

Northern Ireland Affairs Committee

Oral evidence: [Brexit and Northern Ireland: Fisheries](#), HC 878

Wednesday 25 April 2018

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Members present: Dr Andrew Murrison (Chair); Mr Gregory Campbell; Mr Robert Goodwill; John Grogan; Lady Hermon; Kate Hoey; Nigel Mills; Ian Paisley; Jim Shannon.

Questions 76 - 165

Witnesses

I: Alan McCulla OBE, CEO, Anglo-North Irish Fish Producers Organisation; Harry Wick, CEO, Northern Ireland Fish Producers Organisation.

Written evidence from witnesses:

- [Northern Ireland Fish Producers Organisation and the Anglo-North Irish Fish Producers Organisation](#)

Examination of witnesses

Witnesses: Alan McCulla OBE and Harry Wick.

Q76 Chair: Good morning, gentlemen. Thank you very much indeed for coming to see us today. As you are aware, we are embarked upon an inquiry into fisheries, with particular reference to Brexit and the opportunities that may arise in the future. To kick off, if you would, I would like you to say what you think the opportunities and threats are from Brexit.

Harry Wick: The opportunity, as far as I see it, is as yet undefined. We have a range of opportunities from Brexit, depending on the kind of deal we get. In the worst-case scenario, we have a slightly watered down version of the common fisheries policy that we continue to have to live with. That would not be of much benefit to the industry. In the best-case scenario, we take back control of our waters as an independent coastal state and are able to negotiate access to those waters on a much fairer basis for UK and Northern Ireland fishermen.

The principal threat, as I see it, aside from the aforementioned worst-case scenario, concerns the border. A lot has been said about the north-south border and the threat that might pose, but in actual fact the main threat is an east-west border. That would cripple the Northern Ireland fishing industry very quickly.

Q77 Chair: What about exporting fish to Europe and the possibility of tariffs at 12% or 16% being imposed? What impact would that have?

Alan McCulla: I will answer that, because I am employed by an organisation that first and foremost is owned by the fishermen. They catch the fish. The organisation also has a sales company, and it has two factories. In that respect, we export most of our catch into Europe.

This week, in Brussels, is the biggest seafood exhibition in the world. Two years ago at that exhibition, before the referendum, I visited our customers at that show. I asked them one very simple question, and that was this: in the event of a result that took the United Kingdom out of the EU, would they still want to buy our fish and shellfish? To a man and woman, every one of them said, "Alan, we certainly do. All we are interested in is quality and, of course, price. There is no doubt that we want to buy your seafood".

As I look at it today, the threat is not from our customers in the EU. Regrettably, the threat is from politicians in the EU who want to punish the UK, and in this case specifically UK fishermen, for the decision that was taken almost two years ago.

Q78 Chair: Do you think that is still a live threat?

Alan McCulla: There are clearly issues.



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Q79 Chair: You are suggesting that there should be a degree of vindictiveness in the process.

Alan McCulla: There is a perception at times that, in terms of trade, it is all one-way traffic, and it is clearly not. The United Kingdom as a whole exports some £1.2 billion worth of seafood into the EU. Likewise, we import £1 billion of seafood from the EU. Trade clearly includes the catch and quota opportunities. When you take into consideration that the EU fleet takes something like four times as much catch from UK waters as the UK fleet does from EU waters, that is clearly another big aspect of trade.

Harry Wick: It is important to note that the European politicians are not representing the interests of their buyers in Europe. The buyers, as Alan has said, do not want an increased trade tariff. They want the status quo, as much as possible. It appears to me that the European politicians are posturing, rather than advocating their hard-line negotiating position.

Q80 Chair: Never underestimate the capacity of politicians to act against the interests of the people they serve. Can I ask you very quickly about quota hopping? The EU right of establishment allows EU nationals to buy into businesses in other member states, and I imagine but do not know that that is part of the discussion currently underway in Brussels. To what extent are your members concerned about quota hopping? Is it their view that, after we leave the European Union, it is an issue that would be remedied? Is that their expectation?

Alan McCulla: The United Kingdom is a global trading country. I am struck by the numbers that were provided almost a year ago by the Office for National Statistics, which tell me that, when you look at various sectors within the UK, there is a significant amount of what we can call foreign ownership. Mining and quarrying, I am told, is 11.2% owned by foreigner owners. Electricity and gas is 7.5% owned by non-UK owners, and manufacturing 2.8%. Eventually, as you go down the league table, you end up with agriculture, forestry and fishing, which the statistics state is 0.6%.

