is our duty to do everything we can to stop more deaths this year and next. A number of things need to happen to address marine safety. The rules and regulations need to be better and more appropriate to the methods of fishing today. We need better enforcement by authorities and better adoption of those standards and best practice by the industry. There is a job for everyone to improve safety.

We should demand higher safety standards, including wearing lifejackets and personal locator beacons—I suspect we will return to that later. I would like every UK fisher, and every fisher in UK waters, to wear a lifejacket with a personal locator beacon. Of the

opportunities to change the regulatory environment for fishing in our waters that the Minister set out on Second Reading, one of the key ones we should insist on is high safety standards. We want every fisher, when they leave their port to go fishing, to be able to return to their families afterwards. As we have seen to our cost, that has not happened on several occasions, both in the case of British fishers and fishers around the world, including foreign fishers fishing in UK waters.

There seems to be universal agreement that personal locator beacons attached to lifejackets are a good thing. We know to our cost that many fishers are not yet attaching personal local beacons or taking them with them. I know the Minister will be aware of concerns over the summer from Seafish about advice given to the fishing industry that suggested modifying lifejackets and PLBs, rather than having the original manufacturers' products or ones that have been through safety tests. I know that we will liaise with the Minister in correspondence about that, because it is important that Seafish gives accurate advice that keeps fishers safe and there is concern around that. That is one reason why the safety and workforce objective is so important.

I have majored on safety, but the workforce objective, which amendment 72 covers, also includes provision to prevent modern slavery in fisheries activities. Modern slavery is a scourge that affects nearly every sector of the British economy in some shape or form. We should not be blind to the fact that modern slavery exists in our fishing sector. We have seen examples of it and it is especially concerning. Again, the Bill gives us an opportunity to send a signal to the sector that modern slavery will not be accepted and will be specifically addressed in its objectives. That is why amendment 72 includes the provision in proposed new subsection (10B)(c)

“to prevent modern slavery in fishing activities”.

Proposed new subsection (10B)(d) refers to a further activity in relation to workforce to ensure a national minimum wage is paid to fishers who fish in our waters.

Without delving into the complexities of maritime law too much, for fear of boring everyone to death, it is fair to summarise that not everyone who is on the sea is paid a national minimum wage. Indeed, one of the key parts of crewing vessels sometimes with foreign crews is that the levels of pay afforded them can be at a lower rate than for British fishers. The House needs to send a message, as we did with the passing of the National Minimum Wage Act 1998 and subsequent improvements to it, that there is a minimum standard for what we expect fishers to be paid in UK waters.

Mr Robert Goodwill (Scarborough and Whitby) (Con): Is the hon. Gentleman aware that a large number of fishermen are paid a share of the catch? Therefore they may have a good day or a bad day. Were we to impose national minimum wage objectives, that type of payment system could well be disrupted.

Luke Pollard: The right hon. Gentleman is right to highlight the share fishing that many trawlers go with. I think the point is that there should be a base minimum. That debate on the consequences of a national minimum wage was held in Committee Rooms such as this when nearly all the Members now on the Opposition Benches were at school. The consequence of introducing a national

minimum wage in fishing will be that all fishers are paid a basic level. That is especially true for those who are currently paid well below it, not because of a bad day at sea or weather obstructing fishing activity—I believe that that is what the right hon. Gentleman was suggesting—but because of the deliberate pay policy of the fishing organisation in question, to pay below the minimum wage, and in particular to pay foreign crews below the minimum wage.

The signal that the safety and workforce objective would send out in relation to that—although the Minister will no doubt say that subsequent work would be needed to sit behind it—would be a strong message that we expect a certain standard of pay for fishers. As to poverty pay for those fishing at sea, which is a dangerous profession, it would show that we as a newly independent coastal state, to borrow a phrase often used by the Conservative party, will set a high standard. Whether it is a matter of safety or pay, there is a profound case for high standards, especially for the foreign crews who are often paid less, which creates market distortion vis-à-vis the pay for British crews. There is an opportunity to level the playing field and create the basic standards that will say that safety and workforce issues matter. That is why the safety and workforce objective sends a clear message about our intentions.

I suspect that the Minister will disagree with most of what I have said, and I predict she will not want the objective to be in the Bill, but I hope she will be able to set out what measures the Government will take on the issue, recognising that there is a grey zone of responsibility, with safety sitting between the Department for Environment, Food and Rural Affairs and the Department for Transport, while the minimum wage sits between that and fisheries.

Mr Goodwill: No one would doubt the importance of health and safety, but there is already an obligation in the Bill, in clause 35(1)(e), to be able to give help, in terms of health and safety funding. I suggest that the amendment is superfluous, given that the issue is covered elsewhere in the Bill.

Luke Pollard: The right hon. Gentleman highlights a good topic, which I did not touch on, but am happy to, about the optionality of safety. My view and that of the Labour party is that safety should be a minimum standard, not an optional extra. Under the clause 35 financial assistance powers, the Secretary of State has the ability to arrange financial assistance for

“maintaining or improving the health and safety of individuals who are involved in commercial fish or aquaculture activities”.

He has the ability to do that: there is not a minimum standard that insists on it.

If the right hon. Gentleman suggests that clause 35(1)(e), on which we can still table amendments as we have not reached it yet, should be a compulsory measure—that the Secretary of State should ensure that there is always funding to create a minimum standard—I would agree. In the absence of a minimum standard, clause 35(1)(e) solely suggests that the Secretary of State can fund such provision if he or she wishes. That is a very different point from a minimum standard, and that is why it is so important that there should be a safety and workforce objective that establishes at a high level the belief that there should be minimum standards.

10 am

Brendan O'Hara (Argyll and Bute) (SNP): It is a pleasure, as always, to see you in your place, Mr McCabe, as well as the hon. Member for Plymouth, Sutton and Devonport. It is a pleasure to get the band back together, with a few notable extras.

We are absolutely in favour of amendments 71 and 72, and if they are put to a vote we will support them. The public asset objective for our fisheries is hugely important and runs parallel with the Scottish Government's aim of managing Scottish fisheries as a national asset.

The hon. Member for Plymouth, Sutton and Devonport was right to highlight the barriers that have been put in the way of those wishing to join the industry, through the concentration of incredible amounts of quota in the hands of a tiny number of very wealthy individuals. If the fisheries industry is to be a public asset, it has to benefit the public that it should serve. At the moment, it fails to do that.

It is correct that the safety of the workforce has to be paramount. No one in this room with a fishing community in their constituency has not felt the pain of a fishing tragedy. In my own Argyll and Bute constituency we went through something similar a couple of years ago. Every community has a tale to tell. We need to make safety a top priority, as part of the creation of an environment that will encourage more people to join the industry.

Those two issues are closely connected. If we create a safe environment in which young people believe that they can prosper and have a future in the fishing industry, through safety measures and through a change to the quota system, we can make fishing an attractive career of choice. That will help to alleviate a lot of the issues that we currently face in trying to attract people, particularly young people, into the industry.

The hon. Member for Plymouth, Sutton and Devonport is correct when he says that the treatment of many non-EU nationals and non-EEA nationals who have worked in the fishing industry has to be looked at, but I would not go so far. From my experience of speaking to local fishermen in my constituency, they tend to be extremely good employers, but there has to be a minimum standard set and a minimum requirement for anyone wishing to employ people, regardless of where they come from, in the fishing industry.

If amendment 71 is pushed to a vote, we will support it as we are in broad agreement with the hon. Gentleman.

Victoria Prentis: I appreciate the intention behind both amendments 71 and 72. However, as anticipated by the hon. Member for Plymouth, Sutton and Devonport, I feel that the law is already clear on both those points. I do not think it is necessary to amend the Bill in this way and I will go into some detail about why that it is.

