



# Environment, Food and Rural Affairs Committee

## Oral evidence: Fisheries Negotiations, HC 355

Tuesday 9 June 2020

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Members present: Neil Parish (Chair); Ian Byrne; Geraint Davies; Dave Doogan; Barry Gardiner; Dr Neil Hudson; Mrs Sheryll Murray; Julian Sturdy; Derek Thomas.

Questions 1 - 50

### Witnesses

I: Elspeth Macdonald, Chief Executive, Scottish Fishermen's Federation; Barrie Deas, Chief Executive, National Federation of Fishermen's Organisations.

II: Jerry Percy, Director, New Under Ten Fishermen's Association; Jimmy Buchan, Chief Executive Officer, Scottish Seafood Association.



## Examination of witnesses

Witnesses: Elspeth Macdonald and Barrie Deas.

Q1 **Chair:** Welcome, everybody, to this inquiry on fishing this afternoon from the EFRA Committee. I am delighted to welcome everybody. Our first panel is Elspeth Macdonald and Barrie Deas. If you would like to introduce yourselves, we will then move into questions.

**Elspeth Macdonald:** I am Elspeth Macdonald. I am the chief executive of the Scottish Fishermen's Federation. The Scottish Fishermen's Federation was formed in 1973 and represents eight constituent associations of fishermen across Scotland. We have around 400 vessels in our membership, ranging from very large, modern, pelagic trawlers, right through to small inshore vessels, abroad, so a broad cross-section of the industry, probably representing the majority of the catching sector effort in the Scottish fleet. Thank you.

**Barrie Deas:** I am Barrie Deas, chief executive of the National Federation of Fishermen's Organisations, generally known as NFFO. We represent fishermen in England, Wales and Northern Ireland. Very much like Elspeth, we represent a broad cross-section of the industry, from very large vessels that fish offshore down to inshore fleets as well.

Q2 **Chair:** Thank you both very much for joining us this afternoon. I shall start off with the first question, and I am going to link two parts of the question together. What impact has the coronavirus pandemic had on the fishing industry and coastal communities that rely on fishing? Coupled to that, did the UK Government and devolved Administrations react quickly enough to put support measures in place to help the industry, and how effective have they been?

**Elspeth Macdonald:** It is fair to say that the COVID pandemic hit the fishing industry in Scotland very quickly. It had quite a differential impact, depending on what part of the industry and sector vessels are engaged in. It is true to say that the shellfish fleet was hit most immediately and hit hardest. It is the part of the sector that continues to feel the most significant impact.

Our pelagic fleet was largely unaffected. There were fortunate in that the mackerel season had just finished in February. By the time the restrictions began to bite, both at home and abroad, that seasonal fishery was finished. But the shellfish fleet was hit very hard, from the small inshore vessels fishing for high-value, potted live shellfish, through to the scallop dredgers and the nephrops trawlers. The impact on the shellfish fleet across the piece has been significant.

The white fish fleet, the part of the fleet fishing for cod, haddock and saithe, for example, has managed to keep going, but at a reduced level and through some very volatile market situations. Through the period after Easter into early May, the markets were very volatile and we had to



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work very collaboratively across the supply chain in Scotland, with the producer organisations, the Government and the processors, to manage the fleet in such a way as to make sure we were landing fish that there was a demand for and we were not oversupplying the market.

That side of the industry is adjusting. As we see markets beginning to open up again and some easing of the lockdown restrictions in different countries, that will hopefully start to stimulate some more demand. For a large part of our shellfish fleet, the impact is still quite significant.

**Q3 Chair:** As far as the devolved Government in Scotland and Defra are concerned, how do you rate their response to the fishing industry?

**Elspeth Macdonald:** In Scotland, the industry has been able to take advantage of measures coming from both Governments. Industry here has been able to take advantage of the measures put in place by the UK Government, such as the furlough scheme, the job retention scheme, the scheme for self-employed individuals and the bounce-back loan scheme, where they have been applicable. They have certainly been welcomed. Over and above that, the Scottish Government moved very quickly, recognising that the shellfish industry in particular has been very badly hit. They put two funding schemes in place to address hardship issues for that sector, whose market had essentially disappeared overnight. A large number of vessels have received assistance through these schemes.

The Scottish Government also put in place assistance for the processing sector, which I know has been welcomed by my colleagues on the processing side. I am sure your witnesses later in the afternoon will speak about that. Support was also put in place for the aquaculture sector. The Scottish Government saw the critical importance of the seafood sector to Scotland and put sector-specific support in place to assist.

**Chair:** This is an opportunity to bring Barrie in, to see what you make of it and compare the responses of the UK and Scottish Governments.

**Barrie Deas:** In terms of impact, I share Elspeth's perspective. There has been a severe impact, but quite unevenly and sequentially distributed. For example, quite a big dependence has built up on the Chinese market for crab, and that disappeared very early on. Scallops, lobster and nephrops came in later. They remain the sectors of the fleet that have been impacted most. On the white fish side, many vessels have been able to carry on. While some of them have tied up temporarily, many vessels have carried on, but at much lower prices. Markets remain very fragile and exposed to increases in supply, so I share the same perspective.

In terms of Government support, certainly in the English fleet, we were faced with broad-brush Government measures that fitted where they touched. Furloughed workers helped a few fishermen who were under



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employment contracts. It did not do much for self-employed share fishermen, but that came along in due course. That was very welcome.

That left fishing businesses that still had ongoing fixed costs but essentially had no income. Eventually, the Treasury was persuaded to provide £10 million for sector-specific aid support for vessels below 24 metres. That has been very effective and timely, and it has been distributed quite efficiently. There remain issues of eligibility and people who feel they have been left out. I think that the Government are dealing with those.

The focus is now on what happens after June when that money runs out. It is a very uncertain future that we face. The hospitality and restaurant sector is going to take a long time to recover. The nephrops sector had an underlying oversupply problem anyway and that is going to be difficult. There is very little resilience in parts of the fleet and that leaves us very nervous for the future.

**Chair:** You talked about 24 metres and below, and some people not being eligible. If you would like to tell us in writing about those who have not found themselves eligible, we will contact the Secretary of State for you and the industry, to see if we can get him to review that. If you want to give us some specific information on that, we would be very happy to receive it.

**Barrie Deas:** Okay.

Q4 **Chair:** Have the measures to promote direct sales by fishermen and the Sea for Yourself campaign helped the industry?

**Barrie Deas:** They have been very welcome where they apply innovative ways to market, given that traditional supply chains have frozen. Supermarkets closed down their fresh fish counters, and as I mentioned the restaurant trade had gone, so anything helps. There have been some quite exciting initiatives. It is important to recognise that this is a matter of scale. These initiatives are good for the people who have access to fresh fish, and for the fishermen who are involved, but will not replace the main supply channels. It is very important that we recognise that.

Q5 **Chair:** On shellfish in particular, I suppose it is just trying to get that market open again, is it? Is there any magic solution for them?

**Barrie Deas:** If there is a magic solution, I do not have it. It is about opening export and domestic markets. There are signs that things are improving very gradually. Some supply chains and export markets have remained open throughout, but at a very low level, sometimes going through circuitous route. As the lockdown eases and people become more confident, the markets will recover, and we have to be in a position to take advantage of that when it happens, but there is no magic bullet.

**Chair:** Elspeth, would you like to comment on Sea for Yourself or on anything more about shell fisheries?



**Elspeth Macdonald:** I echo a lot of what Barrie has said, recognising that we really need demand to be stimulated by the reopening of the hospitality sector in particular. So much of the shellfish product goes through that supply chain and that would start to make a significant difference. As measures start to ease and, as Barrie said, people feel more confident in going out and enjoying the types of food and meals that they would eat out of the home, that will help.

Things like the Sea for Yourself campaign are always welcome. We absolutely welcome anything that is going to encourage people to eat more seafood. As well as clearly being something that our industry wants to supply, it is extremely good for you. It is good for people and we would certainly encourage people to eat more of it. Action is probably needed on a number of fronts. The Scottish Government have put a lot of effort into working with retailers to encourage them to do things like reopen their fish counters. They did not all close them, but some did. Effort is needed on a number of fronts across retail, food supply and hospitality, to really stimulate the demand.

As Barrie said, there are real issues of scale here. We saw quite significant increases in the amount of fish being supplied through things like local fishmongers and fish vans, but they were starting from a fairly low base compared to the volumes that would have been supplied through the large retailers and hospitality, et cetera. Yes, action is needed on a number of fronts.

Q6 **Chair:** I think Morrisons kept its fresh fish counters open. It is a shame that some of the other big retailers did not. Perhaps they will get the message and start reopening their fresh counters. Do you think that perhaps Sea for Yourself and promotion of fish needs to carry on long beyond the epidemic? I do not think we really eat enough varieties of fish. Would you like to see that carry on? I may be putting words into your mouth. I do not know whether you want to answer that.

**Elspeth Macdonald:** I certainly support all activity that encourages people to eat more fish. As I say, as well as being good economically for my members, it is good for us as a country, in terms of improving our health. We do not eat enough fish in this country. We do not meet Government dietary goals on fish consumption. Anything we can do to encourage the population to eat more fish, by making easy recipes, easy ways of handling it, et cetera, is all to the good. I would very much encourage that.

**Barrie Deas:** To be very brief, I endorse everything that Elspeth has said there. We need fish promotion in this country. Our domestic consumers tend to be a little on the conservative side, so fish consumption of all species is to be encouraged.

