

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT  
GENERAL COMMITTEES

Public Bill Committee

## FISHERIES BILL

*Fourth Sitting*

*Thursday 6 December 2018*

*(Afternoon)*

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### CONTENTS

Examination of witnesses.

Adjourned till Tuesday 11 December at twenty-five minutes past

Nine o'clock.

Written evidence reported to the House.

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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**

**Monday 10 December 2018**

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

*Chairs:* JAMES GRAY, † DAVID HANSON, MR LAURENCE ROBERTSON, SIR DAVID CRAUSBY

† Aldous, Peter ( <i>Waveney</i> ) (Con)	† O'Hara, Brendan ( <i>Argyll and Bute</i> ) (SNP)
† Brown, Alan ( <i>Kilmarnock and Loudoun</i> ) (SNP)	Pennycook, Matthew ( <i>Greenwich and Woolwich</i> ) (Lab)
Carmichael, Mr Alistair ( <i>Orkney and Shetland</i> ) (LD)	† Pollard, Luke ( <i>Plymouth, Sutton and Devonport</i> ) (Lab/Co-op)
† Debbonaire, Thangam ( <i>Bristol West</i> ) (Lab)	† Smith, Owen ( <i>Pontypridd</i> ) (Lab)
† Duguid, David ( <i>Banff and Buchan</i> ) (Con)	† Stewart, Iain ( <i>Milton Keynes South</i> ) (Con)
† Eustice, George ( <i>Minister for Agriculture, Fisheries and Food</i> )	† Sweeney, Mr Paul ( <i>Glasgow North East</i> ) (Lab/Co-op)
† Grant, Bill ( <i>Ayr, Carrick and Cumnock</i> ) (Con)	† Tracey, Craig ( <i>North Warwickshire</i> ) (Con)
† Hill, Mike ( <i>Hartlepool</i> ) (Lab)	Gail Poulton, Lis Gerhold, <i>Committee Clerks</i>
Hollinrake, Kevin ( <i>Thirsk and Malton</i> ) (Con)	
† Jones, Mr Marcus ( <i>Nuneaton</i> ) (Con)	
† Lefroy, Jeremy ( <i>Stafford</i> ) (Con)	
† Morris, James ( <i>Halesowen and Rowley Regis</i> ) (Con)	† <b>attended the Committee</b>

**Witnesses**

Griffin Carpenter, Senior Researcher, New Economics Foundation

Dr Carl O'Brien CBE, DEFRA Chief Fisheries Science Adviser, Department for Environment, Food and Rural Affairs

Dr Amy Pryor, Programme Manager at the Thames Estuary Partnership and the Chair of the Coastal Partnerships Network, Coastal Communities Alliance

Elaine Whyte, Communities Inshore Fisheries Alliance

## Public Bill Committee

Thursday 6 December 2018

(Afternoon)

[DAVID HANSON *in the Chair*]

### Fisheries Bill

2 pm

**The Minister for Agriculture, Fisheries and Food (George Eustice):** I beg to move,

That the order of the Committee of 4 December be varied, by leaving out “and 5.00pm” in paragraph (1)(c).

This amendment has been agreed by the Whips.

*Question put and agreed to.*

#### Examination of Witness

*Griffin Carpenter gave evidence.*

2.1 pm

**Q194 The Chair:** I invite the witness to introduce himself and his organisation.

**Griffin Carpenter:** My name is Griffin Carpenter and I am a researcher at the New Economics Foundation. My work on fisheries policy takes a mixed-method approach; for example, last year I produced an economic impact assessment of Brexit scenarios across the UK fishing fleet—large and small quota holders and non-holders—and followed up the work this year by going to four case study ports and interviewing fishers about what future fisheries legislation could deliver for them.

**Q195 George Eustice:** You will be aware that our White Paper on the Bill set out our intention to start to depart from fixed quota allocation units as the basis of quota allocation, to create the possibility of tendering quota to producer organisations based on their sustainability track record, what they give back to local communities and what they offer new entrants, and to use quota to help with the discard ban and possibly to put more into the under-10 pool. Do you broadly support that direction of travel?

**Griffin Carpenter:** Yes, I was pleased to see what was in the White Paper. We have been calling for some of those things for years. As the method of doing that we proposed something like a quota reserve, where the Government set aside some quota and some is allocated based on historical track record and some is set aside saying that we have multiple objectives for fisheries management—new entrants and the landing obligation, as you say—so this quota can be served for different purposes. I think of it a bit like agricultural subsidies where, over time, some continue to be based on production or land area, but some are set aside saying that we have many objectives in this sector. The Government need to retain some quota to do that.

The problem is that that is not followed up in the Bill, which just transposes article 17, which, as written, is not being implemented by member states. That is the problem with article 17. I was a bit disappointed to see the Bill not go through with what was in the White Paper. I think it could be more specific and say,

“Rather than just transposing article 17, let’s put in actual criteria such as contribution to local economies or low environmental impact”, but that is not in there right now.

**Q196 George Eustice:** A lot of this comes down to the difference between a White Paper, which explains the Government’s policy on something and what they intend to achieve with a Bill, and the Bill itself, which is simply the legal powers required to carry out the White Paper. There is a clause in the Bill that gives us the power to have a super-levy on over-quota fish or, indeed, to have a tender regime for different quota. Does that not give all the powers we need? What powers are missing?

**Griffin Carpenter:** The powers are there. I understand that the Fisheries Bill is enabling legislation and this Committee has had to struggle with asking questions about an enabling piece of legislation. I have a couple of comments. If we want to do something about existing quota—not just the idea of quota that is gained—we need to do something in the Fisheries Bill itself. For example, you have heard other witnesses say, “With extra quota we can solve all problems—any issues around new entrants, the small scale sector and so on—as long as the existing quota is protected.” Of course, that is their interest—they are the quota holders. But we have been working with people who do not hold the quota and they are interested in breaking the lock around existing FQAs.

In essence, fisheries have been accidentally privatised. Every year, quota is allocated to the same holders, and there is a legitimate expectation that that continues in future. The Department for Environment, Food and Rural Affairs and other organisations are too scared to break that hold on the quota and say, “This year we will allocate quota differently.” It has not been done; it is basically privatised now the claim is so strong. If there is ever a point to break that link, it is now.

We are redoing our fisheries legislation, so at the same time as allocating fishing opportunities, I would put something like a seven-year notice period. In seven years, all quota goes back to the Government and we can decide who gets to fish 100% of our quota, rather than just the idea that some quota will be gained. That is great if it happens, but we do not know for which species or whether that is the species required for the landing obligation or the small-scale fleet.

**Q197 George Eustice:** Do you accept that a lot of business models have been based on buying vessels with the quota attached and, therefore, there is a legitimate expectation, having paid money to get the vessel with its entitlement to some kind of property right, even though it is not an indefinite one?

**Griffin Carpenter:** Exactly. When those purchases are made, it is not known how strong that property right is. There is an issue with banks not understanding if they can give a loan to a fishing vessel because they hold a quota: how long is that good for? If the stocks go up and down, what earnings will they have 10 years from now? The point of the notice period is to get around that. To give a couple of examples people can look into, the Faroe Islands recently renationalised all their fishing opportunities, and Denmark has a notice period and has extended it recently. It reallocated some quota from large to small and, as something of a compromise,

extended the length of the notice period, to say, “Okay, we reallocated from large to small, but we won’t touch this again for 14 years—that’s your notice period.”

**Q198 George Eustice:** Do you not think that might change from species to species? It might not be a straightforward seven-year period if you were to do things fairly.

**Griffin Carpenter:** Are you saying what will not be fair by species?

**George Eustice:** Yes. A seven-year period might not be fair for everyone because some might have paid more for different types of entitlement.

**Griffin Carpenter:** No. If we are dealing with this as a public resource, the claim is the same no matter which fish species it is. The idea is that it is a public resource. We are happy for some members of society to have that right to fish, and not others, but we still reserve the right to change that in future. That is true whether it is mackerel, herring, cod or haddock.

**Q199 Luke Pollard** (Plymouth, Sutton and Devonport) (Lab/Co-op): The NEF study of small fishers around the UK was interesting in highlighting the views of the under-10 fleets in particular. If there is an opportunity, as the Minister outlined, to reallocate future quota or, subject to amendments being accepted, reallocate existing quota, what do you think the opportunity is for small fishers in particular and coastal communities from any type of reallocation from our EU friends to those communities, or from big boats to small boats?

**Griffin Carpenter:** There are two different types of potential reallocation: one from European fishers to UK fishers, including the small scale; and the question whether we change those distributions in the UK share. The principle is the same: can the small-scale benefit from having additional fishing opportunities, however those come? Our research has shown that there is a desire for fishers.