The UK is a global trading nation and it is a reality that, over the years, some of these so-called quota hoppers have contributed to building up the quota the UK has today. We are very happy to work along with these vessels. They are our partners in many ways. We export to Europe, as I have already said. It is a fact of life across every industry in the UK that there is a degree of foreign ownership and that, to me, signals the fact that we are an open trading nation.

Q81 Chair: You would not be in favour of the UK Government trying to strengthen the economic link with the UK in determining whether foreign nationals are able to buy into quota in the UK.

Alan McCulla: That is a different issue. There is a thirst among UK companies based in Spain, which I also represent, to land more of their catch into the UK and strengthen the economic link, but they have a



problem, as have many of our other fishermen in Northern Ireland. There is not the infrastructure in the UK to land those catches into. There is not the processing capacity in the UK to process those catches. That is going to be a change over a period of time, but I think they would all agree that, in an ideal world, they would like to strengthen that economic link as well.

Q82 Chair: We have heard about this lack of processing capacity in a previous evidence session. It is almost as if that is an end to the matter, but presumably there is the potential for growing that processing capacity in Northern Ireland. I am wondering what the roadblocks to that would be, because on the face of it that would seem like an attractive proposition.

Alan McCulla: It absolutely is. When you look at the numbers that have been provided to the Committee, two-thirds of the catch that is made by the Northern Ireland fleet is landed outside Northern Ireland. A large part of that is what we call pelagic species. That is mackerel and herring. To go back to the trade issue, you find that over 12,000 tonnes of pelagic species are landed into Killybegs in County Donegal. We want to bring a proportion of that catch home. We have plans in place to provide the infrastructure. We have plans to provide the processing capacity and work collaboratively in Northern Ireland with the existing processors to be able to handle that fish. In doing so, of course, that will add value to the entire Northern Ireland economy and it will create jobs.

Q83 Jim Shannon: Gentlemen, it is nice to see you both here. Just for the record, for Hansard, thank you very much for all that you do for the fishing organisations and for the fishing sector. I know your industrious hard work is appreciated. It might not always be by some of the members, but the fact of the matter is, at the end of the day, we know that with your help it makes it all that much better.

One of the key issues, which will continue to be a key issue until it is addressed, is the issue of crews. I was in Portavogie on Saturday a week ago, at my advice centre, and the issue keeps coming back. It is about the Filipino crew, and some of the fishing boats have been able to find Indian crew as well, which has helped a wee bit, but they are not as plentiful. How important is it that we get crews? Just last week, I had another phone call from one of the fishermen who fishes in the North Sea because the crew that he has gets him to 12 miles offshore and enables him to do that, but not every fishing boat in Portavogie, Kilkeel or Ardglass can do that.

How important is, just for the record, the issue of crews? We are down to about 20 big boats now in the harbour in Portavogie, and five or six have been sold in the last few months. A couple more have told me that they are considering selling their boats, because there seems to be plenty of flush money in Scotland to take on the boats. Maybe they are securing them for themselves, and they are still secure within the UK, but locally we are losing them. Can I have thoughts from both of you, please?



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Harry Wick: To put that into context, my membership has shrunk by around 15% this year, and the biggest problem cited by people selling their vessels is the difficulty in obtaining a reliable crew. Currently, across Northern Ireland, around 50% of our crew are not from the UK, so that is both EU and non-EEA. The difficulty arises in that local crew and EU crew are very difficult to attract. That is for a number of reasons. Fishing is a very difficult job and the remuneration associated with it has, in recent years, dropped quite dramatically. Both Alan's organisation and mine have taken significant steps to try to address that.

My organisation has cut the lease price of a quota by around 60%, to try to stimulate the profits that a fishing vessel can make. We have also negotiated with processors to increase the price of prawns. That has come into effect very recently. What does that mean for fishermen in Portavogie? A deckhand in Portavogie now takes home £100 more per week than he did previously.

We have conducted a recruitment drive, a EURES initiative with the Department for Communities, to try to recruit European and UK fishermen. There were 150 vacancies on that recruitment drive. We managed to get three recruits at the end of it. From advertising across the whole of Europe, we managed to generate three new staff. It illustrates the difficulty of the problem. As you have alluded to, one of the potential solutions is non-EEA fishermen, in particular Filipinos, Ghanaians and, to a lesser extent, Indians.