**Chair:** I may like them to be conservative with a large C, but we do not want to be too conservative with a small C when it comes to the amount of fish. I do not want to get Barry, Geraint, Ian and others too wound up



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over it. I think they just do not recognise some fish, do they? That is the trouble. If we can promote it better, let us see what we can do in the future. Anyway, that is enough from me.

- Q7 **Mrs Murray:** I just have a very quick supplementary, to save me asking for a response in writing. How successful do you think the Call4Fish has been? It started in Plymouth, but is now a joint effort with Rodney Anderson, the former director of fisheries at Defra, and is looking at moving to a nationwide campaign. Barrie, do you think this has the potential, if it is continued, to ensure we all have a larger variety of fish on our menus in the future, which can only benefit the industry?

**Barrie Deas:** As I said before, anything that provides encouragement for consumers to eat fish and access to markets is to be welcomed. The Call4Fish is more of a directory than actually selling fish. My concern about all these schemes is their longevity: how long they will last when the main supply channels come back. Fishermen fish and that is enough of a job. After the health emergency is over, how realistic is to think that many fishermen will come ashore and then worry about marketing and transporting fish?

There is a danger of cannibalising existing supply chains and, secondly, having stranded assets, where you have built something up, but it is better just to put it on the market or deal through your existing merchant. That would be a concern.

- Q8 **Mrs Murray:** I should point out that I have known Barrie for a number of years, even before I was an MP, as a mere fish-wife. I am also the chairman of the All-Party Parliamentary Group on Fisheries, so I need to put on record those interests. We will go to Elspeth first on this one. What are the top priorities of your members in the negotiations with the EU on fisheries and what do you not want to happen?

**Elsbeth Macdonald:** That is a really good question and one that our organisation is very clear on. Our absolute top priorities for the ongoing negotiations are that the UK can fully exercise its powers as an independent coastal state after exiting the common fisheries policy at the end of this year, and that in doing so we regain full sovereign control of our exclusive economic zone, our EEZ. That is the key lever that we have going forward for negotiating a much better and fairer share for our industry.

Our priorities are controlling access to our EEZ, undertaking annual negotiations with the EU and essentially operating with the EU in the same way as the EU does with all other neighbouring coastal states in this part of the world. For example, it negotiates with Norway on an annual basis on access to waters and to fishing opportunities. Control of access to our EEZ and annual negotiations on fishing opportunities are our absolute priorities. On the flipside of that, we do not want any concessions to be given on access to our waters or anything that takes us away from the ability to negotiate annually.



**Mrs Murray:** Barrie, do you have a different view? I know you represent vessels from south of the border, so to speak, but also in Wales and Northern Ireland. Do you have anything to add to that or do your members want the same thing?

**Barrie Deas:** Again, I find myself absolutely endorsing every single word that Elspeth has said there. The only thing I would say in addition is that the UK is not asking for anything extraordinary here. It is asking for what is given by right under international law to coastal states. That is about access, the right to exploit the resources in your own waters and being able to negotiate on an annual basis. We recognise that with those rights comes responsibilities, and we have to work with those countries that we share stocks with. I very much agree with everything that Elspeth said.

We fear a repeat of what happened in 1973, when fishing was sacrificed for other national objectives and economic goals. I think we are in a very different place politically at the moment. It is well recognised throughout Government, Parliament and the media that the fishing industry got a very raw deal back in the 1970s. Here is an opportunity to redress that, and we are looking forward to seeing the results.

Q9 **Mrs Murray:** Just to build on that, if an agreement is not reached on fisheries, how prepared do you think the UK, the devolved Administrations and the fishing industry are to deal with this?

**Barrie Deas:** My understanding is that scenario planning is going on within Government for all eventualities. What we are talking about here is a framework agreement. If there was no framework agreement, around about October time, we would have to start thinking about the annual negotiations for 2021, because fishing works on a cycle. We have to set access arrangements and quota shares for next year. All those issues have to be dealt with by the end of the year anyway.

My understanding is that the Government are preparing. The industry is prepared for a range of eventualities. We talk about the industry, but of course it is a range of industries. There are lots of different target species, markets and types of operations. Each one will be making adjustments, taking into account its market, target species and the opportunities and risks. There is a lot of thinking going on within the industry as well.

**Elspeth Macdonald:** It is important to be clear that we see it as a priority that the fisheries agreement is a separate agreement from a wider agreement on trade between the UK and the EU. As I say, what we are seeking is exactly what the EU has with other independent coastal states, such as Norway, Iceland and Faroe, which have separate fisheries agreements. That is what we are seeking here.

As Barrie has outlined, there is already an existing infrastructure for the end-year negotiations in this part of the world and in our waters. There is existing law through the UN Convention on the Law of the Sea, which



gives us the rights and responsibilities as an independent coastal state. Even if the UK and the EU had not reached a fisheries agreement, as we approach the end of this year, there is still a legal basis for us to engage in coastal state negotiations and an existing infrastructure through which to do that.

**Q10 Mrs Murray:** Finally, we also have the UN fish stocks agreement. Where we share stocks with another member state, if the juvenile stock is in its waters, it is still obliged to look at the sustainability of that stock. Clearly, the EU benefits very strongly at the moment from access to the UK 200-mile-to-median-line limit, our exclusive economic zone. It also has a massive demand for fish. If the catching ability of the EU fleet were reduced in the British 200-mile exclusive economic zone, and there was still that market demand, where do you think they would get that fish?

For example, the French fleet in the south-west catches 80% of the cod in the Area VII waters and the UK fleet gets 8%. The fish caught by the French fleet is taken back to France and landed, with no economic benefit to this country and no checks. If that fleet were denied access to that 80%, it would still have a market that demands fish. Can you see an opportunity for the UK to fill the gap in that market? Where else do you think they would source a supply to fill that market?

**Chair:** Can we have some quite quick answers, please? Time is beginning to move on.

**Mrs Murray:** Sorry, that was quite a complicated question, but it needed asking.

**Barrie Deas:** In terms of markets, there are businesses in the supply chain, both in the UK and the EU, that benefit and need that trade to continue. Essentially, the resources are in UK waters; the demand, or some of the demand, is in the EU. It is in everybody's interest for that not to be derailed by the politics but to work on a normal economic basis. It was quite interesting what happened at the end of the cod wars in Iceland, where the trade in cod between Iceland and the UK was re-established very quickly after the dispute was settled. I would expect natural economics to work their way through.

**Elspeth Macdonald:** Our position has also been clear. We have never said that we wish to ban EU vessels in future from UK waters, but simply that that has to be the subject of annual negotiations and agreement, on the basis of much fairer shares of the fish in our waters.

**Q11 Chair:** You make the point that we want our international rights back for the amount of fish we have. We then want to trade them and we do not want them linked in the agreement. Thank you very much for that evidence.

**Q12 Dave Doogan:** Thank you to Elspeth and Barrie for the very interesting evidence. I would like to ask for a rundown on the engagement that the industry has enjoyed with Government during the negotiations, and to what extent industry believes its views and ambitions within this dynamic



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are being listened to by Government.

**Barrie Deas:** Our industry has had a sometimes very turbulent relationship with Government over the years. On this particular issue, there is a very close alignment between the industry's aspirations and the Government's policies. Speaking for myself, we have had very good relationships with officials, good understanding and good access. There is something called the external advisory group, which gives stakeholders an opportunity to provide their views to Government on a fairly formal basis. On a more informal basis, from Ministers through to senior officials, we have had briefings and opportunities to put our voices in.

I hope that we have been influential. My job is to try to be influential in this sphere. I really cannot fault the Government Departments that have given us access, both DExEU and particularly Defra. It has been a very strong dialogue and there is close alignment. As I say, it has not always been like that.

**Elspeth Macdonald:** I would echo that. I only started this job in August last year. In my first six weeks, I had met with four Secretaries of State and the Prime Minister. I suspect that is not normal. I think all those meetings took place in the north-east of Scotland. It was not just Ministers sitting in an office in London wanting to talk to somebody who had been working in an industry role for five minutes. It was Ministers who wanted to be out there on the ground in Peterhead Fish Market, talking to talking to skippers, the industry and the processors. That has been very welcomed across the supply chain.

We have had very significant engagement with the Scottish Government, as I am sure you would expect. We have a good and constructive relationship with Fergus Ewing and officials in Marine Scotland. It is critically important that we have good engagement with both. Many of the fisheries management and fisheries policy issues, after exit, are going to fall into devolved territory. We are working very closely with the Scottish Government in thinking about the future of fisheries management in Scotland. It is critically important that we are well connected and engaged with both. Thus far, I feel that has been the case.

Q13 **Dave Doogan:** Thank you both very much. Barrie touched on this very briefly in one of his answers to Sheryll. It is complex, isn't it? The headline ambition, which is to take back control of the waters surrounding these islands, is fine as far as it goes, but there are issues of trade, access to waters and markets, preservation of stocks. It is very complicated when you get into the detail. Do you think that has been reflected in the dialogue you are having with Government?

**Elspeth Macdonald:** Yes, it absolutely is. It is recognised that there are lots of issues around here. That is why it has been very important for us to be clear that the issues around access to waters must be kept separate from the other issues, because they are different. I attended a very interesting meeting earlier this year in the Scottish Parliament, with a



cross-party group. The Norwegian ambassador to the UK came to that meeting and talked a lot about how Brexit looked from his Norwegian perspective. On fisheries, he said in Norway sovereign control over natural resources is their priority over access to market issues. They make other arrangements in relation to access to the markets and do not concede access to their fishing waters for market access issues. That is absolutely the position that we must also be in.

