

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT  
GENERAL COMMITTEES

Public Bill Committee

## SHARK FINS BILL

*Wednesday 16 November 2022*

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CLAUSES 1 TO 3 agreed to.  
SCHEDULE agreed to, with an amendment.  
Bill, as amended, to be reported.

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**not later than**

**Sunday 20 November 2022**

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**The Committee consisted of the following Members:**

*Chair:* JUDITH CUMMINS

† Aldous, Peter (*Waveney*) (Con)  
† Colburn, Elliot (*Carshalton and Wallington*) (Con)  
† Crosbie, Virginia (*Ynys Môn*) (Con)  
† Crouch, Tracey (*Chatham and Aylesford*) (Con)  
David, Wayne (*Caerphilly*) (Lab)  
Day, Martyn (*Linlithgow and East Falkirk*) (SNP)  
† Dowd, Peter (*Bootle*) (Lab)  
† Foster, Kevin (*Torbay*) (Con)  
Howell, John (*Henley*) (Con)  
† Hunt, Jane (*Loughborough*) (Con)  
† McVey, Esther (*Tatton*) (Con)

† Mc Nally, John (*Falkirk*) (SNP)  
† Mayhew, Jerome (*Broadland*) (Con)  
† Pow, Rebecca (*Parliamentary Under-Secretary of  
State for Environment, Food and Rural Affairs*)  
† Rees, Christina (*Neath*) (Ind)  
† Sobel, Alex (*Leeds North West*) (Lab/Co-op)  
† Vaz, Valerie (*Walsall South*) (Lab)

Abi Samuels, Anne-Marie Griffiths, *Committee Clerks*

† **attended the Committee**

# Public Bill Committee

Wednesday 16 November 2022

[JUDITH CUMMINS *in the Chair*]

## Shark Fins Bill

9.25 am

**The Chair:** Before we begin, I have a few announcements. Please switch electronic devices to silent. No food or drinks are allowed, apart from the water provided. *Hansard* would be immensely grateful if you could email your speaking notes to [hansardnotes@parliament.uk](mailto:hansardnotes@parliament.uk).

My selection and grouping for today's meeting is available online and in the room. I have selected one amendment tabled in the name of the Member in charge of the Bill, Christina Rees. The amendment will be considered alongside the existing content of the Bill in a single debate.

### Clause 1

PROHIBITION ON IMPORT AND EXPORT OF SHARK FINS

*Question proposed,* That the clause stand part.

**The Chair:** With this it will be convenient to discuss: Clause 2 stand part.

Clause 3 stand part.

Amendment 1, in schedule, page 6, line 23, at end insert—

“(7) In this paragraph, references to the First-tier Tribunal, in relation to a decision of the Scottish Ministers, are to the First-tier Tribunal for Scotland.”.

That the schedule be the Schedule to the Bill.

**Christina Rees (Neath) (Ind):** It is a great pleasure to serve with you in the Chair, Mrs Cummins. I thank hon. Members for joining me on the Committee to discuss this important Bill today.

I am pleased to bring forward a Bill that will advance this country's standards for the long-term conservation of sharks. The Bill proposes to ban the import and export of detached shark fins, including the import into the United Kingdom and export from the United Kingdom of all products containing shark fins, as a result of their entry into or removal from Great Britain.

As we heard on Second Reading, sharks play a crucial and intricate role in the marine ecosystem, yet they are being killed in huge numbers around the world. Sharks desperately need our help and protection.

The international shark-fin trade is a significant driving force behind the overfishing of sharks. Shark finning is an extraordinarily wasteful and harmful practice in which only 2% to 5% of the shark is even used. This important and timely Bill will make it illegal to import and export detached shark fins, which will help end practices that are forcing sharks closer to the brink of extinction. The Bill will be a significant step in helping to restore the balance of our ocean.

The inclusion of the import and export of detached shark-fin products in the Bill, for example tinned shark-fin soup, will also address concern about the provenance of shark-fin products, as only domestically processed products from sharks landed with their fins naturally attached will be available for sale.

It is important to note that the Bill does not ban the sale or consumption of shark fins. If a shark fin is removed from a shark after it is dead and the shark is caught in line with existing legislation, I do not see why the fin should not be used. In fact, it would be wasteful not to use the whole carcase. Banning the sale or consumption of shark fins that have been obtained ethically would also disproportionately impact communities where shark-fin soup is considered a delicacy, which is not what I seek to do.