There is some confusion because small-scale boats often target shellfish. They are not fishing a lot of quota right now; they are catching crab, lobster, cuttlefish and anything they can get their hands on. Nephrops are subject to quota. People say, “They don’t have quota so they don’t need quota,” but if you speak to them, they say, “If we had it, we would love to use it,” because a lot of small-scale fisheries are mixed—they will do something for one season and then switch to quota species if they have it.

There is also a problem with new entrants, which overlaps a bit. You heard earlier that, traditionally, the route into fisheries for young people—fewer are entering at the moment—is through shellfish, because it is so hard to get your hands on quota. You might be able to buy a fishing licence, but buying a quota is too much. Having some quota set aside for small scale, and the overlap of small scale and new entrants—young fishers—is a huge opportunity.

There is a sustainability point, too. There is increasing pressure on shellfish stocks and we do not have good stock assessments on those. Some of the warning lights are coming up now: we are getting lower catch per unit effort, which means that where you do not have stock assessment, that is the warning light. If there is too

much pressure on shellfish, what will these guys do? They need some quota to release the pressure on shellfish stocks such as crab or scallops, so they have another reasonable fishery.

**Q200 Luke Pollard:** Having the Bill list fish as a public good has been mooted by some stakeholders as one way definitively to say that fish is a public good and should be allocated for the benefit of the country. From your research, is that something that would make a difference?

**Griffin Carpenter:** Absolutely. 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. It is only in a couple of hands. You and I cannot go fishing; we do not have fishing licences and we certainly do not have quota, so that opportunity is limited. How do we think about that, as the public? I think we do so through having conditions attached to those licences: “If you’re going to fish, then X, Y and Z.” I know that you are interested in the economic link as an issue, but allocating quotas and the distribution of that matters as well.

**Q201 Luke Pollard:** You have the allocation of quota—who has the ability to fish—but the economic link is an important additional, complementary policy. I am especially concerned about those small communities around our coast for which fishing has historically been a very strong industry, but that strength has reduced over the course of our involvement in the CFP. Would requiring a national obligation to land at least 50% of your catch in any one quarter, but allocated on a species-by-species basis, make a difference? Where would the difference be most felt, in your opinion? Would it be in small communities or larger ones? How would it be distributed?

**Griffin Carpenter:** I guess the first point to make is that every trend or practice we see in the industry is there for a reason. I am sure you are aware of that, but we need to think, “Why are the landings not taking place in the UK right now?” The first reason is probably the price effect. If you can get a higher price elsewhere, you land it elsewhere. If we are going to change some of the incentives, or have a conditional policy such as the economic link, be aware that basically we are accepting a trade-off: fishers might not be as profitable in the catching sector because they are getting lower prices on first sale in the UK, but we may well make up for that later in the value chain. Just be aware that that is the trade-off you are accepting.

The idea of an economic link as a principle that the public resource should be landed in the UK is a valid economic one. I would go about designing the policy a bit differently. The economic link is very rigid; you are either above the line or below it, whether that is 50% of your landings or 60% or 70%. If you are already landing 90% of your catches in the UK, this policy does not really address you at all.

I would rather have a marginal incentive. For example, funding for fisheries management is not really talked about in the Fisheries Bill, although it is in the White Paper. That is fine, but let us think about it this way: if we are going to have a landings levy—in the same way that you might have a levy on stumpage fees in forestry—on

aggregate extraction or on other resource industries, and if we are going to have the fishing sector pay for management, why not differentiate so that 1% of your landed value in the UK goes to resource management, but if you land abroad it is 3%? The idea is that there is a marginal incentive for every trip you make, rather than a threshold that, as far as I can see, would not affect most of the fishers who already land in the UK.

**Q202 Peter Aldous (Waveney) (Con):** Griffin, you have talked in quite a lot of detail about the reallocation of quota. From my perspective, representing a community that is a have-not, shall we say, that is music to my ears, but I am wary of the legal implications of that. I agree that fishing is a public right, but as we have heard in our evidence sessions, by ill fortune or bad management, it has acquired certain proprietorial rights. How far, legally, do you think we are able to go? The important thing is that this Fisheries Bill must be determined and made by this House, not by lawyers.

**Griffin Carpenter:** Absolutely. I am not a lawyer—I am an economist—but the legal advice I have heard is that the use of a notice period goes a long way. I mentioned the international examples. We have to make some claim on FQAs as a public resource. Where you might get buy-in for this across the whole sector, including the large-scale fleet, is on something such as flagged vessels. When you hear about Spanish vessels in UK waters, they are almost never Spanish vessels in the sense that they have a Spanish flag and are fishing the Spanish quota; they have purchased UK fishing vessels and are fishing with UK quota, and a lot of coastal communities do not like that. For example, in Wales, most of the quota is caught by those vessels and either landed in Ireland or taken straight to Spain.

The problem is that, if you want to address this issue of flagged vessels—those who are foreign nationals but have UK quota—you must do so by saying, “FQAs are a public resource and we are going to take that away from you and then revisit the issue of distribution.” In a political sense, you can get buy-in for that idea. In a legal sense, I get that the notice period goes a long way. We heard the point made this morning that, because this is new legislation, some of the case law around the previous FQA distribution under the common fisheries policy might not apply. I am actually not sure about that.

**Q203 Alan Brown (Kilmarnock and Loudoun) (SNP):** Sticking to the quota theme, you have already touched on the debate between this being enabling legislation and how much detail needs to be in the Bill. Do you think there needs to be more on how the quota allocation will work in future? You also mentioned potential quota reserves for new entrants—small-scale recreational anglers have also been mentioned—so is it your view that there should be more in the Bill?

**Griffin Carpenter:** I think that is a political question. I understand the idea that it is enabling legislation and that for most fisheries legislation all the detail will come in secondary legislation, but if you have some priorities that you absolutely want to ensure are in future UK fisheries, here is an opportunity to introduce them. I understand that some of the ideas we are discussing might be incongruous with the tone, at least, of the rest of the Bill, but here is an opportunity where we can say, “Starting now, we are only in 2018 and we are already

thinking about this issue. We are guaranteeing it is in the fisheries legislation, first and foremost.” From a political perspective, that is valid.

**David Duguid (Banff and Buchan) (Con):** On the redistribution of quota, obviously, if you are a larger owner of quota versus a smaller owner of quota, or an owner of no quota, you will certainly feel that you are going to be worse off in this situation. How do you cater for the fact that a lot of the smaller vessel owners perhaps previously owned quota that they sold, benefiting greatly financially, and then moved into smaller vessels for which they did not need quota? How would you avoid that kind of gaming happening again in the future?

**Griffin Carpenter:** That is a good question. The line that has always been used on quota allocation in the past was, “You’re robbing Peter to pay Paul, and we don’t want that in the industry.” Now we have the idea of a Brexit dividend of extra quota, we are robbing Pierre to pay Paul, so that is fine. We are fine as long as Peter is protected.

The idea of quota shares is actually a bit confusing because they are percentages rather than tonnage. Now that stocks are recovering, and the quota increases each year, you can have a situation, even if you are taking from Peter and giving to Paul, where everybody is better off. You can have this as a conditional reallocation. Let us say you get a certain share in the large-scale fleet—you have a large-scale vessel—and you are guaranteed 1,000 tonnes every year. If the quota is going up, some of the surplus quota of that year can be reallocated to the small-scale fleet in a pool or through whatever system you do that. There is a bit of a difference between tonnage, which is what actually affects your bottom line, and the percentage. I suggest that we can have these thresholds in place.

The other thing is that, with additional fishing opportunities potentially coming in, hopefully, we can do a reallocation all at once so, again, the large-scale fleet will not necessarily be worse off. They might have a smaller percentage of haddock, let us say, or some demersal stock that the small-scale fleet really wants, but they are getting all the extra herring and other species from the North sea from our EU colleagues. There is the potential for doing all this at once: revisiting the allocation system and making everyone better off.

**Mike Hill (Hartlepool) (Lab):** That was an interesting answer to the question I was going to ask. I was going to ask you to clarify the position that the only way to redistribute quota fairly, if I heard you right, is to break the hold of the larger fishers and bring fisheries back into public ownership. You suggested something like a seven-year notice on that, but what you were just talking about was a potential incremental progression towards that through redistribution of surplus tonnage. Were you right in the first instance that fisheries have to be brought back into public ownership for fairer redistribution, but have you also realised that there can be incremental changes to benefit new starters or the under-10s as we proceed?