**Barrie Deas:** Fisheries are complex, but it is all wrapped up with this one phrase: independent coastal state. Everything links back to that: access, quota shares, governance arrangements, like the annual negotiations. Fisheries are complex, but there are a number of principles that we hope, and expect, that the Government will deliver on.

When you actually look at our expectation, it is not really remarkable. Iceland, Norway, Faroes and, for that matter, Canada or the United States all operate under the same coastal state-type regime under international law. That is what we are asking for.

**Chair:** Now I call upon Barry Gardiner. Barry, welcome back to the Select Committee. You were on the Committee between 2010 and 2015. We worked together then, on different sides of the political spectrum, but very often on a similar basis on the Committee.

Q14 **Barry Gardiner:** Thank you, Chair. This question is directed towards Barrie. The UK's distant-water fleet needs the UK to negotiate reciprocal agreements with the EU and other independent coastal states on quota and access. In what way might the existing arrangements that the EU has with the other north-east Atlantic countries affect that distant-water fleet?

**Barrie Deas:** We have a small but very significant fleet that fishes in external waters. It is mainly based on Humberside and is the residual of the huge distant-water fleets that we used to have. They fish a variety of fishing opportunities in north Norway, Greenland, Faroes and the north-west Atlantic. While we were in the common fisheries policy, these access arrangements had been negotiated through the EU. Now of course they will have to be negotiated through the United Kingdom.

You enter an agreement when there is mutual benefit, but the currency for that benefit can change. Sometimes it is for quotas for other species. For example, Norwegian fishermen have a need for a range of species in UK waters. We tend to be interested in their cod, so there is a trade there. The currency for these new arrangements will probably change a bit, but my understanding is that framework agreements with Norway and the Faroes are well advanced. In a way, they are not as complicated as dealing with the EU, because those countries agree with the principles of how we should manage our fisheries as coastal states.

This is a small but important part of our industry. The negotiations ahead with these countries will not be any kind of pushover. They are pretty



tough negotiators, but we have something they want and they have something we want. The currencies will vary but the deals will be done.

**Elsbeth Macdonald:** Barrie referred to the currency that is paid for access to these waters and to those fisheries. Currently, that is through the agreement between the EU and Norway. As Barrie said, that will become a different negotiation. Currently, some of that currency has a pretty significant impact on the Scottish fleet. That currency can come from some of our Scottish pelagic stocks. That is clearly not to the advantage of some of my membership.

These are the sorts of issues that we will have to address going forward, in terms of the arrangements that we have currently. How will they work in future? What will the currencies be? Those will be some of the internal discussions within the UK in future.

Q15 **Barry Gardiner:** How do you think the UK's restriction of access for the EU fisheries in UK waters may impact the investment from European stakeholders in our industry?

**Barrie Deas:** There are separate issues there. In the future, EU-registered vessels will not have automatic access. That will have to be negotiated as part of annual agreements. The European interests, and not just European, but Icelandic and Canadian in some cases, that have invested in the UK over a number of years raises an interesting question for the Government. It is kind of related to the bigger question of what the attitude to inward investment is going to be. Is Britain open for business?

There are legal complexities. If the Committee wanted to look into this, it would bear a good deal of scrutiny from the legal dimensions as well as those trade dimensions. It is an area that I think is full of pitfalls. We all need to tread very carefully in that area.

**Barry Gardiner:** Can I very briefly ask you to set out the benefits of the way in which the UK is proposing the framework agreement on zonal attachment rather than through historic allocation? I am not sure that that has been made clear to the public.

**Elsbeth Macdonald:** I will try to be very quick. The current arrangements under the common fisheries policy are that the shares of quota between member states are based on historic track record, representing the fishing patterns of 40-plus years ago, which in no way, shape or form now reflect the distribution of fish in our waters. Moving to a method of quota shares based on a science and evidence-based methodology, which is known as zonal attachment, would mean that distribution is on the basis of where fish actually are rather than where people fished almost half a century ago. That is the significant difference.

**Barrie Deas:** To give a very short example, for eastern channel cod, or channel cod, actually, the UK share is 9%; the French share is 84%. The line goes down the middle of the channel. If that was split more equally,



it would bring direct benefits to inshore fishermen right along that south coast. That is a concrete example.

**Chair:** While giving evidence, Barrie, you tempt us to look into a future inquiry. We will talk about that. Of the quota owned in England, over half is foreign owned, which is interesting. Like I said, it could make an inquiry in itself, but we will look at that again.

Q16 **Dr Hudson:** Thank you very much for your answers so far. You have touched on some of this subject area in previous answers. You have mentioned, especially Barrie, that fisheries are very complex. I wanted to explore that a little further and go into the biology and ecology of the setting. You have said what the priorities are for your members, in terms of the negotiations, but how important is it for the sustainability of the fish stocks, especially the stocks that are shared, that the UK and the EU reach an agreement on fisheries?

**Barrie Deas:** If you do not have a resource, you do not have an industry. We have a very strong interest in ensuring that fishing takes place within safe, sustainable limits. The Fisheries Bill makes clear that we are going to have a policy that is informed by the science. The science on counting the number of fish in the sea can be challenging, but nevertheless that is what we have to work with, an evidence-based policy.

Both the EU and the UK have been pretty principled on conservation. I do not think that there are many who would be able to accuse both parties of ducking their responsibilities. On top of that, there is a legal obligation within UNCLOS to fish at maximum sustainable yield. You can have a long and interesting debate about interpretations of maximum sustainable yield, and in particular how you apply that concept to mixed fisheries. Nevertheless, it is there as a benchmark and I do not think that is going to change.

Especially with shared stocks, there is an onus on both parties to deliver sustainable fishing. Actually, it is not going to be that much different from where we are now. The main North Sea stocks are jointly managed between the EU and Norway at the moment. In the future, it will be the EU, Norway and the UK, with Norway and the UK being by far the largest parties. In that sense, it is not going to be a radical change.

**Elsbeth Macdonald:** I echo Barrie's point about the industry completely recognising that, if we do not have a resource, we do not have an industry. In contrast to the situation with ownership of quota in England, we have a situation in Scotland where well over 90% of Scottish quota is held in Scottish hands. That signifies a real long-term investment by Scotland in this industry and we want to have a sustainable industry going forward. A lot of that quota is held in family businesses. These families are in it for the long haul and want the fishing industry to be sustainable and successful, not just now but for the future.



Q17 **Dr Hudson:** Thank you. It is really encouraging to hear the importance of sustainability, and the science and evidence that will lead a lot of these decisions. I am confident that we can reach an agreement, but hypothetically—you have touched on it in previous answers—how can we prevent shared stocks being overexploited if there is no formal agreement?

**Barrie Deas:** Even if there is no framework agreement, the annual negotiations are based on advice from ICES, the International Council for the Exploration of the Sea. That is the baseline on which the TACs are based. There may be some fluctuations around those to take into account socioeconomic concerns, the implementation of the landing obligation and mixed fishery dimensions, but it is always a science-based policy. That is what is going to see us through.

**Elsbeth Macdonald:** It is important to recognise that the UK's exit from the CFP does not change the nature of the scientific advice or the way in which scientific advice is coming into the industry. That same process through ICES continues to operate. As Barrie said, that sets the framework for the negotiations that then take place.

**Dr Hudson:** Thank you very much. That is very helpful.

Q18 **Barry Gardiner:** I am pleased that we have referenced ICES but, as we know, sometimes the politicians get round the table and recommend TACs that are in excess of that. If you look at the latest figures that I have from the EU Commission Scientific, Technical and Economic Committee for Fisheries, looking at the number of stocks and, indeed, the number for total allowable catch, about 40% are in excess of those ICES limits for maximum sustainable yield. It is a huge improvement over the past decade and we really have to acknowledge that. Back in 2008, we were talking about 76% and now we are looking at about 40%. Should the Fisheries Bill then require that fishing pressure be limited each year to the scientifically-determined MSY, maximum sustainable yield?

**Elsbeth Macdonald:** That is very difficult territory to get into. As Barrie alluded to, there are a lot of complexities around maximum sustainable yield, particularly when we are dealing with, as we do, mixed fisheries. It would be almost impossible to have maximum sustainable yield for all species in mixed fisheries at any one time. It is also important to understand that maximum sustainable yield may be a worthy general objective, but we may not really ever know in practice what all the factors are that affect maximum sustainable yield.

Sustainability is absolutely at the heart of how we need to operate going forward, but we need to be careful that we do not commit ourselves to numbers and targets that may be based on historical situations from the past.

Q19 **Barry Gardiner:** They are not, are they, Elspeth? I am sorry; the scientists do not based it on the historic. With respect, that is what the politicians do. We have consistently seen that MSY is simply a way of



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maintaining the biomass. It is not the maximum biomass, which ultimately might benefit the industry and make it even more sustainable into the future. The scientists are not playing about with this. They are saying that is the maximum of this stock, or this is the total allowable catch that should be traded this year, and as politicians we have consistently gone against it.

**Chair:** Barry, I am conscious of time, so please keep it succinct. We get your point. Barrie Deas, do you have a short answer to that?

**Barrie Deas:** You have to look at the turning point that came in 2000, after which there was a dramatic reduction in fishing mortality. After that, you saw stocks in an upward trajectory, some of them quite spectacular. Take North Sea plaice, where the biomass is higher than anything in the historic record. There are one or two outliers, like North Sea cod, that buck the trend, but those stocks are moving north by 12 kilometres a year. There is an environmental change there.