The Bill will showcase the UK as a best practice example to other countries, encouraging them to follow suit and adopt similar important measures for sharks.

**Kevin Foster (Torbay) (Con):** The hon. Lady is making an excellent speech. The Bill is targeted at the immensely cruel practice of taking a living shark, cutting its fin off and then throwing it overboard to die a long, slow, unpleasant death. That is the core of what the Bill drives at, rather than at the products.

**Christina Rees:** I thank the hon. Gentleman for that exceptional intervention. He puts what the Bill is about succinctly and clearly. It is a terrible practice. When it was first brought to my attention, I could not believe that it was happening. As a lifelong vegan, I find it absolutely abhorrent.

**Tracey Crouch (Chatham and Aylesford) (Con):** I congratulate the hon. Lady, my friend, on introducing this important Bill, and of course congratulate my hon. Friend the Minister on resuming her place at the Department for Environment, Food and Rural Affairs. Does the hon. Member for Neath agree that the trade in shark-fin products has a detrimental impact not just on the sharks, but on marine ecosystems and, eventually, the commercial fisheries and countries' economies as well? This is not just about animal welfare but about protecting commercial fisheries, which this country, very importantly, relies on.

**Christina Rees:** I thank my friend and fellow sports-mad person for an excellent intervention and for her support throughout. Again, it is the whole balance of the ecosystem throughout the ocean that is affected. Sharks have been much maligned. If I sing, “Dur-duh, dur-duh, dur-duh,” you will get it. Ever since the film “Jaws” came out, people have been terrified of sharks, but they are really wonderful creatures.

Clause 1 sets out the prohibition on the import and export of detached shark fins. Subsection (1)(a) makes it an offence

“to import shark fins, or things containing shark fins, into the United Kingdom as a result of their entry into Great Britain”.

Subsection (1)(b) makes it an offence

“to export shark fins, or things containing shark fins, from the United Kingdom as a result of their removal from Great Britain.”

Subsection (2) refers specifically to where the prohibition does not apply to fins that have not been removed from the body of a shark. The prohibition does not apply if a

shark fin is naturally attached to the body of a shark and the body is substantially intact. This means that the head and internal organs of a shark can be removed, and some damage may have occurred to the body in transit, but the body should still be substantially intact. This is to prevent the permitting of trade for fins that are attached to small parts of the shark body, while the rest of the body could have been discarded, which still poses ethical and sustainability concerns.

There is only one exception to the ban. Outlined in subsection (3) and the schedule, it is where imports or exports will support greater conservation of sharks—for example, through education and training. I had better mention at this stage that there is no exemption in this Bill for what was allowed previously, whereby individuals could import up to 20 kg of dried shark fin for personal use. The Bill closes that loophole.

Importantly, strict processes are in place to assess applications for exemption certificates, to ensure that they do not undermine the overall ban. The exemption process is clearly set out in the schedule to the Bill, which I will come to. A very strict application process is followed: the Secretary of State and Scottish and Welsh Ministers can issue an exemption certificate only if the shark fins will be used for purposes connected with the conservation of sharks. This will allow important conservation and educational activities, such as improving shark identification skills, to continue where needed.

**Virginia Crosbie** (Ynys Môn) (Con): I thank the hon. Member for Neath, a fellow Welsh MP, for introducing this important Bill. She mentions education, and this is a really important part of the Bill—shining a light on this absolutely dreadful practice. As many hon. Members know, I started my working life looking after dolphins, working for Terry Nutkins of “Animal Magic” fame, and part of that involved educating people about marine life and our ecosystems. I have also been a BSAC—British Sub-Aqua Club—diver for decades. And I pay tribute to all the marine work that Bangor University does. This important Bill shines a light on this dreadful practice, so I congratulate the hon. Member.

**Christina Rees**: I thank the hon. Member for her intervention. The thing about this Bill is that I have learned all sorts of things about Members of Parliament that I could never have thought of. I know the great work that the hon. Member does on Ynys Môn. I always take every excuse to go there, because it is one of the most beautiful parts of Wales. Perhaps when I come up there next, she can show me all her good work. That would be brilliant.