As the hon. Member for Plymouth, Sutton and Devonport gets to know me better, he will learn that I am never happier than when discussing older laws. My personal university and legal background make the Magna Carta a fascinating document to me—indeed, I was discussing with the Fisheries Bill team yesterday. He should not set me down trains of thought unless he wants to hear the responses.

On the proposed public access objective, the United Nations convention on the law of the sea—UNCLOS—establishes that the UK has sovereign rights to manage

the marine resources within our exclusive economic zone, which obviously includes fish. I can reassure the hon. Gentleman that UK case law, which is slightly more recent than the Magna Carta, recognises clearly that those fish are a public asset, held by the Crown, for the benefit of the public. The public right to fish was confirmed most helpfully in a case called *Malcolmson v. O'Dea* in 1863. Legally, it is well established that no one individual can own the fish.

In terms of the rights to exploit and fish the fish, most UK fishing opportunities are managed, as the hon. Gentleman set out, through fixed quota allocation units. As he said, the High Court has held those units as a form of property right. Fixed quota allocation holders do not own the fish in the sea, but the FQA units entitle those holders to a share of whatever quota is available in that particular year. That is quite clear in the legal cases.

Mr Goodwill: Will the Minister recognise that there are exceptions to that in terms of royal fish, in that whales, porpoises and sturgeon become the property of the monarch? Indeed, in Scotland, any fish of that type that cannot be pulled on to shore by six oxen pulling a wain would qualify as royal fish, be the property of the Crown and be dealt with by the Scottish Administration on the Crown's behalf.

Victoria Prentis: It is always a pleasure to give way to the former fisheries Minister, who has knowledge of areas of law I can only dream of.

Fixed quota allocation units do not confer a permanent right to quota, but Government policy, as set out in the fisheries White Paper—a document particularly beloved of the Secretary of State for Environment, Food and Rural Affairs—is to maintain the FQA system, which has provided certainty to the industry for many years. That is important to those who have invested money in FQA units and very important to those who have borrowed money in mortgage form using FQA units as collateral.

Brendan O'Hara: Does the Minister accept that the legal position she is spelling out and the reality in practice are totally different? They are barely nodding acquaintances. Is she saying that she does not see any need to reform the quota system and that she is quite happy for it to continue as it is?

Victoria Prentis: I believe very firmly in the rule of law, and I would never accept that the legal system and reality are in any way in divergence. The Government have made it clear that the current quota system needs to stay in place for the reasons that I am in the middle of giving. However, for future quota allocation we will—and probably should—look at very different ways of doing that. I will go on to explain why that is the case.

To go back to FQA units and the existing law, which is reality as far as I am concerned, this method of allocation has its detractors across the House and in the industry. However, FQA units confer benefits, such as creating a sense of stewardship of the resource and enabling quota to be traded to get into the hands of those who want to fish against it. If amendment 71 were passed, I am concerned that it could undermine the FQA regime and that that would undoubtedly cause instability, prevent investment and, ultimately, have a

[Victoria Prentis]

damaging effect on the jobs and coastal communities that we all want to thrive. For example, I know that in the constituency of the hon. Member for Plymouth, Sutton and Devonport, Interfish is one example of those that fish to FQAs. We propose to keep the existing quota system broadly as it is, while looking at the future system for the extra quota that we will be able to allocate.

Luke Pollard: The Minister mentions Interfish, which is a brilliant fishing company that I am very proud to have in the patch I represent. However, I do not follow her argument. Can she set out how having “public asset” already in UK law, as defined by the court case she has just mentioned, and then having a public asset objective are different? They seem to be very similar. Saying that we already have a public asset within UK law but that we cannot have a public asset objective in UK law because that would be bad seems to be contradictory. Can the Minister clarify that?

Victoria Prentis: There is no contradiction; I just do not feel that the extra amendment is necessary. Another reason for that is that the national benefit objective in the Bill already requires UK fishing activities to bring social or economic benefits to the UK. That means, in effect, that the Bill already recognises the importance of managing fisheries for the public good.

I now move on to the important issue of safety and training requirements. The hon. Member for Plymouth, Sutton and Devonport is right to highlight that the matter was mentioned a great deal by Members across the House on Second Reading. It is right that I should—as I did on Second Reading—pay tribute to the hon. Gentleman’s long campaigning on this important issue. It rightly concerns us all and, as the hon. Gentleman said, it is shared between Departments, but that does not in any way detract from the importance of moving forward. Indeed, it rather strengthens our hand across Government.

Safety at sea is, of course, not just about fishing. It is a maritime vessel issue. The safety of all vessels falls within the remit of the Maritime and Coastguard Agency. Legal requirements for the safety of vessels are already in place in several pieces of legislation, most particularly in the Merchant Shipping and Fishing Vessels (Health and Safety at Work) Regulations 1997. Adding further complexity to an already comprehensive framework of legislation will not do much to improve safety. As the hon. Member for Plymouth, Sutton and Devonport rightly said, training and behaviour change are what is needed. I was particularly glad to hear him mention personal locator beacons, not least because grants are available to fund those at the moment. I encourage all those who could benefit from wearing a personal locator beacon to apply for those grants. I am pleased to see—I think the hon. Gentleman would agree—that positive progress has been made, with the industry taking greater responsibility, with support from the relevant authorities where possible. We should not be complacent, obviously, and I look forward to continued working across the House on that important issue.

On the equally serious issue of modern slavery, working conditions and the general wellbeing of our fishers, the UK has fully implemented the requirements of the

International Labour Organisation’s work in fishing convention. Of course, we have the Modern Slavery Act 2015, which ensures that—from 2016—officers from police forces, the National Crime Agency and Border Force can board and search vessels, seize evidence and arrest offenders. Section 1(2)(b) of the National Minimum Wage Act 1998 already requires that

“all seafarers working on ships within the UK internal waters and ports are entitled to be paid at least the national minimum wage.”

That is

“regardless of where the ship is registered”

or where the worker ordinarily lives or comes from. The legal exception to that is for those paid by crew share. We know that almost three quarters of fishermen are paid that way.

Recent research conducted by Seafish shows that average gross crew shares in the UK range from £1,060 a month for onshore workers to over £4,000 for mates. That is in line with or better than national minimum wage requirements, so we do not feel that the amendments are necessary and I ask the hon. Member for Plymouth, Sutton and Devonport not to press them.

Luke Pollard: I am grateful to the Minister for setting out her reasons for disagreeing with the amendments and for setting out the importance of safety. We will return to safety later. With that in mind, I am happy to beg to ask leave to withdraw the amendment.

Amendment, by leave, withdrawn.

Victoria Prentis: I beg to move amendment 1, in clause 1, page 1, line 12, leave out subsections (2) and (3) and insert—

“(2) The “sustainability objective” is that—

(a) fish and aquaculture activities are—

(i) environmentally sustainable in the long term, and

(ii) managed so as to achieve economic, social and employment benefits and contribute to the availability of food supplies, and

(b) the fishing capacity of fleets is such that fleets are economically viable but do not overexploit marine stocks.”

This amendment alters the definition of the “sustainability objective” so as to revert to the definition as it stood before it was substituted at Report stage in the Lords.

The Chair: With this it will be convenient to discuss the following:

Amendment 74, in clause 1, page 2, line 6, after “marine” insert “and aquatic”

This amendment would add the avoidance of the degradation of the aquatic environment to the definition of the “ecosystem objective”.

Amendment 75, in clause 1, page 2, line 7, leave out “minimised and, where possible,”

This amendment changes the definition of the “ecosystem objective” to include the reversal of negative impacts on marine ecosystems in all circumstances.