We could get into a debate about maximum sustainable yield. We should listen to the scientists on this. The mixed fishery advice that comes from ICES is quite clear. You cannot have all stocks at MSY all the time, not least because they eat each other. There are predation patterns to take into account. The argument Barry is putting forward there is promoted by some of the environmental NGOs, but it is rather disingenuous. It likes to paint Ministers as somehow being manipulated by the industry and by people like me. The reality is that they are dealing with tricky, complex issues, mixed fishery issues, that cannot be just signed away.

**Chair:** We had better park that one there, please, because of time. I am conscious of the next panel to come.

Q20 **Geraint Davies:** The industry is going through a very difficult time at the moment, but in normal times how important is the EU market to the industry? How would it be affected if we did not get a free trade deal?

**Barrie Deas:** As you say, in normal times the EU market is important. It depends very much on the species. It is not very important for pelagics; mackerel tends to go elsewhere. There is some dependence on white fish, and species like crab and lobster are very dependent, something like 80%. There is no denying that the EU market is important. The EU has argued that, if there is no fisheries agreement on its terms, we will not have access to a free trade agreement. That seems to be a bit of a nuclear option, because there are member states that need that free trade agreement.

I come back to the point I made earlier. There are businesses in the EU and in the UK that depend on this trade. If there is no free trade agreement, we will have to trade under WTO terms, which is far from ideal but not impossible. We would make the adjustment. By far the best outcome would be a free trade deal, a separate fisheries deal, and to get back to some kind of normality. The resources are in UK waters; the demand is there in the EU. It is about connecting the two.



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Q21 **Geraint Davies:** From your members' point of view, how important is it? If there was not a free trade deal, how would that affect them? What proportion of their sales are to the EU and might be cut off at the knees if we do not have a free trade agreement?

**Barrie Deas:** It depends very much on the sectors, as I alluded to earlier, and the species you are talking about. There is a high demand for crab, lobster and nephrops in the European market. Of course, we are not talking about not trading; we are talking about trading on less advantageous terms. To some degree, businesses are preparing and beginning to think about how we would adapt.

We have a range of scenarios, including no deal, some level of tariffs, a maximum level of tariffs, so it is very difficult to be specific. The issues that have mainly been raised are not really about tariffs, but more about non-tariff barriers. If you are selling a species like live crab into the European market, any kind of delay with a perishable commodity like that is likely to raise problems. Those are the kind of issues that have been flagged up.

**Geraint Davies:** It seems to me that the UK and the industry want a freestanding agreement, a fixed-term agreement year by year, and the EU does not want that. It wants, as part of a free trade agreement, a permanent agreement with quotas and access. There seems to be a fundamental difference in the negotiating position and we are running out of time. Therefore, is there not a strong case to extend the transition period so we have more time to negotiate? There is a real risk that the fishing industry will not be prioritised versus other markets.

**Chair:** Geraint, we get your gist. We are getting on for time. Elspeth, can you talk about the devolved Administrations as well, please?

**Elspeth Macdonald:** Going back to the question about trade, as Barrie has alluded to, there is significant trade in seafood in both directions. The value of the trade going in each direction is about £1 billion per annum. Therefore, whatever other trading arrangements apply in both directions at the end of this process, we should not give up sovereignty of our waters, which would be to the detriment of the UK, for something that is to the advantage of both parties, but certainly not to our advantage if we give up access to our waters.

**Geraint Davies:** Do you think we need more time?

**Elspeth Macdonald:** No, the industry does not want the transition period to be further delayed. There is a clear annual time cycle for negotiations. There have been nearly four years now since the referendum. We must be able to leave the common fisheries policy at the end of this year, exercise our legal rights and responsibilities as an independent coastal state, and control access to our waters.

**Geraint Davies:** Where are you going to sell the fish if the market is closed and we do not have an agreement?



**Chair:** That is your last question, Geraint.

Q22 **Geraint Davies:** That is the last question. Where are they going to sell the fish?

**Elspeth Macdonald:** As Barrie has alluded to, if there is not a free trade agreement, WTO arrangements will apply. Indeed, they will apply in both directions. It is an important marketplace for our seafood, but not the only one. We sell significant amounts of our pelagic fish elsewhere. We ship a growing amount of seafood to south-east Asia, for example. The EU is important, and we recognise the importance and the impacts of tariffs and non-tariff barriers. That should not be a reason for us to give up sovereign control of our natural resources.

**Barrie Deas:** The European market is important. If we had to trade on WTO terms, the industry would have to make that adjustment. We are not talking here about zero trade; we are talking about trading on different terms.

Q23 **Derek Thomas:** We now have the new national benefit objective in the Fisheries Bill. The intention is that the UK benefits from UK vessels fishing UK quota. Can you give us some idea about how this will work in practice, from your understanding?

**Barrie Deas:** I expect that what we are talking about there, the national objective, is a variation on what we already have in terms of economic licensing requirements, so that if a vessel lands more than 50% of its catch abroad it must demonstrate that it makes a contribution to the national economy, either through crew domicile or expenditure in the UK.

In recent years that licence condition has tended to be met by donations of quota, so that there are negotiations between the parties and the UK, quota is surrendered, and that generally goes to the inshore. That can be quite significant for particular fisheries. My expectation is that there would be a review of those licence conditions and the economic link. Are they strong enough? Do they deliver a strong enough benefit to the UK? How might they be finessed? That would be the basis for the new national benefit clause in the Fisheries Bill that you allude to.

**Elspeth Macdonald:** It is important to recognise that, in Scotland, that would be a devolved discussion and one that the Scottish Government have started to have, through a dialogue that had started last year on the future of fisheries management in Scotland post exit. We would certainly expect further policy thinking to emerge from the Scottish Government on the basis of that first phase of consultation. We will engage with the Scottish Government going forward on that. That is very much into devolved territory.

Q24 **Derek Thomas:** That is great. Thank you for that. I represent the west of Cornwall and the Isle of Scilly. We have Newlyn, the fourth biggest port, but right along the coast there are lots of coastal fishing ports that still land fish. How can we make absolutely sure that coastal communities



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benefit from the UK leaving the common fisheries policy? Elspeth, did you want to start on that, with your Scottish hat on?

**Elspeth Macdonald:** It is really important that our coastal communities benefit. I would say that, as somebody who grew up in a coastal community in Scotland. It is critically important to realise the sea of opportunity, as the Scottish Fishermen's Federation has been talking about since the referendum. If the UK Government get this deal right, to as much as double the amount of raw material that the industry can catch presents tremendous opportunities. Then it is about our ongoing dialogue with our respective Governments as to how that benefit is realised and maximised.

A number of initiatives are already underway in Scotland. We have an ongoing policy dialogue with the Scottish Government. We have initiatives in my part of the world, here in north-east Scotland, called Opportunity North East, looking at how we can really maximise the economic benefit for the area. There are tremendous opportunities ahead of us, but all dependent and contingent on the right deal being delivered for the industry.

**Derek Thomas:** That is great. Thanks.

**Barrie Deas:** For the kind of communities you are talking about there, we need to look at the new quota that we might secure. In your area, for example, Celtic Sea haddock would be a really important one. Our share is 10%; the French share is 66%. Something a bit fairer than that would deliver significant benefits to the UK. Part of that could go into some kind of community quotas. As with Elspeth, there is a dialogue going on with Government about the uses to which that quota could be put.

It is an opportunity. There are different ways we could do it, particularly in your area, where they got a very bad deal under relative stability. There is a big gap between the relative stability share and the zonal attachment share. That provides a big opportunity for the kind of communities you are talking about.

**Derek Thomas:** That is brilliant. Thank you very much.

**Chair:** Can I thank Barrie and Elspeth very much for a great session this afternoon? It will be part of our evidence and we have had very good information and answers to our questions from you. If there is anything else you want to submit to us at all in writing, feel free to do so. If you think there is something you have not covered, please let us have it in writing. We would be very happy to receive it. Thank you very much.

### Examination of witnesses

Witnesses: Jerry Percy and Jimmy Buchan.

Q25 **Chair:** We have with us Jerry Percy, director of the New Under Ten Fishermen's Association, and Jimmy Buchan, chief executive of the



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Scottish Seafood Association. Would you introduce yourselves for the record, please?

**Jerry Percy:** Good afternoon. Thanks for the opportunity to contribute. My name is Jerry Percy. I am director of the New Under Ten Fishermen's Association. We are specifically dedicated to represent the 4,700-odd under-10s, 80% of the UK fleet.

**Jimmy Buchan:** Good afternoon, all. I am the chief executive of the Scottish Seafood Association. We represent the processing sector. Probably about 60% of the processors are members of ours. That varies right across the pelagic, the white fish and the shellfish sectors.

Q26 **Ian Byrne:** Welcome, Jerry and Jimmy. I will ask this to both of you. What impact has the coronavirus pandemic had on the fishing industry and coastal communities that rely on fishing?

**Jimmy Buchan:** It was a significant hit, as it was for all industries across the UK. As you can imagine, when we went immediately into lockdown, I think on 23 March, everyone lost their orders overnight. The country went into a shutdown, so there was no movement of fish and no buying power. The effect was a cliff edge, but we have fought our way back. We have had a really tough time.