**Griffin Carpenter:** That is a good question. Unfortunately, it is an awkward one with Brexit timing, because we are not sure if or when the additional quota will come online. One of the issues about not dealing with the

fixed quota allocations is that right now it really does not matter to a small-scale fisher if there is a theoretical extra quota that may or may not come. The more important point is that, given the timeline right now, it will probably need to be incremental, where first we will deal with the additional quota, then we deal with the existing FQAs. But that requires in the fisheries legislation at the first available opportunity to give notice, because every year you delay is another year that you cannot do the reallocation that we propose. The Fisheries Bill is the right place to do that.

**Q204 Bill Grant (Ayr, Carrick and Cumnock) (Con):** On the same theme, I have come across the theory of using days at sea. What are your thoughts on days at sea in relation to quotas? It is admirable that you suggest giving that time period of 14 years to reduce the larger quotas, to give a better share for the smaller vessels and under-10s. While the capacity for the last vessels is there, how do you see us increasing the capacity of the smaller vessels over that period of time, and attracting new people into the industry to absorb the redistribution of quotas?

**Griffin Carpenter:** There is lots going on there.

**The Chair:** You will have to be relatively quick because we are running short of time.

**Griffin Carpenter:** I will be as brief as possible. There is a number of reasons why young people are not getting into fishing. Let us just stick with one of the most obvious: it is expensive to get in and get that quota. The UK could have a system, through the quota reserve, where it is allocated for free on a loan. Denmark does that—it is called a fish fund—and you can get more detail there.

**The Chair:** Exceptionally quick. Thank you.

**Q205 Brendan O'Hara (Argyll and Bute) (SNP):** Your report, "A Fair and Sustainable Fisheries Bill", made a number of recommendations. How much of that has been translated into what we have in front of us? Do you think that the Fisheries Bill represents radical change or preservation of the status quo? Is it a missed opportunity?

**Griffin Carpenter:** It has been discussed many times that it is an enabling piece of legislation. Many of our policy ideas are not in there, for the reasons just discussed. In my opinion it is a political choice whether you get overly detailed in one area. That is a trade-off, depending on what you want to prioritise now and your trust that it will come in secondary legislation.

We were calling for redistribution of quota. Something I think is missing from the Bill, which was discussed earlier, is commitments to maximum sustainable yield—not just the stock commitment but the flow, so how much you are taking out. Many of us were surprised that was not in the Bill. We would like more focus on inshore fisheries management; those are shellfish stocks that are left out of the discussion on quota.

Also, there is a lack of trust in the fishing industry. The way you build trust is through repeated social interaction. The only realistic way to do that is to have inshore bodies, where all the stakeholders meet together to discuss issues in the inshore waters within 12 miles.

Those bodies should be empowered to have jurisdiction up to 12 miles and control the number of pots, and so on.

**Q206 Peter Aldous:** The right hon. Member for Newbury (Richard Benyon), when he was Fisheries Minister, fought very hard in the 2015 review of the CFP, and the general consensus was that it was a good deal. One of the main things won was article 17, so you worry me by basically saying that no one takes any notice of it. In transposing article 17 to the Bill, what can we do to give it teeth, so that people take notice of it and it is implemented?

**Griffin Carpenter:** Exactly. This refers back to the first discussion we had. We as an organisation were one of the groups advocating for article 17 in the CFP. The CFP—people might disagree with this—actually gives quite a lot of power to member states, for better or worse. The EU did not want to say exactly how each member state should allocate its fishing opportunities. It just says, "Tell us how you are doing it. Be transparent and objective about how you are doing it. Is it based on historical catch records? Are you giving more to the small-scale fleet?" and so on. Every member state continued allocating quota as they were. The UK has done some things with unused quota, but never actually referred back to article 17. It was just that the small scale wanted more, so they gave some more.

The problem with transposing that is that it seems like we are missing an opportunity to be specific. Article 17 was vague so that each member state could use their own criteria. Now we are transposing that, but we are the member state—we are one entity—so we can say exactly, especially in the case of England, how we are going to do it, and we can say that right now. It seems strange to transpose something that was intentionally vague so each member state could be specific.

**Q207 Owen Smith (Pontypridd) (Lab):** As a Welshman, I am obviously worried about the prospect of robbing Dai to pay Pedro. On the issue of flagged vessels that you mentioned, is there anything in the Bill that would stop the Welsh from addressing that issue?

**Griffin Carpenter:** Nothing that stops the Welsh from addressing the issue, but nothing that addresses the issue per se. Again, devolution is extremely awkward in fisheries, where we have a Bill that empowers the fisheries Administrations and stops there. It would be up to the Welsh Government to do something, presumably in their licensing.

**The Chair:** We have just over three minutes, if there are any further questions.

**Q208 George Eustice:** The Bill envisages a joint fisheries statement, but also something called a Secretary of State's statement, which would include a whole plan for the English fleet about how it contributes to coastal communities and supports livelihoods. In what way does that fall short of what you are seeking? It is a clear commitment for a plan that will outline how we allocate fishing opportunities to help those objectives.

**Griffin Carpenter:** It is a commitment for a plan, but I am saying we should think about that plan right now and what should be in it, rather than leave it to each Government to decide. We have seen that, through article 17, it has always been in UK jurisdiction to

decide how to allocate quotas. That is not a power that the EU had that we are taking back; it was always up to us and we have not taken that opportunity. Now is the right time to have that conversation, and the Bill is a piece of legislation that we can put that in.

It is roughly the same with the discussion about MSYs. Yes, in the fisheries statement, they can say how we are doing—how the stocks are doing in reference to those MSY values—but we should have that as a duty. Be specific in the Bill and say, “You cannot fish above MSY.” We are going to be post 2020, so you might as well just say, “We will be fishing in line with MSY.” We are past the deadline.

**Q209 Alan Brown:** A few witnesses have commented that they do not think there is enough information or transparency regarding the discards prevention scheme that is in the Bill and how it will actually work in future. Do you have any views on that?

**Griffin Carpenter:** It is an interesting question. From my reading of it, it seems to take from the Norway model, which is that some discards are landed but there is a fee attached to that. Instead of the landing obligation, we will say, “The quota is set at this level. You cannot fish above that, otherwise you get choke problems.” It is more of an economic incentive, rather than a hard line.

That needs to be compensated for with lower quota, because we are saying that there is going to be some fishing above that line, but we will have an economic incentive so you do not land as much. I think the principle is a fair one—switching incentives—but that should be compensated for in our expectations about how much above that quota we are actually going to fish.

**Q210 The Chair:** We are into the last 45 seconds or so of the session. Is there anything you wish to say that has not been said so far, Mr Carpenter?

**Griffin Carpenter:** One quick point, if I may. We have spoken a lot about quota, but non-quota species are very important. More work should be done on stock assessments. That is something that could be in the Bill to say, “We are not going to be fishing stocks anymore if we have no idea how much we can be fishing.”

**The Chair:** Thank you for your evidence to the Committee.

### Examination of Witness

*Dr Carl O'Brien gave evidence.*

2.30 pm

**The Chair:** Welcome, Dr O'Brien. Could you please introduce yourself and your role to the members of the Committee?

**Dr Carl O'Brien:** My name is Carl O'Brien. I am the chief fisheries science adviser for the Department for Environment, Food and Rural Affairs. I am also the UK delegate to the International Council for the Exploration of the Sea and I am now one of its life presidents. Also, I am from the Centre for Environment, Fisheries and Aquaculture Science, which is one of DEFRA's Executive agencies. I attend Fisheries Council meetings with our Minister, and I have attended with previous Ministers, to negotiate quotas.

**Q211 George Eustice:** Carl and I have worked together on many late nights at December Council.

The Committee is hearing a lot about MSY and the use of it as a guide to fisheries management, but I wondered whether you might be able to explain to everyone, first of all, the types of raw data that CEFAS collects through things such as a survey vessel, Endeavour, the work done on fishing vessels and on landings to gather the raw data, and, secondly, how that data is used—as close to layman's terms as you can—to create the MSY position for a given stock.

**Dr Carl O'Brien:** Before the common fisheries policy was agreed, most fisheries management went through the North-East Atlantic Fisheries Commission. The data that was used by the NEAFC and that is used by the Commission comes from ICES. At the moment, ICES is made up of 19 member countries that are not just from Europe; it also includes Iceland, the Faroes, Greenland, Norway, America and Canada.

Each country records landings data, which is done for us through the Marine Management Organisation. It records effort data, which is the so-called fishery-dependent data. We also have fishery-independent data: in our case, we have the research vessel Endeavour, which goes to sea and surveys around our waters for distributions of individual species. We record the type of species and their size. We take the little earstones, otoliths, out of their ears and age them in a way that is similar to ageing trees—if you slice through the otoliths, you can count growth rings.