Amendment 76, in clause 1, page 2, line 8, leave out “minimised and, where possible,”

This amendment changes the definition of the “ecosystem objective” to include the elimination of incidental catches of sensitive species in all circumstances.

Amendment 77, in clause 1, page 2, line 12, at end insert—

“(aa) real-time scientific data is generated from both research vessels and all fishing vessels,”

This amendment would add the generation of accurate real-time scientific data to the definition of the “scientific evidence objective”.

Amendment 78, in clause 1, page 2, line 21, leave out paragraph (c)

This amendment removes the objective for bycatch to be landed where appropriate.

Amendment 79, in clause 1, page 2, line 24, after “area” insert “, fishing opportunity, or entitlement for any resources”

This amendment would extend the definition of the “equal access objective” to cover equal access to fishing opportunities.

Amendment 73, in clause 1, page 2, leave out lines 33 to 35 and insert—

- “(a) fish and aquaculture activities achieve net zero carbon emissions by 2030, including in particular through efforts to—
- (i) improve the environmental performance of fishing ports;
 - (ii) promote the decarbonisation of fish and aquaculture activities; and
 - (iii) phase out the use of fossil fuels;
- (b) fish and aquaculture activities adapt to the impact of the climate emergency;
- (c) fisheries policy is compliant with the United Kingdom’s obligations under—
- (i) the United Nations Paris Agreement under the United Nations Framework Convention on Climate Change,
 - (ii) the Convention on International Trade in Endangered Species of Wild Fauna and Flora,
 - (iii) the Convention on Biological Diversity, including the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,
 - (iv) the Convention on the Law of the Sea,
 - (v) the International Covenant on Economic, Social and Cultural Rights (ICESCR),
 - (vi) the United Nations Sustainable Development Goals.”

This amendment expands the “climate change objective”.

Victoria Prentis: I am afraid this will be rather a marathon as there are a number of amendments grouped together, but I am sure we will manage to get through them.

The Government recognise the intent of the other place, and indeed the Labour party, in seeking to focus attention on environmental sustainability in these amendments. However, we feel that the Opposition amendments create serious and, I am afraid, unacceptable legal and devolution constitutional issues and would undermine the Bill, including the important environmental objectives that we are all so keen to see.

The ambiguity of a prime objective creates a significant risk that we will be prevented by law from supporting coastal communities as they transition from the status quo to a new and improved fisheries management regime. For example, in the past two years, if we had not been able to agree with the EU a small quota above scientific advice for cod in the Celtic sea, the issue of choke species would have led to the closure of many valuable fisheries in the south-west, as the hon. Member for Plymouth, Sutton and Devonport knows. In fact, those fishermen target other species, some of which are certified as sustainable by the Marine Stewardship Council. In 2018,

fish caught near the seabed and brought into the south-west ports, plus landings of cuttlefish, were worth about £57 million and were a significant part of the economy in those areas. I am worried that under a prime fisheries objective, that level of appropriate flexibility would not be lawful. Having a prime objective would limit our flexibility in annual negotiations, I am told by the fish team, which conducts those negotiations. For example, it could mean that other parties would know that our negotiating position on quota had to be within a certain environmentally sustainable limit, and we could be tied into accepting an outcome that might disadvantage the UK.

10.15 am

The current hierarchy of objectives in the Bill would give priority to the social and economic parts of the sustainability objective over other objectives, including the five other environmental objectives. Proposing to revert to the original wording is not about the Government going against environmental ambitions—absolutely the opposite. Our amendment reverts to the very carefully drafted original wording, which gives equal weight to environmental, social and economic considerations. That follows the concept of the three pillars of sustainable development, which has been established in international law. To provide reassurance, I draw the Committee’s attention to clause 2(1)(c), which requires us to set out clearly how we have applied the eight fisheries objectives proportionately.

It is also important to remember that actions speak louder than words. I want briefly to draw attention to some of the actions that the Government have and are taking to improve environmental sustainability. We are introducing a hugely ambitious Environment Bill, which covers the marine environment too. We published a 25-year environment plan, and are publishing annual updates on progress. We commissioned Richard Benyon to conduct an independent review of whether and how highly protected marine areas could be introduced, and we are currently considering his report very carefully. We committed in the fisheries White Paper two years ago to an annual statement on our assessment of stocks in the UK and of interest to the UK. We have been at the forefront of efforts to increase the number of stocks fished at maximum sustainable yield. Where that is not possible, we have pressed for other technical measures to be included in the package, most recently in relation to North sea cod. We are working with Seafish and the shellfish industry to begin to develop fisheries management plans for crabs, lobsters and whelks, which have not existed before.

A really good example of where the new approach comes into its own is with scallops. We are working with the Scallop Industry Consultation Group on a package of management measures to improve the sustainability of that highly valuable, but non-quota, stock. It is heartening to see the industry’s recognition of the importance of sustainability, and it is much to its credit that it voluntarily paid a levy to support work on stock assessment. It was actually the industry that recognised that a new fishery on Dogger Bank could be being over-exploited. Following constructive discussions with all four Administrations, we have temporarily closed that area to conduct stock assessments and find out what is going on.

Stephanie Peacock: In answer to one of my written questions, yesterday the Government said that by the end of 2020, of the 67% of total allowable catches set at maximum sustainable yield, only 54 stocks will reach that. That basically means that a third of fish stocks at maximum sustainable yield will not be sustainable. Will the Minister comment on the fact that a whole third is not meeting that?

Victoria Prentis: I think the hon. Lady is possibly slightly unaware that we do not currently have good data for many stocks. We fish, we think, just over 100 stocks—we have 100 stocks available to us to fish in the UK, and we are very fortunate to have a very wide, mixed fishery—but we simply cannot say whether we are meeting MSY because we do not have the data available. That is why it is so important that we do the work where we need to, such as in Dogger Bank, to find out what is happening.

I can answer the hon. Lady more fully as we go through the Bill; we have a whole section on MSY coming up. I know it was not the intention that this amendment, inserted in the other place, should cause difficulties by introducing a hierarchy into the set of interlinked objectives, but I feel that returning clause 1 to its original balance is the best outcome for the environment, our fisheries and our coastal communities.

Amendment 74 would extend the scope of the Bill to the management of fish and aquaculture activities in freshwater ecosystems. Freshwater ecosystems are already managed through a comprehensive suite of legislation, which emanates mostly from the EU water framework directive. The Environment Agency regulates inland waters under the Environment Act 1995. Freshwater fisheries are also regulated under the Salmon and Freshwater Fisheries Act 1975. There are, of course, specific challenges to managing freshwater ecosystems, most of which are unrelated to fishing or angling—for example, those relating to water quality or obstructions in sluices. We are further strengthening our regulation of such issues through both the Agriculture and Environment Bills.

This Bill has been developed to put in place a new sea fisheries management regime and clearly focuses on the marine environment. We recognise that the term “marine and aquatic” is used elsewhere in the Bill where appropriate; we want there to be no doubt, for example, over the scope of an administration’s powers to make grants in relation to inland as well as marine activities. However, this Bill’s core purpose is managing marine and coastal fisheries, and that is why we do not feel that this is a helpful amendment.

Amendment 75 is also well intentioned, but we feel it would have significant unforeseen impacts, which could lead to stopping a great deal of fishing activity and damaging our coastal communities as a result. Requiring our fisheries and aquaculture sector to reverse all the negative impacts of their activities on marine ecosystems, as proposed in the amendment, would simply render many fishing activities impossible.