We have had significant help from the Scottish Government. They had a resilience fund, which paid out cash fairly quickly to companies that were going through financial difficulties. There were companies that managed to keep operating at a much reduced capacity. There were others that just had to shut down and furlough their staff. It really has had a significant effect. The value-adders, the ones feeding directly into supermarkets, might have had a bit of an upsurge, but any benefit was lost because they had to put on extra shifts, so more overtime. Any margin they were making was eaten up somewhat, but at least they were on a positive rather than negative footing.

**Jerry Percy:** "Devastating" would not be underplaying it, especially for the under-10s. It is generally recognised that we are more susceptible to this. I have some figures for you. Compared to the same period, March of last year, UK vessel landing quantity was down 17%. Trips were down 33%. Smaller-length vessels saw the greatest decrease in value and quantity, under-10s going down by 47% and the quantity of trips by 35%.

By species group, shellfish saw the greatest decrease in value of 43% with a reduction in quantity of 29%. Particularly telling was the Welsh percentage decrease, with value down 87% and quantity down 83%, mainly because they are almost entirely reliant on the export of shellfish. In addition, markets collapsed, as Jimmy has said. Food service went out of the window almost overnight. The vast majority of the multiples closed down their fresh fish counters. This fed back into the markets collapsing. Pollock was down at one point, I think in Newlyn, to 41p a kilo. The



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skipper involved had paid 50p a kilo to lease the quota. Ray was down 29%. Fixed costs, of course, do not go away. There was a very significant impact.

There were a number of issues. Governments stepped in, some sooner than others, to provide support. In the meantime, there has been a huge changeover to direct sales. There are green shoots in this respect, but the concern is just how much the direct sales will go on. As has been said, fishermen catch fish. We have already seen evidence of fishermen trying to catch the fish, bring it home, clean it, process it, pack it, market it, do all the online stuff, the administration and the cash sales. It is really not sustainable for smaller fishing operations.

There have been some good examples. Sole of Discretion down in Plymouth, and Pesky Fish in London, are both very, very focused and experienced in supply chains. They have really driven the direct sales initiatives. The big question is how much longevity this will have after the pandemic is over. Certainly from a fishing perspective, a lot of it will drop off. How much the public will maintain their purchasing of direct fish remains to be seen.

**Q27 Ian Byrne:** Jerry, I am going to stay with you. Did the UK Government react quickly enough to put support measures in place to help the industry? Have they been effective?

**Jerry Percy:** They have been effective. Scotland was first off the mark with fairly generous support, as Jimmy has mentioned.

**Ian Byrne:** We have heard about Scotland.

**Jerry Percy:** Wales, I think, was next. I think all the vessels there were offered just short of £3,000 for the two months completely. In England, we have spoken constantly to Minister Prentis, who said she had had to fight hard to get the Treasury to recognise the needs of the fishermen involved. They were slightly behind the line, in terms of timing, but they came through. They have provided funding for April, May and now June, although none of it was paid until June. The Marine Management Organisation, to be fair, has come good in terms of getting the money out of the door. Overall, it was a big and welcome boost to it.

There are two elements to this, though. The first is what happens after June. Secondly, there were any number of smaller-scale boats that fell through the grant funding net, for two reasons. First, there was a £10,000 platform you had to exceed in the given reference year. Unfortunately, they chose last year, which included this winter. It was probably one of the worst winters on record, especially for smaller-scale boats, which are particularly susceptible to bad weather. A lot of the guys had not made the money in the period.

The second problem we have, as you may be aware, is the ongoing controversy over the catch app that the MMO has sought to introduce to the sector. One of the main reasons for it is that the previous—and



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current—method of gauging the landings and value of the under-10-metre fleet is not fit for purpose. A serious percentage of reported landings were going amiss. The MMO based its £10,000 limit on unsubstantiated data, which is of particular concern. They tell me, as we speak, that they are collating the appeals and disputes they have had from these people who have fallen through the net. We can only hope that they get some level of assistance.

**Q28 Ian Byrne:** Retrospectively, from an England perspective, is there anything that should have been done earlier or are there lessons to be learnt? We have to learn lessons from what has gone on before if we ever come across something like this again. Is there anything you would like to highlight quite succinctly about what lessons should be learned?

**Jerry Percy:** It is very easy in hindsight, to be fair, to sit here and think, “We should not have done this; we should have done that”. It was an unparalleled experience. The Treasury was inundated with claims. Minister Prentis, to be fair to her, clearly argued very strongly to get support for us, which was forthcoming. Looking back, yes, there are a number of issues that we should address in the fullness of time, but it would be churlish now to pick holes in something that had to happen, not just in terms of Government. The England support included £1 million for direct sales support. I was on the panel that decided on that.

Again, looking back, the Fishmongers’ Company and Seafarers UK charities also put up an awful lot of money to support these direct sales. In hindsight, yes, we could have done things slightly better, but it would be unfair at this stage to point fingers on something that was really live at the time.

**Ian Byrne:** That is fair enough. Thanks for that.

**Jimmy Buchan:** To add to Jerry’s narrative from a Scottish perspective, I have to admire the amount of work that many organisations did, not least Elspeth, who has just been a guest before me, having industry talks, including with the processing sector. That was good. We had Seafood Scotland, Scotland Food and Drink and even Seafish. Seafish was instrumental. Because it is a much bigger entity, it is much harder to be all things to all people and four devolved Governments, but I have to admire the work and the hours that all these individuals from these different associations put in when the industry really went into crisis.

Like Jerry said, it is very easy to be critical and say, “We should have done that”. Yes, we can maybe reflect back on this and say, “Well, if we were ever faced with this in the future, this is maybe what we should be looking at”. I cannot really criticise. All I can do is praise those at the front end, because the hours they worked were incredible, under a lot of strain.

**Q29 Chair:** We argue in this country very often that we do not make enough direct sales, process our fish enough or add enough value to it. Very



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quickly, what can we learn from this? What would you like to see perhaps Government and Defra do to try to promote fish more in the long run?

**Jimmy Buchan:** For me, it is quite simple. We are an island nation. We are surrounded by the richest fishing grounds in the world. Our ability to promote and sell seafood to our own nation is where lessons need to be learned. When we have supermarkets taking fish off the menu, we should be looking at that. Was that the correct thing? That is the benefit of hindsight, but it had a serious effect on some of our fishing vessels, which no longer had a market. Their market was via the supermarket and all of a sudden the supermarkets turned their back on the nation. That needs to be addressed.

We need to get more home sales. Direct sales are a starting point. We have to continue to work on that and to get the message across that eating seafood is not only really healthy, but healthy for the economy, because it supports the rural communities right across the UK.

Q30 **Chair:** You feel they shut their fresh fish counters down when they should not have. Is that what you are saying?

**Jimmy Buchan:** That is a view that I see looking on. The supermarkets will have their own reasons for doing that. It may have been on the grounds of safety. It may have been on the grounds that they needed that space to sell toilet paper, for example. That was in big demand for quite some time. Managers have priorities for what they do. Do they stock seafood or some other item that is going to give them profitability?

I just feel that it was the wrong thing to do. I still feel strongly about that. We have to put pressure on the supermarkets to see the value that they have in our local seafood economy, which covers all corners of the United Kingdom. It is north Scotland; it is south-west England; it is Wales; it is the east coast. Everyone is involved in rural fishing and we need to have that backing in the UK.

**Jerry Percy:** I agree with Jimmy there in terms of supermarkets. It was certainly less than helpful that they closed their fish counters. I do not think they put toilet rolls on their fish counters, but it really did not help. There are a number of lessons to be learned here going forward, in this bigger picture of future fisheries supply chains as well as management in the UK. We have learned that we can get better prices. The companies I mentioned earlier, Pesky Fish, Sole of Discretion and some others, as well as fishermen who are selling direct, have illustrated to fishermen that you can get a much better return than you can through some of the existing channels.

I have been checking first sale prices and prices online for some time since this started. There are a number of examples where there is a very significant disconnect between what merchants pay for fish on the market and what they are then putting them out for. Some of the examples I



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have seen have been quite surprising: an 800% increase in price for whole fish, not stuff that needs to be processed, and suchlike.

We have learned that there are better routes. I have been in the fishing industry as a skipper and other things for over 40 years. We have always been price-takers rather than price makers. Subsequent to this emergency, we have to sit down and think, "How can we get a fairer deal for primary producers?" As you have heard, as I and others have mentioned, fishermen have really suffered. They have come out of this awful winter carrying very significant debt, hoping to balance the books in the spring and early summer, and then of course the virus turned up.

So many under-10s tend to live, if not exactly hand to mouth, without huge resources. We need to take a step back and think how we can keep this improvement and returns to the primary producer going post-COVID.

**Chair:** Thank you. That point is very well made.

Q31 **Julian Sturdy:** Moving on to Brexit and the current Brexit talks, what are the top priorities for your members in the negotiations with the EU and what do you want to happen with fisheries going forward?

**Jimmy Buchan:** The number one priority for the members I represent is for the UK to get a deal with the EU. That is top and foremost of any negotiation. We must try to get a deal that works for both sides. We have got trade flowing both ways, probably worth about £1 billion. There is seafood coming into the UK and seafood leaving the UK. Therefore, it is in the best interest of both parties to make sure they get a deal in which that continues, because anything else will hurt both sides. It is a viewpoint of me and the members that that should be the number one priority.

Secondly, I am not in a position to say how fisheries should be managed. That is for Elspeth and her members. It would be unfair for me to start infringing on what they have stood steadfast on, which was a separate deal that does not include trade. We have to look at both things as independent negotiations for the best benefit of the United Kingdom.