We have length measurements of fish, we have age readings, we have species composition, and we have species distribution. All that information is given to ICES. In the case of the UK, because we have devolved Administrations, Scotland, Northern Ireland and England—England does some of the sampling for Wales—combine their data together and it goes in as the UK data. Countries within Europe, such as Germany and France, do something very similar.

The landings data and the biological data are all put together and we carry out formal assessment models. These can be data-intensive and very complicated mathematical models, or they can be more simplistic models, using life history characteristics—things based on growth rates and size of individuals.

Essentially, the assessments are international. It is not the UK assessing our fish stocks in our waters; it is done internationally, there is international agreement and it is not just within the EU but outside the EU as well.

**Q212 George Eustice:** When we talk about data-limited stocks, what typically is lacking for a stock to be data-limited rather than one with a full dataset on which you can judge MSY?

**Dr Carl O'Brien:** Before I joined fisheries in the mid-90s, virtual population analysis was used, which is an age structure-based model. You actually use age data. As long as you can age fish, you can model the development of fish as they grow, the same as you would with human populations—one-year-olds become two-year-olds, who then become three-year-olds. You can take into account natural mortality through natural deaths and also exploitation rates—death through fishing.



The typical data-rich models are those that have the age-based data. The data-limited ones are those where, for various reasons, we either cannot age the fish or it is too expensive to age the fish, so we have simpler methods, such as the size of the fish or maturity ogives, which are simpler types of metrics. However, we can still come up with so-called proxies. Back in 2015, within ICES, I was developing methods with our Portuguese and French colleagues to come up with MSY proxies, which, as the Minister knows, the Commission will now accept as MSY values. They are not treated as second-class MSY values. They are appropriate for the data-limited stocks.

**Q213 George Eustice:** Could you explain briefly the difference between the biomass MSY and fisheries MSY, and why FSMY is deemed the right measure to use for fisheries management?

**Dr Carl O'Brien:** Partly because it is a question of input and output. To a certain extent you can control fisheries exploitation—the harvest rate. You can control how many boats go to sea and, by implication, how many fish are taken out of the sea. The biomass is a consequence of your management being appropriate or right for the sea and for the species. If you get the balance between exploitation or harvest rate correct, your biomass should continue to grow. One is input; one is output.

**Q214 George Eustice:** Would you explain where, from a scientific point of view, using MSY throws up practical problems—for instance, with mixed fisheries or where there are choke species—and what we might do to overcome some of those problems?

**Dr Carl O'Brien:** Do you want to know the history of MSY before I answer that, or can I take it that you know it?

**George Eustice:** You gave us a bit of the history. My question is more about where it poses practical problems, on mixed fisheries and choke species.

**Dr Carl O'Brien:** The problem is that the stocks in European waters, Icelandic waters and Faroese waters, and in the Barents sea for Norway, are assessed on a single-species basis. The reference points that we have in terms of biological reference points and harvest rates are determined on a single-species basis. Unfortunately, when you put your fishing net in the water, you cannot catch just cod or haddock, or if you try to fish for plaice you cannot catch just plaice; you end up with sole and other species, so you have the so-called mixed fishery problem.

The reference points themselves would be fine in an ideal world where you could fish for just those species. The mixed fishery issue is that you cannot simultaneously achieve all those single-species FMSY values. The approach that scientists have come up with is basically to ask, “Can you find a range around MSY?” The UK was very instrumental in this, and the Minister took our paper to Council in, I think, 2013—the first time we tried it with the Commission.

The idea was to look at ranges. Can you find a range of fishing mortalities that are consistent with high long-term yield? The value that ICES took was 95% of the maximum. Some academics, such as Ray Hilborn, take 80%, which ICES thought was going too far—that

could give you quite high Fs. ICES is being quite constrained in the way in which it is trying to manage the mixed fisheries and the choke issues. The reason for the range is that it allows you to try to deal with some of the mismatches between the availability of fish on the ground and the fact that the gear may not be as selective as it needs to be.

**Q215 George Eustice:** Finally, Norway uses MSY, but also uses a number of other measures. It is sometimes argued that following MSY on its own gives you too much volatility and year-to-year change in stock management. Is there anything that we can learn from the Norwegians’ approach? Do they have a point in terms of having a slightly more holistic approach to sustainable fishing?

**Dr Carl O'Brien:** Norway, like Iceland, although it wants to follow the general principle of maximum sustainable yield, is not wedded to it to the exclusion of other principles. There may be reasons why one year you might choose to exploit at a slightly higher rate than MSY, rather than at or below MSY.

The Norwegians also have the idea of so-called “balanced harvesting”. Rather than trying to decide how much cod, haddock or whiting you want, you decide, based on the trophic level of where species live, how much you could take out of that part of the system for it to remain balanced. That includes not only the fish species that we look at, but seals, seabirds, whales and other parts of the ecosystem.

We can learn from Norway that if you focus just on fish themselves and the fisheries, you will lose a part of the ecosystem around seabirds, cetaceans and whales. That is something that we need to incorporate into our models. The Government’s 25-year environment plan mentions an ecosystem approach to fisheries management, which I interpret as, starting with the mixed fisheries models, asking how you expand those to take into account other aspects of the ecosystem.

**Q216 Luke Pollard:** One of the concerns that many stakeholders have raised with us is about data deficiency, especially on non-quota species. How would you recommend that the UK Government and the devolved Administrations address that data deficiency, especially among species where there might be concerns but not a huge amount of evidence gathered to date?

**Dr Carl O'Brien:** I think you would be surprised how much evidence has been gathered for non-quota species. Seafish had a project called Project Inshore, which I think is now in its second phase, looking mainly at shellfish species. Quite a lot of data has been collected from around the ports by Project Inshore, with the support of the fishermen and the IFCA. There is a lot of information from that project.

The Department for Environment, Food and Rural Affairs is committed to progressing its assessments of species like scallops, whelks and crabs. There is a commitment from the Minister’s Department to actually improve data collection and the assessment of those species. I think things are all going in the right direction. At CEFAS, we started this work back in 2010 with ICES, recognising that not having assessments of non-commercial species or data-limited stocks was a drawback to fisheries management.

The Minister answered a parliamentary question in January, when we came back from December Council, which quoted 31 stocks out of 45 being exploited at MSY. We do not exploit just 45 stocks as a nation—we exploit in excess of 150. A lot of those are data-limited and they may be small tonnages, but they are very important species for local fishermen, certainly down in the south-west. I think we are improving the quality of the data we have available. It is not just for scientists; it is for the fishing industry and for the likes of Seafish.

**Q217 Luke Pollard:** As another west country MP, I agree that we need more data to support the mixed fisheries that we have. What is the progress that needs to be made to get to fully documented fisheries? One of the difficulties that some of our stakeholders have been flagging up is that some of our fisheries cannot be classed as sustainable simply because there is not enough data to prove that they are or not. What do we need to do to get to fully documented fisheries?

**Dr Carl O'Brien:** I think it depends on the size of the vessel. Large offshore vessels already keep logbooks. A lot of the English fleet has cameras on board, so that is helping the documentation. I am aware of projects down in the south-west, such as Fishface, where they are trying to use cameras on under-10 metre vessels, with quite a lot of success. It is making the best use of the technology that is available. A few years ago, with DEFRA funding, CEFAS developed apps for mobile phones so skippers could go out on smaller vessels and their positions were known through the apps. They could also fill in electronic log sheets, certainly for shellfish species, and record how many pots were put in the water and what quantity of shellfish was being lifted from the sea.

**Q218 Luke Pollard:** That is good. The UK has some of the best fishery science in the entire world, if not the best.

**Dr Carl O'Brien:** I agree.

**Q219 Luke Pollard:** That brings me to an allied question that goes along with access to waters. If we are requiring British fishing boats to have this high level of reporting—entirely appropriately—do we have the same level of data coming from foreign boats accessing UK waters?

**Dr Carl O'Brien:** The answer is that it is variable, depending on the country. The Danes are quite well advanced and are similar to us, in that they have cameras on board their vessels. If your question is about vessels that might have access to our waters in the future, then I think whatever measures we use or apply to our own fishermen should be applied to other vessels coming into our waters. If we require cameras then that should be a requirement for a French or German vessel to come into UK waters. It has to be a level playing field. It is not necessarily just to focusing on making life fair. What you do not want to end up with is very accurate data from our fleet, and very bad data from everybody else, because you know what the consequence of that is. You end up penalising those that provide you with perfect information and those that do not provide you with information get off.