The exemption process requires applicants to provide certain information to the appropriate authority to take a decision. The appropriate authority can revoke the exemption certificate if information supplied by the applicant is inaccurate or incomplete. Where someone has deliberately provided inaccurate or incomplete information for an exemption, the Secretary of State can impose a monetary penalty of up to £3,000. That will ensure that the exemption process is not abused. The Bill contains a power for the Secretary of State to amend the upper limit of that penalty by regulations.

Subsection (4) defines shark fins as  
“any fins or parts of fins of a shark”

except for pectoral fins, which are part of ray wings.  
“Shark” means

“any fish of the taxon Elasmobranchii.”

Taxonomically speaking, Batoidea is a super-order of cartilaginous fishes, commonly known as rays. Batoidea has four orders, including Rajiformes, which includes skates. That definition is consistent with definitions included in the UK’s “fins naturally attached” regulation, in which skates are also considered under the definition of rays. Therefore, their pectoral fins are not included in the definition of shark fins. I am glad I got through that bit of my speech! [*Laughter.*]

Clause 2 amends the existing shark fins regulation 1185/2003, which forms part of the retained EU law. The version of the regulation retained in UK law includes the subsequent amendments made by regulation 605/2013. As the retained EU law stands, the removal of shark fins, retention on board, transshipment and landing of shark fins could take place by another country’s vessel in UK waters. That was not the intention of the changes made by the EU exit amending regulations. The amendment to the Bill would rectify that position and its effect is twofold. First, it is to ensure that shark finning is not undertaken by any other country’s vessels fishing in UK waters. Secondly, it is to ensure that any UK vessel is not undertaking shark finning wherever it fishes.

Clause 3 sets out the extent, commencement, transitional and savings provisions and short title of the Bill. They are the practical parts of the Bill necessary for it to function properly. The Secretary of State will set the commencement dates for clause 1 and the schedule to the Bill by statutory instrument. For clause 2, amendments to the existing shark finning regulation 1185/2003, which forms part of the retained EU law and includes amendments in regulation 605/2013, will come into force at the end of the period of two months, beginning with the day on which the Bill is passed. Clause 3 will come into force on the day on which the Bill is passed.

Amendment 1 clarifies that appeals in relation to decisions by Scottish Ministers should be heard by the First-tier Tribunal for Scotland. Applicants who wish to appeal decisions where Scottish Ministers are the appropriate authority will do so to the First-Tier Tribunal for Scotland, as per paragraph 9 of the schedule. Scottish Ministers are the appropriate authority in relation to entry into or removal from Scotland of shark fins or things containing them. This is a technical amendment to appropriately reflect Scottish devolved competency within the Bill. For completeness, there is currently no similar and separate equivalent in Wales to the First-tier Tribunal. The Welsh Government have therefore indicated that a similar amendment is not necessary at this time.

On the schedule, there is only one exception to the Bill, which is where imports or exports of shark fins will be used for purposes connected with the conservation of sharks.

**Peter Dowd** (Bootle) (Lab): That point about conservation has to be put into the context that as many as 273 million sharks are killed every year; on a figure of just 100 million, which is the lower estimate, that is about 11,000 sharks killed every hour. I congratulate the hon. Lady on bringing the Bill before the House. Does she agree that it will send a message to other countries to end this barbaric practice?



**Christina Rees:** I thank my hon. Friend for another superb intervention. I thank him for his support in coming to the Committee today, which is much appreciated. I really hope the Bill sends a massive message that the practice should not go on and that, if it does continue, serious action should be taken.

The schedule outlines the strict processes in place to access applications for exemption certificates to ensure that they do not undermine the overall ban. Paragraph 1 confirms that the prohibition in clause 1 on the import or export of shark fins or things containing them does not apply if the appropriate authority has issued an exemption certificate. The definition of appropriate authority is outlined in paragraph 9.

The process for applying for an exemption certificate is set out in paragraph 2. Paragraph 3 permits the appropriate authority to revoke or issue a revised exemption certificate if, before the import or export takes place, any information provided in connection with an application is or has become inaccurate or incomplete.

Paragraph 4 provides for a civil liability, where the appropriate authority can impose a penalty up to £3,000 if the applicant provides inaccurate or incomplete information or a document that contains an inaccuracy in relation to an application. This power provides a strong incentive for applicants for exemptions to be truthful and ensures that the ban will not be undermined. The process for monetary penalties is outlined in paragraph 5.