**Jerry Percy:** From day one, we have made it clear that our first red line is the 12-mile limit. Under the common fisheries policy, it says that the 12 miles is sacrosanct and should be protected to protect the inshore fleet. They are more biologically rich, shallower waters. In reality, we have a six-mile limit and probably 80% of the under-10s use passive gear, pots, nets and lines, rather than mobile gear, trawls and dredges. If you put gear out at 6.1 miles, you are likely to get it towed away by a Dutch or Belgian beamer or a French trawler. We are really pinned into the six miles. Apart from that, the big fishing effort by these EU vessels impacts on stock levels as well. Our original and constant red line has been that genuine 12-mile limit for UK vessels. Within that, we should talk about the size of vessels permitted.



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In the bigger picture, as has not surprisingly been said, we ought to be able to control access and allocation to our EEZ. We should have annual negotiations. It is going to be about balance and that is probably our greatest fear. We need to balance becoming an independent coastal state and being able, quite rightly, to control access and allocation against the need to retain markets in Europe and elsewhere. Hopefully, through the negotiations—although I am not holding my breath, the way comments have been made recently—we can redress the balance in some form.

The common fisheries policy and European fisheries management has been epitomised by too little, too late, across the board, as well as this abysmal situation with relative stability. You have heard already from other speakers that relative stability is far out of date, not just in political terms but in climate change terms. You have heard about cod moving north very rapidly. Relative stability is key. If we become an independent coastal state, we make our own rules, which is fine. That is going to be key. You have heard about the percentages of cod in the channel between France and England. Of course it is grossly unfair and needs to be addressed.

It is worth noting that at the moment we are facing a zero cod quota in the channel. It is something of a moot point because very little of very little is still very little. Notwithstanding that, there have been massive changes over the years. The EU failed in not grasping the nettle and, first, being far more proactive in fishery management. We have a very strong issue at the moment with these super trawlers that are working up and down the English Channel and the west coast. Really, there is no requirement on them to have cameras or any sort of monitoring equipment. We board them rarely, have a quick look round and go away again.

Any vessels with that sort of impact should have constant remote electronic monitoring, but we do not insist on it and nor does the EU. They have failed and, where they have failed, becoming an independent coastal state will hopefully give us the power to control that and demand that vessels with that level of potential impact have remote electronic monitoring.

There is that, together with too little, too late management for a whole range of species, which we are now suffering from. It is worth noting, and it came as a surprise to me, looking at the Marine Management Organisation figures, that between 1996 and 2018, in UK waters, cod catches were down 57% and haddock down 60%. That is 99,000 tonnes less than we were catching then. Nephrops are down 42% and scallops 50%. Crabs are up by 54% because the effort has increased dramatically. This is what one refers to as the shifting baseline syndrome. We need to take that more holistic approach post-Brexit, to make sure we have, as has been promised, world-leading fisheries management.

Q32 **Julian Sturdy:** Jerry, I completely agree with what you said about the



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species and how we need to get those numbers back up. You talked about the 12-mile limit as a red line. Do you feel there is any movement on that from your members over whether that dictates whether you get a deal, or is that non-negotiable?

**Jerry Percy:** From discussions from literally hundreds of certainly inshore skippers, that is a red line. We are fighting the fight. On those figures I have just given you about reductions, there is a significant contribution by this large EU fleet in our waters. I live in west Wales here, down in the south-west, and we have a constant stream of Belgian beam trawlers coming in and out of Milford Haven to land their fish directly into lorries, to be carted off to Zeebrugge, Oostende and anywhere else.

By their own admission, from a study they did probably 15 years ago, these beamers have a discard rate of 14 to one. Of every one kilo of fish they land, they chuck back 14 kilos of other stuff, not necessarily quota species but the whole range of creatures that live in the sea. Anyone who thinks this does not have a dramatic impact in the long term is very much mistaken. I would hope that, given the issues about markets and Brexit et cetera, at least it will give us the ability to push these vessels outside of 12 miles.

**Chair:** Can I just intervene there? Jerry, your answers are very good but they are just a little long. Can we just keep them a little shorter because of time? I want to get through everything. They are very good answers but they could be a little shorter. Jimmy, did you want to add anything to Julian's supplementary?

**Jimmy Buchan:** No, I have said enough on that point. The number one thing we are looking for is to get a deal in place. We do not want to move to WTO rules. If that is where we do go, we will deal with it when it comes. It is in the best interest of both parties, the EU and the United Kingdom, that we find a deal that is amicable and workable, so that we have unfettered access to the market.

Q33 **Julian Sturdy:** Jimmy, I completely get your position on that. In saying that, how prepared are your members for us not getting a deal and going to WTO?

**Jimmy Buchan:** This started well before COVID. We were working very closely with Defra and the Scottish Government to mitigate the risk of no deal. We were preparing and continue to prepare for no deal. No deal is very much on our radar, as it is for the Government officials we are speaking with. I am still hopeful. Let us put it this way: they said the Prime Minister would not get a deal and he did get a deal. We have to say that deals are achievable under the right conditions, with the right people at the table. We have to prepare for the worst but remain optimistic and hopefully a good outcome will be to the benefit of all.

Q34 **Mrs Murray:** Jimmy, it is really good to see you, skipper. It is always a pleasure, and good to see you as well, Jerry. This has not been touched on with the last panel. Do you think there will be a greater role for the



marketing side of producer organisations after 31 December this year? The UK is going to hopefully get a better share of the quotas. Do you think that producer organisations have a big role to play in marketing, which is what they were originally, really, set up for?

**Jerry Percy:** There is already a requirement under the production and marketing plans for producer organisations to do a lot. Most of them would admit, and some of them have admitted, that they focus on quota management rather than marketing. I allude to my earlier answer. There is going to be a role for not just the POs, but they should take a lead in it. As you know, we are developing a coastal PO for the under-10s and non-sectors so they can play their part. Yes, there is a burning need to review and address the issues around marketing of fresh fish, because the primary crews are not getting the returns they should. POs should certainly play a role with that.

**Jimmy Buchan:** I agree that POs definitely have a role. In Scotland, we have Seafood Scotland, which most of the POs sit on as members. Therefore, that is our marketing body for the global market and for the European market. As I said earlier, there is a huge part to play in getting 65 million people in the UK eating at least two portions of seafood a week. It is not only good for people, but it is good for our economy as well.

**Mrs Murray:** I hope I kept that short enough.

**Chair:** You did. Jerry, I think you wanted to come back briefly.

**Jerry Percy:** I serve as chairman of the Seafish domestic and export panel and Jimmy is on the board. Seafish is doing a huge amount in this but would be the first to admit that consumption of sea fish in this country has been dropping for probably the last couple of decades. It has been doing a huge amount, in its new initiative Love Seafood, Sea for Yourself, working with Defra, et cetera, to address this. We have challenges from other proteins like chicken and pork that are lower in price. Much as it is a great idea, and I support it 110%, to encourage, support and develop the domestic market, we must not forget that so many vessels are entirely reliant on EU exports.

**Chair:** Thank you. We will take that into consideration.

Q35 **Derek Thomas:** Can start with you, Jerry? It is quite deliberate. To what extent have the UK Government been engaging with the fishing industry during the negotiations and are you being listened to? You are under-10s and a fairly new organisation. Do you believe you have a seat round the table and are you being listened to by Government and by Defra?

**Jerry Percy:** Defra repeatedly tells me that it is in listening mode. I have dealt with Defra and its predecessors for more decades than I care to remember. This is probably the first time I would believe that statement, if I am absolutely honest. It is in listening mode. You have heard that it has formed the external advisory group in relation to Brexit and that is a proactive group.



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We struggle as a small organisation, in terms of resources and being able to attend meetings. In some ways, this video conferencing thing has benefited us, because small-scale fishermen do not have the resources to support an organisation that large-scale people do, not that I am bitter about that. To be fair, Defra is in listening mode. There is a question as to whether it will be in action mode. Politically, as Elspeth mentioned previously, fishing is iconic in terms of the Brexit debate and we are politically up there at the moment. I have to say, Defra is in listening mode.

**Q36 Derek Thomas:** My local fish producer organisation has regular access to Defra. Jimmy, do you want to add to that? Do you think the Government are not just listening, but engaged in trying to get something that works for all UK fishermen?

**Jimmy Buchan:** Especially since COVID has hit, it is much easier to get meetings with Ministers. I would have to say that Defra and the Scottish office have been engaging very, very well. We have a number of meetings set up. We were in negotiations with, I think, Kevin Foster for immigration last week. We now have a new Under-Secretary for Scotland who is arranging meetings. I am in talks with Colin Faulkner from Defra. I have had a one-on-one with Minister Prentis. Engagement with Westminster Government has been exceedingly good, especially since this lockdown, just because it is much easier to have one-on-one access.

**Derek Thomas:** That is brilliant. Thank you very much.

**Chair:** Perhaps the lockdown is helping us all to communicate. It does sometimes. There is a silver lining in every cloud.

**Q37 Barry Gardiner:** Jerry, I was really encouraged to hear you talk about remote electronic monitoring and the importance of world-leading fisheries management in what you were saying. How important is it for the sustainability of fish stocks, especially those that are shared or straddling stocks, that the UK and the EU reach that agreement on fisheries? What are the ways in which each side might game the system if there is not an agreement?