On amendment 76, we of course agree that we must protect sensitive species from incidental catches in fishing nets. The Government are committed to encouraging the fishing industry to minimise bycatch of sensitive species as much as possible, and we are developing UK plans of action for cetacean and seabird bycatch, working closely with the fishing industry and environmental groups. Our various bycatch monitoring programmes

are essential to inform that work. We will be launching a broader programme of work on protected, endangered and threatened species bycatch to support a more holistic system.

However, the effect of this particular amendment would be that fisheries administrations would have to have policies that would eliminate all bycatch. While our goal is to reduce bycatch to as close to zero as possible, in some situations complete elimination of bycatch will not be possible and some sensitive species will inevitably be caught. The wording that bycatch should be,

“minimised and, where possible, eliminated”,

reflects this intention and ensures that our objective is ambitious but achievable. It is accepted by both environmental organisations and fishermen.

Turning to amendment 77, the Government support extensive monitoring. We already have an extensive data collection programme that uses effective and innovative methods, such as underwater TV surveys. We feel this amendment is unnecessary, as the objective to collect scientific data is already included within paragraph (a) of the scientific evidence objective. It is important, as not all scientific data can be collected or used in real time. There may be a period of several weeks, or indeed months, between samples being taken from a fish on deck and the completion of the scientific processes. We agree—I know we will be discussing this issue further on another day—that the increased use of remote electronic monitoring may well help us to achieve this scientific objective, which is why we have included powers in the Bill that would allow its future roll-out, or further roll-out. Even then, given the volumes of data collected, that data may well not be checked in real time.

Turning to amendment 78, the CFP’s landing obligation, which was fully implemented last year, requires all species subject to catch limits to be landed and counted against quota, rather than discarded at sea. There are a few limited exceptions. Now that we have left the EU, the Administrations are free to develop discard policies that are tailored to the industries. However, as I have noted, even when our fishing practices are highly selective there will be instances in which this unwanted bycatch cannot be avoided entirely, given the high number of mixed fisheries in UK waters. If, for example, that catch is scientifically proven to have high survivability, it will be better for the long-term sustainability of the stock for it to be returned alive, rather than landed dead. There may be some limited instances in which there would be a high economic or safety cost to land bycatch caught unintentionally, so that is the purpose behind the “where appropriate” phrase in the Bill. I am worried that the effect of this amendment would be to undermine our future discards policy.

Amendment 79 would cause significant problems for the industry and the fisheries administrations. The management of fishing opportunities, namely quota, is inherently different from managing access to fishing waters. The equal access objective ensures that all UK fishing boats can continue to access all UK waters. By contrast, the management of quota is devolved. At the start of each fishing year, UK quotas are apportioned between the Administrations by the Secretary of State, and each Administration is then responsible for distributing those quotas to industry: the Scottish Government determine how quota is allocated to Scottish-registered

vessels, and so on. Allowing equal access to fishing opportunities regardless of where vessels are licensed and registered directly conflicts with those devolved arrangements, and implies that each Administration would have to make quota available to boats managed by the other Administrations. It is unclear how that would work, and the uncertainty it would create would threaten the stability of the current quota apportionment system.

Finally, I will make a few points regarding amendment 73. The Government's world-leading commitment to net zero, declaration of a climate emergency, and the inclusion of a climate change objective in this Bill—an improvement on the Bill, in my view—all show how seriously the Government are taking their commitments to climate change mitigation and adaptation. Emissions from fishing vessels count towards national emissions, and are part of national plans to address emissions in the longer term under the Climate Change Act 2008. The unique part of the Bill's existing climate change objective is the focus on mitigating the adverse effect of all fish and aquaculture activities. While part of that mitigation is through decarbonisation, it is important to emphasise that many other potential impacts need to be mitigated, such as impacts on the health of marine habitats that impair their ability to store carbon. I am concerned that the amended wording would limit our options on developing policies for mitigation only through decarbonisation and port improvements.

Fishing activity is already part of the Government's commitment to net zero by 2050. The UK takes its international obligations very seriously, as underlined in the fisheries White Paper. We believe that it would be inappropriate to include in the Bill references to some, but not all, of our international commitments in this area. We feel this amendment is unnecessary, as it restates existing obligations and commitments of the UK under international law. I hope that the Opposition will feel able to support Government amendment 1, and will not press their remaining amendments.

Luke Pollard: I am grateful to the Minister for setting out what is a lengthy, complicated group of amendments. I will also go through each amendment in turn, with specific focus on Government amendment 1 and amendment 73, the key amendments within this group.

Government amendment 1 seeks to remove a line inserted by the House of Lords:

“The sustainability objective is the prime fisheries objective.”

That sends a very poor message to those who want us to manage our fish stocks sustainably. There is no future for fishing unless it is sustainable, which is the clear message of the current wording of the Bill. I disagree with the Minister's argument that the current wording makes things difficult. Indeed, we have to face up to the difficult truth around fishing and sustainability—if fishing is not truly sustainable, there will not be a fishing industry in future.

10.30 am

It is really important that that message is clear, because the changes necessary to protect our fish stocks, including ensuring that total allowable catches are not set above MSY levels—the level at which fish reproduce to replace fish lost through being caught—are really important. Sustainability has to be the future of the Bill. Indeed,

later in Committee, the Minister should be prepared for our now annual amendment to change the Bill's title to the sustainable fisheries Bill, rather than just the Fisheries Bill, because that message about sustainability is important and should be loud and clear.

Mr Goodwill: Does the hon. Gentleman agree that the wording proposed by the Lords would tie the hands of Ministers as they go to the annual fishing negotiations? Stocks are determined within a particular zone, and we could end up with the UK not being able to fish some of that stock because we could not take back to the UK the agreement that we would have made had we not been so encumbered.

Luke Pollard: I am grateful to the right hon. Gentleman for setting that out. Let me be clear: a Labour Government would not set total allowable catches above the maximum sustainable yield. Telling our European friends that we want a sustainable fishing industry is not giving the game away or betraying our fishers. It is setting out, clearly for all to see the fact that we manage our fish stocks sustainably and that we want a sustainable fishing industry, economically and environmentally. That is the level that we would approach this at. That is really important.

The right hon. Gentleman mentions the move to zonal attachment, rather than relative stability, which he knows Labour supports in relation to this. It is therefore important that we set the tone and the objective that our own fisheries waters need to be sustainable at that level. That is what the amendment to the Bill sets out—fisheries sustainability is the primary driver of fisheries management.

Andrew Bowie (West Aberdeenshire and Kincardine) (Con): Does the hon. Gentleman agree that the amendment is entirely unnecessary, given that the people most invested and most keen on maintaining sustainable fisheries are the fishermen engaged right now? By virtue of the fact that they need that industry to survive, and therefore need fish to reproduce sustainably, they are most keen on maintaining sustainability in our oceans. The amendment was therefore entirely unnecessary in the first place.

Luke Pollard: I agree that Government amendment 1 is entirely unnecessary, and I wish that the Minister would withdraw it. I fear that the hon. Gentleman was suggesting that the Lords amendment was unnecessary, but to save his blushes I will correct him on that. However, I agree that Government amendment 1 is unnecessary. *[Interruption.]* I will make a wee bit of progress before I take any more interventions.

Opposition Members are pleased that the Government have included a new climate change objective in the Bill, which was discussed when the last Fisheries Bill was in Committee. At that time, the arguments against that were that it would be unnecessary and would make decisions more difficult in future. I am glad that, on reflection, those arguments were shown to be unnecessary themselves. I believe the same should be said about this Government amendment, because we are sending a poor message to fishers, our coastal communities and all concerned about there being more plastic than fish in our oceans if we say that fishing sustainability is not the prime objective of fisheries management, because that needs to be front and centre.