**Q220 Bill Grant:** Moving slightly off the Bill—I am sure the Chair will forgive me as it is connected to the environment—we see birds gathering to migrate across the globe, but we do not see the same movement of fish under the water. What sort of distance do the fish travel as they migrate from place to place? Environmentally, we believe that the temperature of the water is going to increase, so could that increase in temperature alter where the shoals of fish go? Is that going to affect the fishery?

**Dr Carl O'Brien:** The answer to the first part is that it is very species dependent. Species like North sea cod will live in the North sea, the eastern channel and the Skagerrak. They mix quite happily. Species like mackerel, blue whiting and Atlanto-Scandian herring travel over very large distances. Species like eels essentially travel around the globe, starting in the Sargasso sea. We have a lot of data that has been funded by DEFRA, and the Ministry of Agriculture, Fisheries and Food in its previous role, from tagging things like bluefin tuna. We have a lot of data on migration, so we know roughly where fish are moving.

The issue of climate change has two aspects. One is that, as waters warm, you may see a movement of fish. We have seen northern hake move from the southern waters more northerly into the North sea, which is causing some of our fishermen a problem at the moment, with choke issues. The other aspect is that you may suddenly find species that you have never seen before. We are getting reports of cuttlefish, squid and even jellyfish down in the channel. We are aware, through questioning the public, that there is an Asian market for jellyfish, so perhaps some time in the future there will be a market for UK jellyfish. Who knows? We are looking at that as part of this process; we are not focused just on this year's or next year's fishing quotas. It is very much about where we might be in 50 or 100 years' time.

**Q221 Brendan O'Hara:** I have a question about the discard prevention scheme: we have heard over the last couple of days from representatives from the fishing fleet itself, who think the system will not work, and from environmental groups, which think there is not enough information on how it will operate. Could you tell us how the scheme will be implemented? Given that both the environmental lobby and the fishing fleet have concerns, do you think we should put something in the Bill to make it absolutely clear how it will work?

**Dr Carl O'Brien:** I am a scientist, not a politician or a Minister, so I do not know how it will work. The thinking behind it is that, as we move towards fully implementing the landing obligation next year, there will be some serious issues with choke species, as the Minister mentioned. My understanding of the discard prevention charging scheme is that you have two options: you either have such a scheme or you tie vessels up. As soon as you have fished your quota, you can no longer go to sea because you will not have the ability to discard, which means you will not have the ability to land quota.

The discard prevention scheme is a way of saying to fishermen, "If you have good ideas for selectivity measures or ways of mitigating large amounts of discard and you want to use those measures, if you catch a small amount of over-quota catch, through this scheme you can be charged and incentivised to carry on fishing." Where the

scheme moves from being an incentive to being a penalty is that if you habitually overfish, there must be a point at which it is a penalty to you and you have to stop doing it. Clearly, you would have to manage quota in such a way that the system can cope with that bit of overfishing. But in principle, it is a good idea.

**Q222 Brendan O'Hara:** One final question, if I may, which follows on from what Mr Grant said. I was in Greenland recently. There are species that have been caught off the coast of Greenland that have never been recorded as having been there before. I presume that as species move north, species from the south move into UK waters. How fleet of foot is DEFRA in terms of whether our fishing fleet should begin to harvest stocks of fish that are not usually there?

**Dr Carl O'Brien:** The easiest answer to that is that, in 2003, MAFF created the fisheries science partnership, which is still funded by DEFRA. We asked fishermen for their ideas on specific projects. A lot of the ideas are selectivity measures, but we had a project a few years ago where there was an emerging cuttlefish fishery down in the south-west. The fisheries science partnership was used as a way for the fisherman to work with scientists to see the viability of a cuttlefish industry down there. The problem with cuttlefish is that they come and go. They had a couple of years of quite high catches, but then basically they died away.

There is a strong role for science and industry to work together, because you would not want the industry to gear up for a cuttlefish fishery that will last for only two years. The way we have worked in the past is the way I hope we would work in future. But you are right—if there are emerging new species, there should be a dialogue between the industry and scientists and also Government to see whether you should develop fisheries. In some cases, these will be species that we may not know very much about, a bit like the jellyfish. You would not want to gear up for a high extraction rate of jellyfish without understanding the implications for the ecosystem. There will be other species that feed off jellyfish. If we as humans are removing them from the system, those species will not have access to a food source.

**The Chair:** Three more Members have indicated they want to ask a question, and I want to try to get them in before 3 o'clock.

**Q223 Peter Aldous:** Good science and evidence should underpin sustainable fishing, yet at the moment electric pulse fishing is going on in the southern North sea. How can we devise a new framework that stops such practices and ensures that we pursue a precautionary approach to sustainable fisheries management?

**Dr Carl O'Brien:** The short answer to that is that DEFRA is funding a project that my colleagues in CEFAS in Lowestoft are undertaking to collect more evidence on the detrimental effects of pulse trawling. It has to be evidence-based. The industry is polarised. There are those who hate it just because they hate it and there are those who have a slightly open mind. The scientific evidence is not conclusive that pulse trawling is bad. There are clearly environmental benefits from it. It certainly reduces fuel consumption and the impact on the seabed, but there are some side effects. Species such as cod and haddock can be damaged by the pulse trawlers.

**Q224 Peter Aldous:** Before the Dutch built a whole new industry on the back of this, should the science not have come to a conclusion as to whether it was a good thing or not?

**Dr Carl O'Brien:** It came to a conclusion that there was not a conclusion. ICES held a number of working groups that reviewed the evidence. It was not conclusive that pulse trawling is detrimental because there are positive benefits from having a pulse trawl. There is anecdotal information from our own industry that at certain times of year, you find cod with broken backs. That is certainly so for the Thames estuary, and it could be the impact of pulse trawling. Talking to some of the food producers who deal with chickens, one of the reasons for not electrocuting chickens is that you break their backs when they go into spasms. That is exactly what would happen to a cod; it would also break its own back.

I think the answer to your question is that until you actually have the evidence and it is conclusive that you should ban a method, it is quite difficult to ban it. The Commission has gone out of its way to allow scientists to collect the evidence. The slightly surprising thing is that I was around when ICES gave its original advice, which was for 10 or 12 vessels as a scientific trial. It is now about 100 vessels, and that clearly is not a scientific trial. I think you have to be very clear about the parameters when you give dispensations for gears.

**Q225 Peter Aldous:** So the new UK fishing policy can be better than the CFP when it comes to sustainable fisheries management.

**Dr Carl O'Brien:** I think so. I have forgotten who asked me the question earlier, but if you are going to allow vessels to come into our exclusive economic zone, we can put conditions on their access rights. If we decide we do not like pulse trawling and we have our own evidence base to say that, I assume we can just say, although it would not necessarily ban it, that any vessel with pulse cannot come in.

**Q226 Owen Smith:** Dr O'Brien, given your long experience of going to Council, how do you envisage our country being treated during the transition period, when we will effectively have observer status?

**Dr Carl O'Brien:** I do not know, because I am under the impression that this is my last December Council, as it is for the Minister, unless I have been misinformed.

**Q227 Owen Smith:** Given your experience in the past, do you think it will be a problem that we are effectively attending and being consulted with, but are not having direct influence as we have had previously?

**Dr Carl O'Brien:** My worry and fear is for the other member states. I have been to a number of Council negotiations, to coastal states negotiations on mackerel, blue whiting, Atlanto-Scandian herring and to EU-Norway negotiations. The other member states look to the UK to provide a lot of the science and the technical arguments. Countries will wave their arms and say, "We do not like the Commission's proposals", but when it comes to facts, hard data and evidence, the UK leads the world. We provide the arguments and we sit with the Minister, the presidency and the Commission and we argue our case based on facts and science. Other countries do not do that.

**Q228 Owen Smith:** No wonder they are petitioning for us to stay in. Can I ask you about recreational fishing? We have heard people petitioning that the recreational fishing industry ought to have a more official stakeholder role in future. Is that a view that you have sympathy with? What is your view of the potential value of designating certain fisheries and species for recreational fishing only?

**Dr Carl O'Brien:** One of the problems with recreational fishing, which is a disaster waiting to happen, is that when we carry out our bass assessments, we include commercial catches from trawlers and larger vessels and recreational catches, but the only other assessment that I am aware of that ICES carries out with recreational catches is the western Baltic cod. In the case of the western Baltic cod, the recreational catch is far in excess of the commercial fleet.