**Jerry Percy:** I will take your second question first. There is going to be a lot of influence on both sides to illustrate their sustainability. Our main concern is that, if there is not an agreement, we set an arbitrary quota and they set an arbitrary quota, the net result is overfishing. That is a concern. One would hope that both parties are averse to doing that sort of thing. Sustainability is key to it. How far we will get in reaching sustainability of that wider management is debatable.

As Barrie said, these are complex issues. I had a record of Sydney Holt, who was the doyenne of fisheries management for many years and actually developed the MSY principles. Subsequently, just a few years ago, he changed his mind on it completely. That illustrates the complexity we are looking at. I can quote him because it is only a couple of sentences. "MSY both enthrones and institutionalises greed. It is a perfect



example of pseudoscience with little empirical or sound theoretical basis. As a target for management of fisheries, or even as the anchor for so-called "reference points", it is inadequate and its pursuit increases the likely unprofitability, and even collapse, of fisheries". That highlights the situation we are in, whether we be the UK or the EU.

**Q38 Barry Gardiner:** What, then, is the value of ICES coming up with tax and its figures of what it believes are the maximal sustainable yields for each stock? You seemed to have poured cold water over the principle of MSY. Do we need to look at total biomass? What would be your preferred scientific, quantifiable way of getting this right? You have rubbished MSY or at least quoted somebody who did, but I am not sure that the scientists at ICES agree with you.

**Jerry Percy:** I am not a fisheries scientist. I am just a dumb fisherman representing fishermen. MSY seems to be the one on the table. I am just highlighting that this is, as Barrie said, a very complex situation. ICES's advice is what we have. Since 2001, I think 60% of scientific advice has been exceeded by EU negotiations on an annual basis. Sticking to the science to start with would be a very good start.

**Q39 Barry Gardiner:** If we are going to stick to the science as a principle, to start with, would you like to see in the Fisheries Bill a requirement that fishing pressure is limited each year to that scientifically determined level?

**Jerry Percy:** We have issues with some science. ICES has recently come out saying that it is supportive of electric pulse fishing, so no science is perfect. On balance, if we stick to the science, we have a better chance of long-term sustainability than if we do not.

**Jimmy Buchan:** From a processing point of view, it is important that the fishermen are harvesting stocks at sustainable levels. That is done by listening to and working with the science, but there could also have been much more done with science gathering information. I was a skipper for 30-odd years and I never saw any scientist taking data from where I fished. Maybe I fished in the wrong places, but I managed to survive for 30 years. In those 30 years, I had to diversify and shift as Mother Nature dictated. Things changed environmentally. Therefore, feeding changed, water temperature changed and fisheries changed. Science is really important but so is gathering information from the catch app, because that tells you where the stocks are. It is a combination of both.

**Barry Gardiner:** This was one of the reasons why, a few years ago, we said that people had to actually land the fish, so you could get the data and do the science on that basis. That was a success; that was a win. Can you perhaps talk a bit more about the gaming of the system that I mentioned in the second part of the question? Your organisation is potentially open to the gaming of non-tariff barriers that may be put in place.



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**Jimmy Buchan:** Could you elaborate a wee bit? What exactly is the question you want me to answer here?

Q40 **Barry Gardiner:** If we do not have an agreement with the EU at the end of the day, there are ways in which each side may try and gain advantage. One of the ways might be by putting in non-tariff barriers: restrictions in port or time delays in port for the exports coming from the UK into the EU. Those are the sorts of things I am thinking about. I wonder if you have any particular concerns in relation to those.

**Jimmy Buchan:** I would hate to see any sort of time delays because we are a just-in-time delivery service. Fresh fish, on the slab the next day, is what we have built our market on, so we do not want to see any restrictions that create time delays. Equally, fishermen have to harvest the catches. We have to do it in a safe manner and I do not think it matters whether the fisherman is an EU or UK citizen. The science is the science. We should not try to do what some other nations have done and just set our own tax. We must listen to the scientific advice. We must negotiate what is best for the industry and try to find a balance that can keep a fleet fishing profitably while we go through some changes in fisheries.

It was interesting to hear the debate on the MSY. I remember being in a room of scientists in Sweden a number of years ago. This scientist stood up; he got to his feet and he picked up six cards: haddock, whiting, cod, plaice. He says, "You fishermen are doing a great job". I was there, proud as Punch. I was part of this journey. He picked up a nephrop and said, "But it will come at the cost of this one because these six need to eat number seven to survive". It was at that point that I thought, "That is my career", because I had changed and diversified. Here we go. We are on the trajectory of a great story, yet my livelihood could be at risk. We have to find the balance that takes the science into account, but also the needs of a nation and its enterprise, to make sure that correct balance is there.

**Barry Gardiner:** Indeed, the science needs to reflect the dynamic environment you are working with. Thanks very much.

**Chair:** Jimmy, you make the point that we need the science, but we also need some flexibility. Perhaps with our own fishing policy we might be able to achieve that. Let us look forward to that.

Q41 **Geraint Davies:** Both of our speakers have mentioned the hammering the industry has taken with COVID. Can I simply ask how important the EU market is to the industry and how it will be affected if we do not get a deal? Perhaps I can ask Jimmy first. I think he already mentioned £1 billion each way. How important is it and how will it be affected if we do not get a deal?

**Jimmy Buchan:** There is no question about it. Getting a deal with the rest of Europe is really important to our fishermen, not least the scallop fishermen, lobster fishermen and the nephrop fishermen. Our market is



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in the wider EU for the moment. Therefore, that is why I am keen and really want enforce the importance of the deal.

As Elspeth alluded to earlier, there are other markets and if no deal becomes the stumbling block, which I sincerely hope it does not, that is a risk to the industry. However, I am a great believer that our European cousins are great seafood eaters. Are they really bothered who catches their fish? All they want to do is eat fish. They are healthy nations. Therefore, the UK will continue to catch fish and, if we cannot get to market by the easiest route, we may have to find alternative routes to another market. That will only become apparent if there is no deal.

**Q42 Geraint Davies:** That would take time, wouldn't it? You cannot just open up a market overnight. That is the problem, isn't it?

**Jimmy Buchan:** Absolutely, but equally what is the alternative for the market that is being starved? What is its plan? We now have a market that has been built there for a number of years with easy access. Why would we want to put anything in there that is going to stop that? That is the question I keep asking. People are the market. Politicians can try to influence a market; they can try to sway a market, but a market, to me, is a product, a willing seller, a willing buyer at the correct price, and access. If you have that, you have a market. It is people.

**Geraint Davies:** Can I ask Jeremy the same question about importance and impact? At the same time, we are all aware that the UK is asking for a freestanding fixed-term arrangement, and the EU wants to build that into part of a broader trade agreement that is permanent. We seem to be at loggerheads. Jeremy, you also mentioned the idea of the 12-mile limit. How flexible do you think the Government should be? There is a real risk, it seems to me, of not having a deal and falling out of bed.

**Jerry Percy:** Absolutely, the red line is 12 miles for us and we stick to that. It is as simple as that. There is no question about it.

**Q43 Geraint Davies:** Is that more important than the other things about the fixed term and the free standing? If we got the 12 miles, could we give a bit on the annual relationship, do you feel?

**Jerry Percy:** This is a negotiation and negotiation is based on compromise on both sides. The problem we have from an industry perspective is that still, four years after the referendum, the only certainty we have is uncertainty. I cannot answer the question about what is going to happen, but that is what we would like to happen. We said the 12 miles is vital. Equally vital to the vast majority of under-10s is the current seamless transport between here and Europe. Something like 80% of the fish we catch is exported.

We are facing the potential, if we have no deal, of both tariff and non-tariff barriers. Tariff barriers are going to be unhelpful enough and there is talk of 10%, 15%, 18% or whatever. The non-tariff barriers are potentially far more dangerous. At the moment, you get a whole raft of



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vessels down to a lorry, it goes off to France, Spain, Portugal or whatever, and the job is done. That is it, with no hold-ups or anything else. We are looking now at catch certificates, health certificates and transport certificates.

Colleagues of mine did a study. If you have an ordinary 40-foot articulated vessel picking up a load of lobster and crab from a number of vessels on a regular basis, that lorry might have to carry up to 700 individual forms. You have to find veterinary people or certified people to certify the health of it. You have to have catch certificates from each vessel and any hands it goes through. It really is potentially a nightmare.

On top of that, if we do not get the deal, we are fairly arbitrary in the way we come out and we say, "This is it: independent coastal state; get on with it", you have French customs, which is not exactly renowned for its patience, I know from experience, but also French fishermen. If we are going to get more fish, someone is going to get less. We have heard examples of where that is going to come from.

I am not saying that is wrong, but French fishermen and the French Agriculture Minister have said, "We are going to keep on fishing", which could lead to trouble at sea. French fishermen know very well there are something like 12,000 lorry movements a day across the channel. They can close down the ports or outside the ports very quickly. For shellfish exports especially, but not exclusively, that is the death of it. It is a relevant phrase, because you cannot keep, I know from experience, live shellfish in tanks for very long.

**Q44 Geraint Davies:** The focus of the Government has been on the Brexit negotiations, but no one anticipated the pandemic, so obviously things have been disrupted and taken longer. Given the complexities of this, if we did need more time to negotiate a deal, so we do not end up with civil war and having to get new markets, is there a case to extend the transition so we can have the time we now need, which we have lost because of COVID, to get the right deal for British fishermen?