[Luke Pollard]

That is why the Opposition support the Lords amendment to the Bill. Indeed, we note that it was passed with near cross-party support, with many Conservative Lords speaking in support of it. This is not only a view held by those on the left—it is a cross-party view held by those with a concern about the future of our fishing sector. I am concerned about the Government's attempts to water down commitments to sustainability, kicking the climate crisis into the long grass with vague long-term objectives and no reference to any dates. Worryingly, while the Lords amendment guarantees that the environmental standards are not compromised in the long or short term, Ministers are seeking to remove that part of the Bill and replace it with reference only to the long term.

We need to send a clear message. Ministers have been clear in sending a message on their headline political objectives for fishing, but they have not extended that clarity to their headline sustainability objectives. Sustainability should be our prime watchword in the short, medium and long term. It should not be kicked into the long grass with the vague wording, “in the long term”. Our oceans are being irreparably damaged as we speak. We know that there are fish stocks under real pressure in UK waters. We have a wonderful mixed fishery in the south-west, as the Minister acknowledged. It is a real inheritance for our children that we have such diversity in our waters. Preserving that is important.

The Minister mentioned several items that I want to pick up in relation to Government amendment 1, before I turn to the subsequent amendments. I want our European friends to know that our objective is sustainable fishing. I want our European friends' objective to be sustainable fishing. Setting that target along with the move to zonal attachment could be a profound statement of our future fisheries management intention.

The Minister mentioned the Richard Benyon review of highly protected marine areas. I appreciate that the first part of that report was pushed out before. I am concerned that we will not see the second part. I would be grateful if the Minister would set out what comes next. In making the case for highly protected marine areas, Richard Benyon—formerly of this parish—has made a strong case for delivery of the UN 2030 target, the oceans treaty, which the Government have signed up to. Labour argued that the Government should sign up to that. We were pleased when the former Secretary of State made that announcement.

It is important, but neglected, that that treaty says that by 2030, 30% of our waters should be fully protected. The phrase “fully protected”, rather than just “protected”, is important. It relates to the importance of sustainability as the prime directive, because “fully protected” means no-take zones. It means that we are not removing biomass from those waters. I do not believe Ministers have properly explained that to the fishing community. There needs to be greater clarity. Setting that target—to great aplomb and applause from all, including ourselves—dictates clarity as to how we achieve that.

We are just over nine years away from 2030. The plan to achieve that target is important. That is why sustainability must be at the forefront, as must the recommendations from the Benyon review, suggesting that the livelihoods of fishers must also be taken into account in setting any

targets. I am not here to suggest policy to the Minister, particularly on that matter, but I would like to suggest to the Minister that her Department needs to set out what that road map is, if it is not to be a report that sits on a shelf as 2030 draws ever closer.

On amendment 73, the Minister mentioned our desire to achieve net zero for fishing. I raised this point on Second Reading at the Dispatch Box, as did several Labour colleagues. Having set a net zero target of 2050—although I disagree with the 2050 date and would rather it were closer to 2030—it is important that we have a road map as to how we decarbonise every part of our economy.

Amendment 73 requires that

“fish and aquaculture activities achieve net zero carbon emissions by 2030, including in particular through efforts”

in relation to a certain number of items. I am a 2030 believer, as someone who is red on the outside and green on the inside. The important thing is that I want the Minister to set out clearly the plan to decarbonise the fleet.

In *Fishing News* and other fishing publications there are wonderful examples of modern and fuel-efficient forms of propulsion in our fishing fleet, but there is no plan to decarbonise our entire fishing fleet. Indeed, some of our smaller vessels, which tend to be our oldest vessels, can use thousands of litres of diesel for a single fishing trip. We need to make a case for having a plan to enable those fishers to afford to replace their propulsion with a cleaner method by 2030, rather than by the Government's target of 2050. The lifetime expectations of propulsion, and particularly fishing boats, is currently within the planning horizon of many of our fishers.

If the Minister disagrees with that part of amendment 73, I challenge her to tell us what the plan is. Where is the plan? If no plan exists, when can we expect one and how will fishers be involved? There is enormous concern about how we replace propulsion within fishing, which is a really difficult challenge. There is no easy option or easy answer, but we know it must take place. The challenge is how that will be delivered.

The plan to phase out fossil fuels, which is mentioned in proposed new clause 1(10)(a)(iii) in amendment 73, is an important part of that. There is not the same focus on fuels across the full range of maritime uses as there is in the debate on the aviation sector, where there is greater focus on transition fuels, hybrid and other parts. We need to look at where that can be. The Minister will probably say that that is a matter for the Department for Transport rather than her Department, but the financial health of the fishing sector will be a matter for her Department. How fishers invest in that technology, and what technology they are encouraged to invest in, is an important part of that.

I disagreed with the Minister when she said that amendment 73 would only restrict efforts to focus on decarbonisation and the environmental performance of our fishing ports, but let us focus for a moment on the importance of improving the environmental performance of our fishing ports. In some cases our ports could do with investment in the efficiency of ice plants and the market infrastructure, given the importance of decarbonising those efforts. The amendment does not specify that they would be the only parts that Ministers could focus on; indeed, it says “including” those parts. I suggest that they give just a flavour.

Mr Goodwill: Does the hon. Gentleman not agree that there is a certain contradiction between what he is saying now and later amendments that he has tabled, which would indicate that fish destined for, say, the European market should be landed in the UK and then transported on trucks to their main market, rather than being landed closer to the market where they are going to be sold?

Luke Pollard: No, I disagree. I dislike the Conservative position of favouring landing fish in European ports, because we could be creating jobs in British ports. It is bad for our ports, and it betrays the promise that many people made during the Brexit referendum. It is something that we need to reflect on. We should land more fish in our ports, creating more jobs in our communities and, as a corollary, eating more of our own fish. We will return to that in future, but I do not feel that landing more fish in our ports and achieving net zero in fishing are in any way contradictory. Actually, both are necessary to have a fully sustainable fishing industry in the future, because sustainability needs to be economic and environmental—they go hand in hand.

Amendment 73 sends a really simple message: we want to see fishing achieve net zero, and we will require the Government to prepare a plan and to have an idea about how to achieve that. I hope the Minister has a plan for fishing achieving net zero, but I fear that this part of the debate has been wholly absent over the past few years. Outwith the larger debate about every single sector, but specifically on this sector, how will they work? We all know that fishing is not one sector but dozens of sectors operating within the wider remit, with different fishers catching different species of fish with different gear at different times of the year in different fishing zones. How does the plan to achieve net zero work for each of those sectors? There will be different approaches, especially with the carbon impact of certain boats.

I turn to the other amendments in this group, 74 to 79. I will talk only briefly, so that other speakers can contribute. On amendment 76, I suggest to the Minister that one thing she should take from this debate is that Ministers need to act faster than they have to date. In part, our sustainability work by Ministers, as a country, has been too slow and too passive. I hope that the Minister and her officials are hearing loud and clear from the Opposition that we want to see Ministers act faster on this.

10.45 am

The arguments about data collection, which the Minister mentioned, are true—there is a deficiency of data on a large number of our stocks. However, we have had a decade of the same party being in government and in charge of fisheries policy to correct that, yet that excuse is still rolled out. We want the Bill to draw a line under that decade of failure to collect the data we need on all our fish species—a debate in the previous Fisheries Bill was about how to ensure that data-deficient fish stocks are brought up, to see what the plan was—so I challenge the Minister again. What is the plan for data-deficient species? Where is the focus for Ministers, so that they can say, “We will have an understanding of data-deficient species”? That is particularly so for non-quota species, for which overfishing, especially in certain zones, might not be easily recognised in the data, because the data is not there.