In future, we need to have a better understanding of recreational fishing. We cannot ignore it, but we have to come up with a policy where you balance commercial and recreational anglers. I would not want to see them being recognised independently of the commercial fisheries, because in a sense, regardless of whether they are selling their catch, they are competing with a commercial fishery. As I say, for the western Baltic cod, the catches of the recreational anglers are far in excess of the commercial fleet. The CFP has tried to constrain the commercial fleet—

**Q229 David Duguid:** On the science, one of the major frustrations—I was going to use the word “criticisms”, but that is too strong—I hear from fishermen is that the science tends to be at least two years old by the time it is actually applied, and they are seeing more fish in their nets or in the water than they are told to expect. Is there any way we can make the science more current, or is there anything we can do in the future to help with that situation?

**Dr Carl O'Brien:** Our Minister will know, because one of the first questions that every new Minister gets is, “Why are your scientists using data that is out of date?”. The reality is that, this year—2018—when we carried out our assessments, we had landings data only up to 2017. That is just a fact of life; we will not know the landings for this year until the end of the year. We have survey information, so when we predict next year’s quotas, we are doing that based on 2017 landings data and survey information that we have from this year, so that is where our two-year window comes from.

In terms of doing something that is more reactive, there are issues around juveniles. Certainly in Norwegian waters, they have real-time closures that are almost instantaneous—certainly within 24 hours. In the past, if fishermen found aggregations of very small fish, they would have fished them and dumped them, but now if they fish them they will have to land them, which will come off their quota. The sad thing is that by killing those fish, they are then not there to reproduce into the future to rebuild spawning stocks.

On the assessments, it is a fact of life that, essentially, they will be two years out of date in terms of the landings data, but we will have current information from research vessels and from fishermen. In terms of management, it would be a more adaptive and proactive management where you could keep an eye on what is going on in the sea and within our waters, in terms of

whether you are seeing aggregations of juvenile fish or lots of older fish that are aggregating in certain areas and being targeted by vessels. You would want to have a more adaptive management framework—certainly more adaptive than we have with the common fisheries policy.

**Q230 David Duguid:** Do you think the Bill creates an opportunity to do that?

**Dr Carl O'Brien:** I think it does, yes. As I say, it goes hand-in-hand with the 25-year environment plan that you have an ecosystem approach to fisheries management. We are in the process of defining what that actually means, but it is certainly not single species quotas; it is mixed fisheries and multi-species.

**The Chair:** We are in the last minute.

**Q231 George Eustice:** I have a quick question. We have heard some representations that we should make the MSY commitment more rigid in the Bill. If the price of getting an agreement with Norway is showing some understanding for their other scientific metrics, is it better to show that flexibility or to walk away and let everyone unilaterally set their own quota?

**Dr Carl O'Brien:** No, I think it is better to be flexible. I came into fisheries in the mid-'90s when exploitation rates were horrendous—cod stocks were being fished to fishing mortalities of 0.8; we are now down to levels of 0.4 or 0.3. We should still have that flexibility when we deal with Norway. I also think that it has to be an international negotiation. The UK cannot go it alone.

**The Chair:** On behalf of the Committee, Dr O'Brien, I am grateful for your evidence today. We discharge you and invite our next witnesses to the table.

### Examination of Witnesses

*Dr Amy Pryor and Elaine Whyte gave evidence.*

3 pm

**The Chair:** I welcome our next witnesses and remind Members that we have to finish this session at 3.30 pm. Could the witnesses introduce themselves and their organisations?

**Dr Amy Pryor:** I am Amy Pryor. I am the programme manager at the Thames Estuary Partnership, chair of the national Coastal Partnerships Network, and a member of the Coastal Communities Alliance.

**Elaine Whyte:** I am Elaine Whyte. I am a member of the Community Inshore Fisheries Alliance, and also of the Clyde Fishermen’s Association.

**Q232 George Eustice:** Obviously, a number of the areas that you cover will be highly influenced by the work of the IFCAs—the inshore fisheries and conservation authorities. What is your view of how that model works?

**Dr Amy Pryor:** From a wider stakeholder coastal communities perspective, we think IFCAs have grown from strength to strength since they were set up under the Marine and Coastal Access Act 2009. I lived through them being set up, and they have grown in terms of gaining the respect of the local fishermen and putting in place fisheries partnerships with those fishermen to get better data and better science. I attended an IFCA meeting just last week, and the representation on the IFCA boards is second to none—it is absolutely fantastic.

The only thing I would say is that there is an opportunity to get even better locally managed inshore fisheries by formally empowering the IFCAs within the Bill, certainly within England, instead of focusing just on the national fisheries administrations.

**Q233 George Eustice:** Obviously, IFCAs now have the power to make bylaws through their local authority sponsors. What additional powers would you be seeking through the Bill?

**Dr Amy Pryor:** First and foremost, I was referring to formal recognition in the wording of the Bill. However, if we could move to a more nimble, agile approach—as the scientist before us was saying—and have more locally based management of the fisheries based on local science, that ecosystem-based approach objective could be realised much more easily. There could maybe be more formal powers in terms of quota allocation based on the science of the local fishery.

**Q234 George Eustice:** You would like almost a consultation role for the IFCAs in the way the quota allocation is done.

**Dr Amy Pryor:** I am not sure about a formal consultation role. Yes, that would probably work, but there could be a better link between the fisheries data and the local situation, because each coastal environment has a unique set of challenges. Take the Thames estuary, for example. It is an estuary; it is a highly dynamic mixed fishery. All of the fishing communities around the Thames estuary are non-nomadic: they cannot go much further than a few nautical miles offshore, so they are very restricted by their quota allocations, which results in a large amount of discards and a large amount of bycatch. They are the first ones who do not want to see that happen, so having additional powers within the IFCAs to work with the science on a more local, regional level would lead to more agile and much more relevant fisheries management in the local setting.

**Elaine Whyte:** It is slightly different for Scotland: we have the inshore fisheries groups, which are also fairly new in terms of taking on the same kind of role as the IFCAs. However, I agree that they have come on leaps and bounds in the past few years. Local management is absolutely key, as is the socio-economic link to local communities. For instance, we often talk about choke species; we hear a lot about whiting and cod on the west coast, but down in the south-west, it is spurdogs. Those are the regional issues that we can work through with bodies like IFGs or IFCAs.

**Q235 George Eustice:** We have had some representations about the suitability of more of an effort-based quota, particularly for the inshore fleet, rather than a tonnage quota. As we set out in our White Paper, we certainly want to pilot and explore that for the inshore fleet. Do you think that would make more sense as a management tool for fishing effort?

**Elaine Whyte:** Again, it is regional, and it depends on the fishery, but trials should certainly happen. We often say that the Clyde is already operating a days at sea scheme; we go to sea only five days a week in the mobile fleet. There are various ways to look at it, but going regionally, looking at what works for each specific fishery, and ensuring that we have trials is the right way to go.

**Q236 George Eustice:** Finally, some shellfish, particularly crabs and lobsters, tend at the moment to be managed predominantly by IFCAs through technical conservation. We also have the western waters regime, which is effectively a days at sea quota regime, which is not very satisfactory. A number of people have said that we should move either to a catch quota system for crabs and lobsters, or to restrictions on the number of pots that can be used, for instance, and try to do that nationally. Do you think that that is worth exploring, or should it just be left to the IFCAs?

**Dr Amy Pryor:** I really think it should be left to the IFCAs. I must admit that I am not very up on lobster and crab fisheries. We do not have them here in the Thames estuary, as much as we would like them. It comes back to my point that, if it is locally managed and the IFCAs are running those decisions, they will have all the information, along with the stakeholder engagement consultation from the wider coastal community, to input into those management decisions. I think regional and local would work best.

**Q237 Luke Pollard:** Coastal communities have been among the hardest hit by austerity since 2010, but there is a real chance that fishing could be part of a coastal community renaissance, if it is delivered in the right way. What are the things that you are looking for in the Bill to deliver the renaissance that, whichever side of the House Members are on, we all want to see in our coastal communities?

**Dr Amy Pryor:** There is actually a very large correlation between small inshore fleets and coastal deprivation in some of our most deprived areas along the coast. There are two things. First, there is a lack of join-up between marine planning and land planning processes. Each goes to the relevant high or low water mark, but they have different types of indicators and they do not link in any meaningful way.

Coastal areas tend to fall down the cracks between two planning systems, and what goes hand in hand with that are the financial funding streams that go along with it. The coastal communities fund, for example, is fantastic for the coastal communities that can access it, but if you look at the local economic plans of each of the coastal community teams, very few of them even recognise fisheries as an industry that is relevant for the area. That is obviously a massive missed opportunity. They also do not really recognise the water—the role of the health of the marine environment—in driving the tourism that is central to their local economy.