**Jimmy Buchan:** In the event of no deal, which means that we go to WTO rules, it does not mean the market has disappeared. It just means there will be a tariff on any trade going back and forth. The market will remain there. People want to eat fish. We have the fish in and around our waters. I am not a politician and I was never part of that negotiation. My understanding is that we will be leaving the CFP at the end of this year and, if we have to go to WTO rules, we will deal with that when it comes. But the market will remain there. We will have to just overcome that by paying additional taxes.

**Jerry Percy:** Coming back to your question, from a fisherman's perspective, you would probably get a response from 90% of our members to say, "No transition". It has taken long enough. We are going to leave CFP. We are going to do everything we said we were going to do. I have to say, we are relying on Government to get a deal for us. No deal



has significant potential implications, notwithstanding Jimmy's very sensible comments. There is still going to be a demand, but if there is an effective block between supply and demand that is not going to help our case. We are relying on Government to get the job done in the time available.

Q45 **Geraint Davies:** If we do not get a deal, where will we sell the fish?

**Jerry Percy:** The only other market, really, is China. China has proven to be a very fragile market, especially for shellfish, for more political than practical reasons. The EU is a key market for us and we will need to maintain that. That is the responsibility of Government and, with all due respect, they have had the best part of four years to get this sorted. If we cannot get this sorted by the end of this year, I do not think we ever will.

Q46 **Dave Doogan:** This is to Jimmy, and Jerry, if he thinks it is relevant. I am concerned, even more so after listening to the last five minutes, about the langoustine, crab, lobster and scallops production on the east and west coast of Scotland. You spoke, Jimmy, about the just-in-time nature of this. If we have impediments at borders and that comes on top of potential tariffs under WTO, does this not point to the absolute necessity of a deal, not in terms of a massive crash out of the market or a lack of access to market, but even potentially ever-decreasing profitability and margin for our fishing fleets? Is that not a key issue also?

**Jimmy Buchan:** I have always said this from the get-go. Getting a deal is the number one priority and we need to focus on that, because it will have a detrimental effect on supply chain, speed of supply chain and cost of supply chain. I am very clear about what we need going forward. I just hope that both the EU negotiators and the UK negotiators see the need for both sides to come to an agreement that works for both.

**Chair:** I hope they listen to you, Jimmy.

**Jerry Percy:** Jimmy is quite right. We, as the general public and as an industry sector, are entirely reliant on Government negotiators to get us a deal. They promised us a deal. It was an oven-ready deal, from recollection. The unknown waters of a no-deal scenario may or may not be beneficial, but probably not, because there are so many unknowns with no deal. There are hidden rocks under the surface of the water that we, as a sector, will very soon run aground on if there is no agreement.

Q47 **Dr Hudson:** Thanks to both Jerry and Jimmy for your answers so far. It has been really helpful. I want to talk about the benefits of fisheries, legislation going through and ultimately trade deals. Defra has included a new national benefit objective in the Fisheries Bill, so that the UK can benefit from UK vessels fishing UK quota. I just want to touch base with you and ask how you think that might work in practice.

**Jerry Percy:** Barrie alluded to it earlier. This is really focused around the economic link. Without giving everyone a history lesson, the economic



link really came out of the Factortame case, which cost us 80 million quid. It produced the economic link, which requires vessels landing in the UK to make a contribution, whether in terms of a donation of quota, crew or spending so much of their money. It is somewhat opaque. I cannot sit here and say this has been good or bad. We have seen some quota donated, but I could not say how much, whom to or when.

First, it has been opaque and, secondly, I think it has been in the process of being reviewed by Defra for, frankly, as long as I can remember. Out of the Fisheries Bill and this new particular national benefit, we have to ensure the primary beneficiary of the fish in our territorial waters is us.

**Q48 Chair:** Could I interrupt a minute to say that, on the figures I have, in England, £160 million of quota is owned by foreign vessels and there is £293 million in total. Over half the quota in England at the moment is owned by foreign vessels and foreign companies. How do we deal with that? Jerry, do you have an answer to that?

**Jerry Percy:** I asked Mr Gove that some considerable time ago. If we are to become an independent coastal state and take back control, what is going to happen to this over 50% of English quota that is in foreign hands? One company owns something like 26% of our quota. There were comments earlier about our deep sea offshore northern Atlantic fleet and the primary vessel that works there, which I think is almost entirely foreign-owned. I am not decrying it. It provides some benefit to the UK.

We are in this nonsensical position. As Elspeth referred to, Scotland had a much more sensible and pragmatic approach. Almost all its quota is effectively in Scottish hands, although it may well be in the hands of some slipper skippers. The situation in England, frankly, is a nonsense. It is because various Governments have been asleep at the wheel for the last 20-odd years and have allowed this wonderful resource, which is publicly owned, to become a commodity and be bought and sold by foreign interests. That has to be addressed in the fullness of time within these negotiations or subsequently. Otherwise, frankly, there is not going to be enough to go around.

**Jimmy Buchan:** We are slightly different in Scotland. The bulk of the Scottish quota sits with Scottish companies. We are significantly different, but what I am absolutely clear about is this. Just as Jerry said, where fish are caught in our territorial waters, there should be an economic link and benefit to the coastal community that the fish swim in. I could not be clearer about that. The benefit must come back to the community. The processing sector will benefit. The wider community will benefit. Taxes will be paid.

Fish is an asset of the people of Scotland. I am being very Scotland-specific here, but it goes to the wider UK as well. It is people's fish. Although I was involved in fishing and I had the rights to catch fish, it is an asset of the country. Therefore, that benefit, while it is in the ownership of that company, that skipper or those people, should come



back into the community. It should be processed here. The value should be added and everyone in the supply chain then is a beneficiary of the national asset.

**Q49 Dr Hudson:** Thank you, Jimmy. You have nicely teed up the final question of the session, talking about how it can benefit the local coastal communities. As we leave the common fisheries policy and negotiate trade deals—and I am optimistic that we will be able to get a deal—how can we make sure our coastal communities benefit from us leaving the CFP and negotiating these deals at the UK and Scottish level?

**Jimmy Buchan:** That is the best question you could have asked me. We need Government, both in Scotland and in Westminster, to see the capital investment in the seafood supply chain. The one thing Brexit has indicated is that there will be an economic upsurge that will benefit everyone. We now need to invest in that industry and make sure we have the correct processing supply chain. Fishing vessels and ports have been invested in. We now need to make sure that, onshore, we have the skills and the capital investment in modern, automated, robotic machinery that can make us the global seafood capital of the world.

We have the fish. We have learned from the past. We have invested in sustainable fishing. We have learned a lot in the last 40 years. If we start to apply that and make sure we are putting the right investment into the right thing, the only thing we need to do is eat well and eat healthy. Seafood plays a significant part in that. If anything comes out of this discussion today, I would like parliamentarians to see the need to invest in the industry and the people, because we are investing in our health and our future.

**Dr Hudson:** Thank you, Jimmy, for articulating that so passionately.

**Jerry Percy:** I may have mentioned at some time in the past that, despite being 80% of the fleet by number, the under-10s get less than 2% of the quota. Some allocation or reallocation of quota is vital. It is often remarked that most under-10s are reliant on shellfish. Yes, they are, but to a certain extent a serious number of those vessels are reliant on shellfish because they have not had access to a reasonable amount of quota. We also need our own producer organisation to manage the quota on our behalf. Of that, there is no doubt whatsoever. Yes, we need more fish and more quota.

There is undoubtedly a need, though, for more holistic management. This question has not been addressed particularly: what do we want for and from our fishing industry? Jimmy, like me, can say, "When I was a boy, I fished on the North Sea, the English west coast and all round". There were hundreds of vibrant, small coastal communities. These fishermen may not have shown on an economist's spreadsheet, but nevertheless they kept a number of businesses going ashore, families, mortgages and everything else, as well as the provision of locally caught fresh fish with next to no food miles. There are very significant economic, social and



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environmental benefits if we get a reallocation of quota and we have that red line of 12 miles, so we have unfettered access to our own inshore waters.

As importantly, without this apparently world-leading fisheries management we are going to have and this more holistic approach, there is very often not the fish in the sea, in the inshore sector, to maintain and grow these coastal communities. This needs an overarching, new approach, incorporating everything we have spoken about, if we are going to regenerate the myriad coastal communities that we once had.

**Dr Hudson:** Thank you very much to both of you.

Q50 **Mrs Murray:** Jerry has spoken a couple of times about having exclusivity over the nought-to-12 mile limit, but I understood that the United Kingdom had already left the London convention that created the historic access for other member states. At the end of the year, when we leave the EU common fisheries policy and become an independent coastal state, the UK will have the freedom to make that 12-mile exclusivity. Can I just check that Jerry understands that, please?

**Jerry Percy:** Yes, absolutely, without fail. I suggested some time ago to Minister Eustice, when he was Fisheries Minister, that the first thing we should do was to resign. We give two years' notice to the London agreement, which he then did. We are out of that. That was subsumed into the common fisheries policy, which, as you quite rightly say, we are about to be, if we are not already, out of. Yes, one of the things we could then do as an independent coastal state is say, "Sorry, guys, 12 miles is the red line. Thank you very much".

**Chair:** Thank you, Jerry and Jimmy, for your very enthusiastic evidence this afternoon. We have taken a lot of very good evidence. We will get this through to the Fisheries Minister and to the Secretary of State. The need for great fish, for eating more fish, for catching more fish, for sharing out the quota in a slightly different way and all those messages came home loud and clear to us. Let us hope we can be optimistic and get a reasonable deal as we leave, so we can get access to greater fish and make better use of that fish. Thank you very much.