On Second Reading, my hon. Friend the Member for Canterbury described every fishing boat as its own “floating...laboratory”. That is a powerful understanding of where fishing should be and, indeed, of where it is, given the amount of data we require our fishers to catch. We will come to remote vessel monitoring, but the idea that we look at data in realtime is one option. The amendment that talks about “real-time scientific data” is therefore important.

We want to strengthen the objectives to enhance the requirement for data collection. Each fishing boat should be its own laboratory. That is not to make every single fisher into a scientist, but to make their practice more data-driven, so that we can better understand it. One of the complaints that I have heard, and that I expect the Minister will have heard plenty of times from fishers, is the argument that says, “There is more fish in the sea than the data says there is. Why can’t we fish more fish? They are there.” In many cases, the data lag between the Ministers’ decisions and discussions with our European friends, and the reality of our fish stocks can be quite far apart. That is a common complaint of fishers.

The solution to that is to address the data imbalance—data deficiency and the gap between data collection and processing, and data usage—in the decisions taken on fish stocks. That is an important element to consider as we see more variation in our fish stocks, including established stocks, due to the climate crisis and the warming of our seas.

Brendan O’Hara: On a point of clarification, amendment 76, to which the hon. Gentleman was referring, is about the elimination of incidental catches in all circumstances. Anyone who has been a recreational fisher, or even guddled about in a pool, will know that incidental catch or bycatch is almost inevitable and almost impossible to eliminate. Surely we should be asking that commercial fishing businesses do an awful lot more to innovate and upgrade their equipment to avoid it. Is he seriously asking us to support an amendment that calls for the elimination of the bycatch in all circumstances? That seems to be an impossible ask. Surely we should be looking at a more innovative solution.

Luke Pollard: One of the difficulties of having so many amendments grouped together is that we cannot get into each one individually. That is a probing amendment to find out what the plan is. I will return to species in a moment, but to answer the hon. Gentleman’s question on bycatch, the discard ban was introduced with good intentions—to borrow the Minister’s phrase from earlier.

There is a real crisis of fish being discarded over the side of boats because people do not have the quota to catch that fish. Fishers are being put in a difficult position by existing regulations—regulations that Ministers themselves may decide on, even if under an EU directive on how things work. In mixed fisheries—which I believe is what is around Scotland, and is certainly around the west country, which I represent—for fishers to target specific species is difficult, resulting in an inevitable bycatch. The difficulty is that the discard ban states that a fisher cannot catch that, discard it or land it.

That poses questions about how a reformed discard ban would work under the new freedoms that the Minister has set out. Greater quota pooling, for instance, might be one way, especially for smaller boats, to make sure there is sufficient quota within a pool to ensure

[Luke Pollard]

that bycatch is adequate there. There needs to be a greater understanding of the need to allocate more quota for some of those things, especially in mixed fisheries, to cope with that. The fundamental point—which I think the hon. Member for Argyll and Bute was getting at, and to which I hope the Minister will respond in the spirit in which the amendment was tabled—is that the discard ban currently does not work for our fishers and certainly does not work for our environment. The intention behind it is good. We need to preserve that intention, but also ensure that the fish our fishers are catching get a good price and are preferably landed at their local port.

The hon. Gentleman also noted at the start of his intervention, in relation to the difference between commercial fishing and recreational fishing, that there is a real challenge, which we will come to later, in applying restrictions to recreational fishers who are not taking the volumes of fish out of the water that some of our commercial friends are. There is a tendency to regard the two slightly differently, which I think he hinted at in his intervention.

To briefly return to the amendments, I am grateful to hear the Minister say that the Government have declared a climate emergency. That is very welcome news. My recollection of the debate is that the Government did not oppose the declaration but did not support it either. I am very happy to hear that the climate emergency declaration is now Government policy and not just parliamentary policy. The subtle distinction is important, because if it is a Government declaration of a climate emergency, the Minister has made a bigger announcement today than perhaps she wanted to. It is important, because we are in a climate emergency and there is a climate crisis that affects our fish stocks.

One area that the Minister hinted at, which is important and why Government amendment 1 needs to be looked at again, is the changes in fish and where they reside. As the Minister knows, fish do not follow international boundaries. Laws that seek to govern fish to follow international boundaries are problematic. The Minister set out how she hoped to ensure that those fish with high survivability are returned to the sea and not landed dead—I think she mentioned that in relation to amendment 78. I agree with her, but the Minister's statement is at odds with DEFRA's decision not to grant the bluefin catch-and-release fishery in the south-west, because bluefin tuna, bless them, have very high sustainability and can be caught time and again. The experience for the fish might not be one that many of us would like, but a fish in the sea is worth so much more to our recreational fishing sector that charters boats to recreational anglers than it is from being landed and eaten in our food supply chain. I agree with the Minister when she talks about high survivability and hope she will respond to that point.

The bluefin catch-and-release fishery was something that I mentioned in my remarks, and the hon. Member for North Cornwall (Scott Mann) also made a powerful case in support of it. The catch-and-release bluefin fishery would not only enhance our scientific understanding of the changes causing these wonderful creatures to enter more of our British waters, or to return after a great absence to our British waters, but could create an

enormous number of jobs across the west country, and they could in due course appear in the North sea, where tuna was present before the decline of fish stocks.

I have taken up enough time on this. Suffice it to say that Labour Members disagree with Government amendment 1. We would like to see sustainability as the primary mover of sustainable fisheries. The message that removing that sends to all those that care about our oceans is a poor one. Fishing should be sustainable economically and environmentally, and we should be unafraid of saying that sustainability is the primary driver of fisheries management. If we do not have sustainable fisheries, we will not have jobs in fishing or the fish in the sea that we need. To pre-empt what you might be about to say, Mr McCabe, the amendments sandwiched between that and amendment 73 are designed to probe the Minister for an explanation of the position on each of those points—which she has done in part, with the challenges that I have posed. However, amendment 73, which concerns net zero and decarbonising our industry, is absolutely critical to the future of the sector. I hope the Minister will set out the Department's, and indeed the Government's, plans to decarbonise the industry. She needs to be under no doubt about how seriously we take the importance of hitting net zero for fishing.

Mr Goodwill: I rise in support of Government amendment 1. Nobody so far has talked about the role of the courts. I suspect that if the wording proposed by the Lords stays in the Bill, there will be a field day for the courts and well funded environmental non-governmental organisations, which will be fighting every step of the way to ensure that the prime fisheries objective of sustainability is taken to the nth degree. We have seen that already in how the courts have been used with general licensing.

For example, at the annual fisheries meeting with other independent coastal states such as Norway, we may well decide that, as a one-off, to take account of choke species and mixed fisheries, perhaps some stocks would be fished above maximum sustainable yield, as a short-term measure to sustain our fishing industries. That additional quota could be assigned to the Norwegian waters and EU waters, but the British fishing Minister would say, "I'm sorry, but although there's more quota on offer, we cannot take it because we would be shot down in the courts." There are many other situations in which the suggestions made by the hon. Member for Plymouth, Sutton and Devonport about being flexible and working with the sector would be tracked every inch of the way by environmental NGOs, which would be keen to take them to court.

Luke Pollard: The right hon. Member raises a hypothetical about total allowable catches being set above MSY. He knows well that total allowable catches are routinely set above MSY levels. It is not a once-in-a-moment opportunity; it is a regular occurrence, and it is leading to a decline in fish stocks. Therefore, sending the message to our fisheries that we will have sustainable fishing in our waters is not a bad one, because we are ultimately saying to those fisheries that if we do not set at MSY levels, there will be fewer fish in the sea for the future. Whether we set levels above MSY in conjunction with our European friends or otherwise, that contributes to a decline in fish stocks. Does he agree with that?