In terms of the financial assistance elements of the Bill, it would be fantastic to see recognition of the need for a more holistic, integrated approach to our funding streams that recognises those multiple benefits so that we can really generate them. That would ultimately benefit the fishing industry, but in a way that better embeds it in the wider coastal community and opens up the routes to market and the innovations in marine businesses that we would all like to see on the coast. That could contribute to the local economy, instead of thinking that tourism alone will drive that. It would also recognise that fisheries are a major part of tourism. They shape the cultural identity of—

**The Chair:** Order. Apologies—with two witnesses, we have only half the time, so we have to keep the answers short.

**Elaine Whyte:** I see potential, because I see those communities that are quite sea-blind at the moment. Local authorities are saying that they have never had a fisheries policies, or that they do not know that they have active fishermen on their doorstep. That is a massive opportunity. We just have to look at how Norway has taken 60% of quota allocations and given them to the coastal communities to see them thrive. I would like to see that.

I am slightly worried about the concept of auctions, which is obviously more English-based. I do not know how that will be reflected in UK fisheries in general. However, I see potential here for all communities around the coast.

**Q238 Luke Pollard:** In terms of supporting small fleets, which generally speaking are the ones that have the potential to have the biggest impact as quickly as possible in coastal communities, what measures do you feel we need to ensure are in the Bill to support the small fleet in particular?

**Dr Amy Pryor:** It depends on what you call the small fleet; I prefer to call it a coastal fleet. Again, I would say that you should look at what Norway has—their coastal fleet is 5 metres up to 30 metres. I think the definition can be quite wide. We have mobile guides and keel guides. We have to be just a bit more flexible about opportunities. It is about ensuring that we have the quota and licences available and that we are providing grants to get new starts into the market and giving them a leg up.

**Dr Amy Pryor:** I agree with all of that. I also second what NEF said about using transparent and objective criteria in quota allocation so that you really do start to recognise the sustainability credentials of the small-scale inshore fleet; it is common sense that they are much more sustainable by being local and non-nomadic and using smaller vessels. Seafarers UK is very concerned, though, that that can lead to a lack of safety at sea, where individual fishermen are piling as much gear as possible on to tiny vessels and souping up the engines, which is highly dangerous. It is about finding a balance between keeping fisherman safe and having a fairer distribution of quotas.

**Q239 Peter Aldous:** You referred to the need for co-ordination between marine and land-based planning. Would you say that the same would apply for economic regeneration and a role for local enterprise partnerships?

**Dr Amy Pryor:** Gosh, absolutely. In the last year or two, some LEPs with coastal areas—in fact, most have them—are starting to look towards the coastal communities, but it certainly has not been that way since the beginning. It was a fight to get them to take notice of the coastal areas and the role that they play. I see a role for LEPs and for coastal partnerships, because they have a lot of trust from the local community and have been around for about 20 years; they pool all the different strengths together. I would like to see more formal recognition in the Bill—perhaps an extra marine planning objective that could actually set out these things. The Fisheries Bill cannot remedy everything, but it could take steps towards providing that integration, which would also achieve the objectives of the 25-year environment plan that the Government are committed to.

**Elaine Whyte:** To be fair, it is not just in marine planning, but in science. We always find that the science is lacking at local inshore levels. Again, we should be looking to Norway and at our local fleets as reference fleets and get the fishermen working with the scientists to provide that reflexive data that is needed. A lot of planners and other people sitting around the table do not quite understand what is happening. There is a major problem there for stakeholders as well. What we do have around these timetables are a lot of stakeholders; we are very happy to have them, but sometimes they bring their own science and ideologies. What we really need is an honest broker—that is how we can do it through marine planning and through local authorities.

**Q240 Brendan O'Hara:** This is more to Elaine. Clause 10 is about the power to grant licences. Scottish Ministers and Northern Ireland Departments can do it. The Scottish west coast fishing fleet is in close proximity to Northern Ireland; they fish in the same water for the same stocks. How concerned are you and your members about the possibility of different regulatory frameworks for Scotland and Northern Ireland, and what damage could that do to the west of Scotland fleet?

**Elaine Whyte:** With the greatest respect to Northern Irish colleagues, who we have fished with for a long time and whom we respect entirely, we are concerned about this, because it is the same stock from the same area. If there are different tariffs and different rules applicable, that will of course impact on our trade and our entire ability to fish. It is a massive concern.

**Q241 Brendan O'Hara:** Has there been any analysis of what damage that would do to places such as Tarbert or Oban?

**Elaine Whyte:** No, but there really should be. There is socio-economic work on the marine protected areas going on at the moment, but we really need to look at what we are landing from such areas. Nephrops are the second most valuable shellfish that we have in the whole country and we really have to look at where they are being landed—a lot of them coming from Scottish waters are going to Northern Ireland at the moment.

**Q242 Brendan O'Hara:** How important to Community Inshore Fisheries Alliance members is keeping current access to EU markets, and is there any analysis of the damage that time delays would have on your ability to export?

**Elaine Whyte:** As an alliance we are constitutionally and politically neutral. We have always said that and we will work with the best outcomes possible, but we are very worried about market access, as we have said from the start. We are looking at the delays. A lot of people are saying that maybe there will be six months and that that will be a problem. Our fleets could not really handle six months. We are more aligned with the Federation of Small Businesses, in the sense that a month or two would be enough to harm our fleets.

**The Chair:** Amy, do you have any comments on that?

**Dr Amy Pryor:** I am going to leave that to the Scottish and Irish experts.

**Q243 David Duguid:** You started off by talking about the local fisheries management, which was very interesting. Harking back to what Dr O'Brien said about the data and how, by the time you have collected it all from the whole country, a lot of it will be out of date, do you think the local fisheries management approach would help that agility in making sure that the data is more up to date, particularly if the local fishermen are working with the scientists on a more real-time basis?

**Dr Amy Pryor:** I personally do, yes. There are great examples all around the country where it is already happening. The next step is for that to actively inform fisheries management. The IFCA's can create a byelaw using that data, but if there was a more proactive approach rather than a reactive approach, we would have very agile fisheries management.

**Elaine Whyte:** A lot of people talk about environmentalists and fishermen, and I think a good fisherman should be an environmentalist. We have been to Norway, looked at their system and studied real-time closures, and they can close a fjord based on the patterns that they see the fish recording. We could be far better at that, in terms of real-time closures, and that is something that we would support.

**Q244 Mr Paul Sweeney (Glasgow North East) (Lab/Co-op):** I would like to get your take on the prospect of the redistribution of quotas. Obviously, on the west coast of Scotland there is a pattern of under-10s and smaller boats prevailing, and they tend to land, by volume, a much smaller share of the UK catch, given the quantity of the fleet. What opportunity do you think there could be to enhance the distribution of quotas among the smaller boats, particularly those on the west coast of Scotland?

**Elaine Whyte:** Again, a coastal fleet is not particularly just under-10s. Our median weight is probably about 14 metres, so I would consider them all in the same category. There is massive potential. We had some members who are quota holders, and we spoke to them at the beginning, thinking that they would want to protect their asset. They said to us, "We've had our money 10 times over. Let's look at doing something fairer for the new guys who weren't born when the system was brought in." So yes, absolutely we see a fairer way to do this.

**Q245 Mr Sweeney:** That is great. It is encouraging. The Department for Work and Pensions defines fishing as an unskilled industry. What is your take on that view?

**Dr Amy Pryor:** That is nonsense. Our fishermen have survived all sorts of adversity throughout the years. They are a massively untapped skill resource. You can learn all sorts of skills through working in the fishing industry and not necessarily become a fisherman. You can also learn a lot of skills that are peripheral to the fisheries industry so that you are more agile as a fisherman. When you do not have a quota or you have run out of days, whatever system is in place, you can move into another sector like boat engineering or boat maintenance—all sorts of stuff. Just because they do not want to talk to you, and they might be secretive about what their skills are, does not mean they do not have a huge amount of skill.

**Elaine Whyte:** I would add that if you can do your accounts and write a scientific report in a gale force wind while at sea, you are a very skilled businessman.

That is something we should think about. We have a gap at the moment in skills, and we possibly need to look at foreign workers. It is important, particularly for rural areas. I would look at things like the "become a fisherman" scheme in Denmark, and how they have managed to turn things around in their country and repopulate rural areas just by proactive marketing. We need to do that. They are very skilled.