Paragraph 6 defines what information must be included in an initial penalty notice and a final penalty notice. A final penalty notice may also provide for interest or other penalties to be payable in the event that payment is not made within the period specified by the notice. Applicants who wish to appeal against decisions will do so to the First-tier Tribunal. Appeals in relation to decisions by Scottish Ministers, as I have already said, should be heard by the First-tier Tribunal in Scotland, reflecting the devolved competency within the Bill. Paragraph 8 provides information for when a person does not pay the whole of or part of a penalty.

I thank all hon. Members again for coming here this morning. I hope we can agree that the Bill will deliver a significant improvement to our shark conservation standards and make us a global leader in shark conservation and sustainable fisheries. I am delighted to commend the Bill to the Committee.

**John Mc Nally (Falkirk) (SNP):** I congratulate the hon. Member for Neath on introducing this vital Bill. It is a great step forward in the preservation of this wonderful species. I have absolutely no issues with the Bill and sincerely hope that it will go a long way to prevent further deterioration of such poor practice in the removal of shark fins, and will help us to conserve the species. I hope the Bill starts behavioural change on this loathful practice.

9.45 am

**Alex Sobel (Leeds North West) (Lab/Co-op):** I also congratulate the hon. Member for Neath on bringing forward this long-overdue piece of legislation. It fills in part of a broader plethora of animal-welfare issues, following, for instance, the Ivory Act 2018, which has started to roll back some of the ivory trade. We have

lots of those practices globally, and it is important that both individual Members—such as the hon. Member for Neath—and the Government bring forward legislation to resolve them. The Labour Front-Bench team fully support this Bill.

One of the best tools we have in preserving animal welfare is the red list used by CITES—the convention on international trade in endangered species of wild fauna and flora—to identify animal species most at risk. The last three sharks and rays added to that list were all added due to the removal of fins. The silky shark, the thresher shark and the devil ray are all at complete risk of extinction due to the practice.

Hopefully, the UK passing this Bill will start to roll back some of that and can protect those three—and many other—shark and ray species. Once again, I thank the hon. Member for Neath and I commend the Bill.

**The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Rebecca Pow):** It is a pleasure to serve under you, Mrs Cummins, and it is a pleasure to be back. What a wonderful first Bill to be back for; it is always great to be part of a Bill Committee where there is a general consensus—even with our Scottish friends—because we all agree that it is a good thing to do. It is exactly the sort of thing that we should be leading the way on.

I must thank the hon. Member for Neath for bringing forward the Bill and for all her work on this. Indeed, I thank the whole Committee, because I believe that its members all have some reason for being on it. Possibly they have had their arms twisted, but, individually, each of us has some feeling, experience or knowledge on the issue, and I genuinely think that that is very helpful. It just goes to show that we mean business.

Nobody disagrees that shark finning is a gross practice. It is cruel and unsustainable. In fact, listening to some of the comments this morning makes my stomach turn; it is pretty grim. In the UK, shark finning has been banned for nearly 20 years, but this Bill goes an extra step to ban the import and export of the detached shark fins and shark-fin products. It is the only way that we can be sure that we are not inadvertently fuelling unsustainable practices abroad. The Bill is fully supported by Government, and we will do all we can to support its swift passage.

I am proud of our strong marine track record internationally. I went to the UN ocean conference in Portugal just a few months ago, and it was clear that the UK is considered a world leader on a lot of this conservation action. I do not think that we talk about that enough at home—how we are really seen as leaders. I think that this Bill will be another example; people will be watching us and what we have done.

We have committed to the protection and management of shark species, and the Bill is another step towards that. To reiterate, when we say sharks, that also includes rays and skates. I went to the Birmingham National Sea Life Centre not long ago; I do not know if anybody here has been there but it is a wonderful place to see those creatures. The skates and rays were enormous creatures; they were sort of like underwater flying machines, really. To think that we cause them such damage really brings home why we need this Bill to protect them. As my hon. Friend the Member for Torbay so ably described to us,

pulling off a creature's fins inflicts a gross, cruel, painful and slow death. Sharks produce very few young compared with other fish, making them even more vulnerable if people carry out such practices on the scale mentioned by the hon. Member for Bootle. It affects their whole life cycle.