Mr Goodwill: I agree with the hon. Member, but where levels are set above MSY levels, it is often for practical reasons to do with the sustainability of a particular fishing industry. It is also to do with choke species. We heard from the Minister how some fisheries would be closed completely were they not to be allowed a degree of choke species to be caught for which a quota is not allocated.

The point I am making is that the law of unintended consequences has not been seen clearly by the Lords. I believe many of our fishing communities would be decimated by action taken not by Ministers but by judges in interpreting the prime fisheries objective as sustainability. That would be an overriding objective and not one that Ministers could reasonably take to fishing communities in the four nations of the United Kingdom sustainably. I am therefore pleased to support the Minister in her amendment, which will prevent such an unintended consequence that even the shadow Minister, I think in his heart of hearts, understands could be a real problem.

Rosie Duffield (Canterbury) (Lab): I echo the words of the shadow Secretary of State, my hon. Friend the Member for Plymouth, Sutton and Devonport. We must set the tone and objectives for the negotiations, so it is critical to retain the cross-party amendment passed in the other place to make environmental sustainability the driving force and priority of the legislation. Removing that objective would put the fisheries sector at risk in the long term.

On Second Reading, the Secretary of State warned against creating a hierarchy of objectives, but the simple truth is that environmental sustainability must go hand in hand with economic sustainability, as we just heard. We cannot have long-term economic sustainability without first prioritising environmental sustainability, and that means prioritising fish stocks. Fisheries businesses cannot operate if there are no fish left for them to catch.

The hon. Member for West Aberdeenshire and Kincardine made the good point that fisheries are striving to get those goals and achieve sustainability, but that must be enshrined in law. If we put environmental sustainability front and centre in the Bill, the rewards in the long term will be there for the fisheries sector to reap sustainably. We want fish stocks to recover and thrive, resulting in a more resilient marine ecosystem. That obviously leads to greater catches over the long term, supporting the fisheries sector and the coastal communities that rely upon it.

11 am

Greener UK, one of those NGOs, has pointed out that the UK is currently not achieving sustainable fisheries management and that decisions are often taken by the Government that end up giving priority to short-term economic factors over environmental factors. UK cod stocks are at a critical level, and the Natural Capital Committee has highlighted a lack of progress on sustainable fisheries. I point out to the Government that other countries, such as Australia, have included sustainability as a prime objective in their fisheries legislation.

I would be grateful, too, for a bit more clarity from the Minister on how the Government intend to prioritise environmental sustainability. She mentioned actions speaking louder than words. We need to protect our marine ecosystems practically. If she seeks to strike the

amendment from the Bill, how will that be achieved? What concrete and measurable policies are going to be put in place to address fish stock recovery and reduce overfishing, in order to fulfil our international commitments under the sustainable development goals, for example?

If we look after the resources of our planet, then our planet will look after us. It is as simple as that. Environmental sustainability is so critical to our future that of course it has to be prioritised. That is why I will vote against the Government's amendment.

Taiwo Owatemi (Coventry North West) (Lab): It is a pleasure to serve under your chairmanship, Mr McCabe. I will speak in support of amendments 75 to 78. Amendments 75 and 76 aim to protect the ecosystem of our marine environment by mitigating the catchment of sensitive species. It is therefore right that amendment 77 allows for better monitoring and enforcement of fishers.

The absence of historical data on catches means that there is no way to gauge how much illegal discarding is taking place in our seas. There has been no way to manage or mitigate overfishing. By ensuring realtime scientific data collection we can go a long way in attempting to protect over-exploited species and the ecosystem of our seas and to better ensure that fishers are more mindful of their catches. Amendment 78 provides much-needed assurance in the Bill that we can account for what is being fished, when and by whom—again, preventing the scourge of overfishing. All of that can only benefit our coastal communities.

Turning to the benefits of putting sustainability at the heart of the Bill, as the Lords amendments made clear, last year just 59% of the UK's fish stocks were fished at or below the sustainable level, down 10% from the previous year. We need sustainable fisheries management to stop overfishing and to safeguard the UK fishing industry's survival. Environmental sustainability, as proposed by the successful amendments in the Lords, which the Government now seek to reverse, is crucial for the survival of our coastal communities post covid-19.

With seafood export markets hit hard, fishing businesses face huge financial hardship. The hospitality and restaurant sectors closing, and supermarkets closing fish counters, has led to a drastic dip in demand, with fishing markets struggling to continue. The sustainability amendment and other amendments tabled to this clause provide long-awaited relief to coastal communities struggling under the weight of the coronavirus and buckling under the financial hardship imposed upon them as lockdown eases.

Opposition amendments to clause 1 will ensure economic, social and employment benefits to coastal areas across the United Kingdom and will contribute to the availability of fish supplies, which in turn will rejuvenate the staggering tourism and hospitality market in those areas. The Fisheries Bill must and can do more for the UK's fishing community and associated markets.

Stephanie Peacock: I would like to add my objections to the Government's decision to remove the sustainability objective as the Fisheries Bill's main objective. I will speak briefly and focus on Government amendment 1. Healthy fish stocks have been proven to create a more resilient and productive marine environment and ecosystem, which leads to increased long-term catches and greater industry profits. For the sake of our coastal communities, which rely on the UK fishing industry and the thousands

[Stephanie Peacock]

of jobs that it creates, not just on the boats but in processing, logistics and food services, we must ensure that sustainability is at the heart of our fishing policy.

I am concerned that the Government are paying lip service to their election promise, as set out in their manifesto, to

“a legal commitment to fish sustainability”.

The Lords amendment put a lens of environmental sustainability over all fisheries management decisions. It required fisheries authorities to consider and demonstrate the impact of their decisions on environmental sustainability, in both the short and long term.

I would like to make it clear that the Lords Bill still granted authorities a degree of flexibility. They could still opt out of the joint fisheries statements in certain circumstances. I refer the Committee to clause 7, which we will come on to later. It states that authorities can amend or replace joint fisheries statements if they can show that there has been a change in circumstances relating to

“available evidence relating to the social, economic or environmental elements of sustainable development.”

The sustainability objective, before it was limited by the Conservative Government, simply required fisheries authorities to put an environmental lens across all decisions, demonstrating that they had put in place provisions intended to avoid any compromising of environmental sustainability in the long and short term. It would have incentivised best practice and ended the type of short-term decision making that we have seen in recent years, whereby, as has been said already today, just for this year quotas are set above scientifically recommended sustainable levels to address short-term economic concerns.

The Government have so far failed to make progress in terms of sustainable fishing, barely scratching the surface of what is needed to achieve environmental targets. Right now, the UK cannot meet 11 of the 15 indicators of marine health that were set out in its marine strategy, and the recent review of the strategy concluded that the 2020 target for good environmental status

“may not be achieved for many years unless there are further improvements to fisheries management measures”.

If we want to protect both our marine environment and the long-term sustainability of our fishing industry—in many ways the two go hand in hand—we cannot stay with the status quo. The Government need to act. Putting sustainability at the heart of the Bill would have meant that we could start to redress the balance towards restoring the health of our fish stocks and helping our marine environment to recover. We should have taken this opportunity to strengthen the Bill and change the way we manage our fisheries going forward, to the benefit of both the industry and the marine environment. Labour Members are disappointed that instead the Government have shown their disregard for environmental sustainability and the health of our seas, the marine environment and our fishing industry.