**Q246 Bill Grant:** This question is for Elaine. You will notice from my accent that I am a west coaster. I am of an age where I have seen the demise of the fleets running from Stranraer way up through to Oban, and I would love to see that return. Do you think this Bill and other changes to the CFP, or the absence of the CFP, will give us an opportunity? Should we have better training to make that industry more skilled than people perceive it to be? Should we have courses to encourage young men and women to go to sea and secure the fish that we have in relative abundance?

**Elaine Whyte:** Yes, absolutely. There is a generational issue. We have missed a generation, but we can catch up. We should have young men coming out of places such as Glasgow, where there is a port 30 minutes away, and thinking, "Actually, I could go to sea." That is something that we have to be proactive on with Government. But I think we need to look at what has gone wrong. We can look at somewhere such as Stornoway. Pre-1974, it was landing more than 85% of fin fish; it is now landing 1% of fin fish. That possibly has something to do with the EU; it possibly has something to do with domestic allocations as well, so we have to look at it in a holistic way and try to give men, and women, a reason to want to go into the job. Nobody wants to tail prawns on minimum wage forever; people want the opportunity to have their own boat and to progress.

**Q247 Bill Grant:** We should make the conditions and the financial rewards better and we could grow the industry in due course.

**Elaine Whyte:** Absolutely.

**Dr Amy Pryor:** I absolutely agree. The only thing I would add is that I think this is an opportunity to think about a more integrated approach to the way we do our training. I am talking about cross-sectoral training schemes and apprenticeships not only to spread the skills and highlight the fact that you can have multiple transferable skills, but to build relationships across sectors. We can build those better relationships between the different coastal sectors. To back that up, Sir John Armitt recommended this, as part of the Thames growth commission, as a way forward, because we are lacking skills in all our coastal and estuarine areas.

**Q248 Owen Smith:** We heard earlier from one of the big shellfish companies and we asked it about the impact of tariffs—potentially, 8% tariffs on shellfish. How would that impact on smaller producers?

**Elaine Whyte:** We are extremely worried about that and always have been. And apart from the tariffs, we are extremely concerned about disruption and action, possibly, by French and continental fishermen, who might not be too happy about us getting access. That could be just as big a problem as the tariffs, to be honest, so yes, we are very concerned.

**Q249 Owen Smith:** This is an enabling Bill, but what degree of certainty do you feel about what fishing is going to look like in Great Britain in the years to come as a result of the Bill? Are you confident?

**Elaine Whyte:** I heard a comment yesterday, I think, or the day before about how the market will take care of fishing. I do not think that is fair. I think that we have to try to support our industry, to get the best of national benefit for our fishermen. I am confident that we could have a better future, but it depends on a lot of things. We are not quite clear when we are coming out. We are not quite clear what this financial framework means, across all the sectors, for the UK. And what does that mean? Does it mean that every year that we are negotiating a deal with the EU we could barter fishing rights away for another sector? Those things are still a concern for us.

**Q250 George Eustice:** I want to come back to something that Elaine Whyte said earlier about the concern that there might be different rules for different parts of the fleet, with Northern Ireland having access to west of Scotland waters, for instance. Could you explain a bit more what your concern is? Obviously, the Bill is trying to resolve quite a difficult tension, which is that fisheries is a devolved matter, yet it is also highly affected by international negotiations, which are reserved. The way it does that is by giving each Administration the ability, through clause 10, to have licence conditions, but then separate to that, in clause 31 and schedule 6, it gives the Administrations the ability to set their own technical conservation measures, so if they wanted to have a closure, for instance, that would apply to everyone, whether or not it was on the vessel licence. There are two means of doing it, and I think the Bill squares that rather difficult circle through that means.

**Elaine Whyte:** It potentially does, but it does not square the tariff issue, so that is something that we would still have a concern about. Some of our members have mentioned the issue of nomadic rights, and of course we understand that, but we always think that there should be some link to the coastal communities around about. They should not be disadvantaged by lack of access to their own stocks, in a sense, as well. That is important to us domestically as well as between different countries and the UK.

**Q251 Brendan O'Hara:** Mr Grant said, and I think we would all agree, that we hope to see young men and women from throughout Scotland going into a revived indigenous fishing industry, but we need to have an industry there for them to go into. How do we bridge that gap? Who will crew the boats and the fish processing plants while we wait for that throughput? Given the geography of the west of Scotland in particular, the inshore fishing fleet is now at a critical point, is it not?

**Elaine Whyte:** Yes, it is. We have some boats that are about 60 years old, which is not right, so we have to look at how we can help our infrastructure. There are ways to do that. The Western Isles had a very good boat-building scheme, which was very low-risk and allowed people to come in. We need to start building up those facilities along the coast. I would say that we need that not just on the west coast but all around the coast.

**Q252 Brendan O'Hara:** But, particularly on the west coast, how do we crew or keep that—

**Elaine Whyte:** We have a gap at the moment, and we have to make sure we are getting skilled workers in from wherever they come from. I would say that we are working towards a long-term domestic policy through marketing. I would use the example of Denmark again and say that, 10 years from now, that is what we should have. For now, we have to be realistic and make sure we have got people there to teach the new guys coming up.

**Dr Amy Pryor:** Can I add something to that? Certainly within the south-west and the south-east, fishermen have told us that there are plenty of skilled crewmen out there, but they move around a lot. They go where the opportunity is. Something as simple as a database that tells young fishermen where there is a fishing opportunity, and for how long, would go a long way towards filling those gaps and making it a bit more attractive to be a nomadic land-based fisherman going between different fishing communities to fill those holes.

**Q253 Mr Sweeney:** I would just like to ask for your view of the grant system offered in the Bill. Do you think it may support smaller fishermen, particularly when we are looking at fleet renewal and the potential industrial benefit to the UK? Do you think it is an opportunity? Do you think it needs better definition, or is it too vague?

**Dr Amy Pryor:** I personally think it is a bit too vague at the moment. The examples that we have had through the European fisheries fund and the European maritime fisheries fund have gone a long way to enabling fishing communities—especially the community-led local development mechanism and fisheries local action groups. Where they have worked well, they have worked extremely well. They have had a huge impact and have gone on to bring millions in investment into the local economy, benefiting the whole coastal community. As an enabling Bill that says, “We are committing to provide financial assistance,” it is great, but it could be a lot more prescriptive and detailed. It could break that down and really represent the different sectors of the wider coastal community, as well as the fisheries.

**Elaine Whyte:** I would add that it is important that we somehow define fisheries through this, because I know a lot of instances where fisheries funds have been used for something that fishermen on the ground have probably never had any benefit from. It is good that we consider who the stakeholders are, how we want this to be used and whether fishermen will ultimately get the benefit of it. It is particularly important at a time when there is a lot of money coming into the fisheries policy sector from environment non-governmental organisations and charities and whatnot—I counted about £4 million into Scotland in the last couple of months for people influencing fisheries policy. We need to be enabling our fishermen to do something positive.

**Q254 Mr Sweeney:** Do you think that the ending of the European funding is a risk? It is not clearly defined what will substitute for it in the future. If anything, there might be a cut in the overall level of state aid into the sector.

**Dr Amy Pryor:** Absolutely. There are no other funding streams that are specifically for fisheries. There are none—absolutely none. Fishermen cannot access any of the other regional development growth funds or even the other European funding streams. Having something



to replace it is essential, but there is an opportunity here to do things in a bit more of a holistic way, while benefiting the fishing industry.

**Elaine Whyte:** A small investment can make a big difference. Some of the ports in the Western Isles, such as Ceallan, have been European funded, and that has been a massive benefit to the community. Particularly in rural communities, it is a lifeline.

**Q255 The Chair:** I think we have come to a natural conclusion, unless there are any final 10-second points that witnesses wish to put to the hon. Members.

**Elaine Whyte:** My colleague would never forgive me if I did not mention this. We would like to see communities having an opportunity to access things such as bluefin tuna, because it could make a difference to artisanal fisheries around the coast.

**Dr Amy Pryor:** We would like to see better recognition of our estuaries and the links with the land. Estuaries are the ovaries of the sea, and having them recognised formally as part of this, with potentially better and more sensitive management, would definitely be the way to go to safeguard our stocks for the future.

**The Chair:** I am grateful to both witnesses for their evidence, and I thank them for their attendance today.

*Ordered,* That further consideration be now adjourned.—(Iain Stewart).

3.29 pm

*Adjourned till Tuesday 11 December at twenty-five minutes past Nine o'clock.*

**Written evidence reported to the House**

FISH04 Historic England

FISH05 ANIFPO/Sea Source

FISH06 Professor Richard Barnes, The School of Law and Politics, University of Hull

FISH07 Heritage Alliance

FISH08 Daniel Whittle, Whitby Seafoods Ltd

FISH09 Greener UK