As we heard on Second Reading, the International Union for Conservation of Nature states that over 25% of sharks, rays and skates are threatened with extinction. Removing these top predators would have a catastrophic impact right the way down the food chain. This what my hon. Friend the Member for Chatham and Aylesford was really referring to. She has a great deal of knowledge in this area, particularly on dolphins. This is impacting the whole food chain.

We have heard some statistics. Something like 73 million sharks are caught I think annually—the exact sum is up for debate. A huge proportion of those—not all of them—would be affected by this, but a great proportion of them would have had their fins ripped off, so this is a really important step on our global journey on shark conservation. It will help us to consolidate our position as world leaders.

I want to touch on the point that was raised ably by the hon. Member for Leeds North West. CITES is holding its 19th meeting of the conference of the parties right now. I spoke to our team out there—it is in South America—and we are co-proponents of a proposal to list a further 54 shark species in the requiem shark family. The hon. Member named some previous species to be listed, and that group of sharks accounts for 85% of the global shark fin trade. I will name a few of them—I do not want to keep us here for hours—because includes sharks most of us never even think about, such as the tiger shark, the bull shark, the lemon shark, the spinner shark, the blacknose shark, the blacktip shark, the grey reef shark, the silky shark, the dusky shark, the blue shark, the copper shark. There are loads of them, and 54 species will now be on the list. That means they have to be controlled much more closely, and people will be given a permit to catch them only if that would not be detrimental to the survival of the species, so that is a really good move that our own Government are involved in right now.

**Elliot Colburn:** I am grateful to the Minister for giving way and, through her, also thank the hon. Member for Neath for introducing this Bill.

That is indeed very good news. Will the Minister confirm that the Government will keep the level of the fines in this Bill under review because enforcement of this Bill will be important to deter the practice from happening altogether? Will the Minister assure me that enforcement against the import and export of shark fins will be important in the Government's application of this Bill?

**Rebecca Pow:** Of course, and I thank my hon. Friend for that good point. We have a paragraph in the schedule about the way the penalties work and the appropriate authority can revoke the exemption certificate if the right information is not supplied. The penalties are up to £3,000—actually, that is for providing inaccurate

information about what they are doing. Of course, the whole system will be enforced by ensuring that Border Force and others know what to look for.

I want to highlight that it is leaving the EU that has enabled us to have this opportunity, and we have probably moved much more quickly than we might have done because, had we been in the EU, we would have had to get the agreement of all member states. That would potentially have been slow, so at least we have been able to get this matter taken forward in an individual Bill.

We have had widespread support for the Bill from non-governmental organisations. Organisations such as the Shark Trust, Shark Guardian, the Blue Marine Foundation and the Wildlife Conservation Society have done a great deal of work, for which I thank them. They have spoken to many of our MPs.

To wind up, I am so grateful to the hon. Lady for her work on this important Bill and, of course, to the Committee. The Government will do all that we can to support the Bill's passage through both Houses and get it on to the statute books so that we can protect this iconic and critical species for generations to come.

**Christina Rees:** I am blown away, as they say. Committee members cannot know how much their support means to me—I am getting quite emotional.

I will go through the greatest hits of thanks. I want to thank everyone present for their contributions and interventions. I also want to thank the Members who are not present but who spoke on Second Reading and enabled us to get to Committee. I thank all the organisations the Minister mentioned—welcome back, Minister; it is great to see her in her place again—which, I am sure, will continue to support this Bill as it goes through, because it is so important to them. I also thank you, Mrs Cummins, for chairing superbly today.

We could not have done it without the Clerks, who work tirelessly and have managed to get me on some sort of straight line, and the officials, who never get thanked and are absolutely brilliant. I thank the Minister and the Government for their support. I look forward to getting the Bill on the statute book—I will probably be even more emotional then. Thank you again.

**Hon. Members:** Hear, hear!

*Question put and agreed to.*

*Clause 1 accordingly ordered to stand part of the Bill.*

*Clauses 2 and 3 ordered to stand part of the Bill.*

## Schedule

### EXEMPTION CERTIFICATES

*Amendment made:* 1, schedule, page 6, line 23, at end insert—

“(7) In this paragraph, references to the First-tier Tribunal, in relation to a decision of the Scottish Ministers, are to the First-tier Tribunal for Scotland.”—(*Christina Rees.*)

*Schedule, as amended, agreed to.*

*Bill, as amended, to be reported.*

9.57 am

*Committee rose.*