Amendment 73 sets out the net zero target about which my hon. Friend the Member for Plymouth, Sutton and Devonport has already spoken. It would have placed a requirement on fisheries authorities to ensure that

“fish and aquaculture activities achieve net zero carbon emissions by 2030”.

That is particularly important in the context of the UK’s environmental sustainability targets, which the Government have already committed to. We need action on all fronts and across all industries to deal with the climate and nature emergency.

Brendan O’Hara: The hon. Lady is talking about emissions targets, which are very laudable, but would we not be applying a much stronger emissions reduction approach to fishing than to any other sector, including energy, transport, agriculture and housing? Why should the fishing industry bear the brunt? It is a genuine question; I am not trying to trip her up. It seems that this amendment would apply a much higher standard to fishing than to any other sector.

Stephanie Peacock: I take the hon. Gentleman’s point and I do not believe that the brunt should fall on the fishing industry. This is an issue that every sector of society and the economy has got to deal with. It does not make sense not to seize the opportunity that the Bill presents to ensure that our fishing industry can lead the charge in terms of net zero. We could be pioneers and lead the way for other countries to follow in our footsteps. We could improve the environmental performance of our fishing ports, promoting decarbonisation and phasing out fossil fuels. The end of the CFP and the passage of the Bill through Parliament does represent an opportunity to be bold and ambitious, and now is the time for meaningful change to promote the sort of greener economy that benefits both people and our environment.

Victoria Prentis: I agree, in fact, with a great deal of what is being said. I reiterate that the Government are absolutely committed to leaving the natural environment in a better state than we found it in. There is no watering down of our commitments to sustainability, which are clearly stated in the Bill in the first objective in clause 1. However, I do not feel that the amendment helps to take this further. I am worried that putting the primacy of sustainability in the Bill might—inadvertently, I am sure—cause unnecessary suffering to coastal communities.

To focus on the MSY issue for a moment, I am not going to stand here and suggest that the current position is one we should be proud of. We have undoubtedly made progress on fishing at MSY. We are now fishing at about 67% of MSY. In 1990, we were fishing at 10% of sustainable stocks, so there is no doubt that we are where we want to be, although we are moving slowly in the right direction.

The Government hope that the fisheries management plan, set out in the Bill, will work locally and holistically to make the situation much better, fast, as we must do. However, I am concerned that if we put in the clause which makes the sustainability objective prime, there will be some really serious unintended consequences for coastal communities.

I will give three examples on MSY in particular. If we followed the zero TAC advice for whiting in the Irish Sea, it could close the nephrops fishery that has critical economic importance for Northern Ireland, where landings averaged about 15 million a year over the past five years. Another example, following the zero-catch advice on plaice in the Celtic Sea would close the very valuable anglerfish and megrim fishery and could displace those boats into a more intensely fished area elsewhere, which

could also displace even worse environmental harm. Out at Rockall, latterly, there is a very low quota for cod, although the quality of the scientific advice there has been questioned. Following the advice on cod would close the valuable haddock fishery that might itself be taking some of the pressures off the fishery in the North Sea.

I have been asked repeatedly by Opposition Members for further clarity on the plan. I refer them politely to the fisheries White Paper 2018. Our Secretary of State is particularly proud of this document, having worked on it a great deal himself. It sets out very clearly the direction of travel that the Government are determined to follow as we leave the common fisheries policy and are able to take further steps. We are committed to environmental sustainability, and I hope that working together when this great Bill becomes law we will be able to move forward much more quickly than in the past.

I turn briefly to some of the points raised by the hon. Member for Plymouth, Sutton and Devonport. I remind him that, while this is a framework Bill and touches all areas, it does not, in fact, deal with the Benyon review or some of the specifics that he mentioned. However, I do want to be as helpful as possible. The Benyon review was pushed out on World Oceans Day, which seemed an appropriate time, despite the pandemic. It is important that we get on with this important work. The Government are considering their response at the moment. I think it would be wrong and that this is not the place to go much further than that, but I am happy to take this up with the hon. Gentleman outside the Bill as soon as he likes. We are in a great deal of communication on this at the moment, and a lot of work is being done.

On decarbonising the fleet—I am glad he enjoys *Fishing News* as much as I do—fishing accounts for about 10% of the domestic shipping CO₂ emissions. I am not in any way downplaying that significant amount. The grant-making powers in the Bill could well be used to give grants which would encourage vessels to move to more sustainable types of fuel.

Luke Pollard: Is there a plan?

Victoria Prentis: There is no plan, but there is a very good clause which enables the plan to be made. It is something that should and will be done at local levels, but I would be amazed if decarbonisation of the fuels that vessels use was not the sort of thing to be considered.

11.15 am

Bluefin tuna was raised on Second Reading, and I am also happy to take that offline and discuss it with the hon. Member for Plymouth, Sutton and Devonport. I am aware that bluefin tuna went from a status of “endangered” to “near-threatened” in 2015. It is clearly an improving stock, but “near-threatened” would indicate that a cautious approach is still needed, and I suspect the Government’s priority will be to support the stock’s recovery. I heard what the hon. Gentleman said, as well as what the hon. Member for North Cornwall said on Second Reading, and I am happy to meet him or take the matter up offline in the near future.

We are aware that the discards ban is far from perfect. That is the very reason why we rejigged the objective in the Bill to focus on reducing bycatch. We will set out future discards policy in joint fisheries statements; that

is the tenor of what they are for. I support the Government amendment, but I suggest that the other amendments are not appropriate.

Question put, That the amendment be made.

The Committee divided: Ayes 9, Noes 6.

Division No. 1]

AYES

Bowie, Andrew	Morris, James
Butler, Rob	Prentis, Victoria
Coutinho, Claire	Wild, James
Goodwill, rh Mr Robert	Young, Jacob
Jones, Fay	

NOES

Duffield, Rosie	Peacock, Stephanie
Fletcher, Katherine	Pollard, Luke
Owatemi, Taiwo	Smith, Cat

Question accordingly agreed to.

Amendment 1 agreed to.

Amendment proposed: 73, in clause 1, page 2, leave out lines 33 to 35 and insert—

- “(a) fish and aquaculture activities achieve net zero carbon emissions by 2030, including in particular through efforts to—
- (i) improve the environmental performance of fishing ports;
 - (ii) promote the decarbonisation of fish and aquaculture activities; and
 - (iii) phase out the use of fossil fuels;
- (b) fish and aquaculture activities adapt to the impact of the climate emergency;
- (c) fisheries policy is compliant with the United Kingdom’s obligations under—
- (i) the United Nations Paris Agreement under the United Nations Framework Convention on Climate Change,
 - (ii) the Convention on International Trade in Endangered Species of Wild Fauna and Flora,
 - (iii) the Convention on Biological Diversity, including the Cartagena Protocol on Biosafety to the Convention on Biological Diversity,
 - (iv) the Convention on the Law of the Sea,
 - (v) the International Covenant on Economic, Social and Cultural Rights (ICESCR),
 - (vi) the United Nations Sustainable Development Goals.”—(Luke Pollard.)

This amendment expands the “climate change objective”.

The Committee divided: Ayes 5, Noes 10.

Division No. 2]

AYES

Duffield, Rosie	Pollard, Luke
Owatemi, Taiwo	Smith, Cat
Peacock, Stephanie	

NOES

Bowie, Andrew	Jones, Fay
Butler, Rob	Morris, James
Coutinho, Claire	Prentis, Victoria
Fletcher, Katherine	Wild, James
Goodwill, rh Mr Robert	Young, Jacob

Question accordingly negated.

Clause 1, as amended, ordered to stand part of the Bill. 11.20 am

Ordered, That further consideration be now adjourned.
—(*James Morris.*)

Adjourned till this day at Two o'clock.