The issue we have is one that affects Portavogie in particular, in that we cannot employ non-EEA fishermen inside 12 nautical miles, and that leaves a very thin strip of sea for Portavogie fishermen to exploit if they wish to use non-EEA crew. That is a difficulty we find ourselves in at the moment, as far as crew are concerned.

Alan McCulla: My father was a fisherman. I am very proud to say that. It was the fishing industry that brought me up. Times have changed. Times have changed from when he went to sea: he was possibly away from home for weeks at a time, and maybe received a good reward at the end of that trip. People in society now expect more. Generally speaking, they do not want to be away for the weekend but, of course, they still want a good reward. They want stability. That is a matter of fact. The industry has to change to reflect that, both at sea and on shore.

The issue of non-EEA crew is critical. I have said, not just recently but for a long time now, that for the industry in Northern Ireland the issue of non-EEA crew is more critical than Brexit. It is essential. If we do not have crew, it does not matter what happens from Brexit: we will not have boats to go to sea and we will not have a catch to supply the factories.

Over the past number of years, we have met the current and former Immigration Ministers. We have lobbied Government hard. More recently, the industry across the UK—and when I talk about the industry



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it is not just the catching sector; it is the processors, the retailers and the NGOs that are involved with the industry—formed what has been called the Fishermen's Welfare Alliance. That is engaging with the Home Office, with Border Force, with whomever we can, to put forward a plan, which, yes, argues the case in the short term for why we need non-EEA crew that are experienced and qualified; but hopefully, with the assistance of Brexit, in the longer term we can create an industry that people—UK citizens—will be happy to pursue a career with.

- Q84 **Jim Shannon:** If it is helpful for the Committee, I will be having a meeting next week with the Immigration Minister. It will be a cross-party deputation of Conservatives, Lib Dems, Scottish nationalists and me to meet the Minister again, because the Minister has changed, so we want to update her with where we are and hopefully we can push this one. We are certainly doing that. There are a number of issues, but another big issue is equipment and infrastructure, and you referred to it, Alan, in your original submission to us. When we leave the EU and have control of our own seas again, the infrastructure has to be in place. Crew is part of it, but infrastructure and equipment is the other part. Are we in a position to respond to that, or do you see a heavy amount of funding, grant aid or whatever it might be, to build that infrastructure?

Alan McCulla: We are in a position to deliver. I talk about the project in Kilkeel, which is on the drawing board and has been through the business plan stage. It was examined by the Strategic Investment Board within Northern Ireland. Even before we started talking about Brexit, the numbers stacked up. I have already mentioned that a large proportion, the majority, of fish and shellfish caught by the Northern Ireland fleet is landed outside Northern Ireland, and we want bring that home.

The main project on the table is for a new outer harbour at Kilkeel. That is a significant project. We are looking at ultimately an investment of some £40 million. We are at a stage now, and have been unfortunately for about the last 16 months, to progress that project to the EIA phase. Unfortunately, it has been held up in Northern Ireland because of the lack of an Executive and an Assembly. But I would make the point that, when the Strategic Investment Board did the business plan for that project, the numbers stacked up, even before we started talking about Brexit. They stacked up on the basis of existing catches by the Northern Ireland fleet. If Brexit works the way we hope it will work, that will be the icing on the cake.

I would make one last point. While the concrete for that project is based around Kilkeel, it is not a project designed purely to benefit Kilkeel. This is for the whole of County Down. It is to benefit, first and foremost, the entire industry, but also the entire community and the economy of Northern Ireland.

- Q85 **Jim Shannon:** Harry, from your own point of view, taking in mind what Alan has just said there, how do you see the infrastructure in relation to Portavogie? Do you see it able to cope with the future? What are your



thoughts?

Harry Wick: It is difficult to assess that. There is a “wait and see” mentality in Portavogie at the moment. Ardglass also has plans on the table for harbour development, not quite as mature as those of Kilkeel, but they are also in development. There is potential in Portavogie. There is huge potential. Portavogie used to be a port of some 80-odd ships, with numerous processing factories around. The expertise is there; the knowledge is there; the site space is still there; and the desire is still very much there. But, until we get to the point post-Brexit where we know the kind of deal we are going to have and we can make some projections about how viable these projects will be, it is just “press pause” at the moment.

Q86 **Jim Shannon:** We want to ensure, as you both said, that the fish that is caught is landed in our own ports, and that is really important for us to build our sector as well. I appreciate that. The voisinage agreement, we understand, will bring us back control of our own waters again. We have had a good relationship when it came to swapping quotas with the Republic of Ireland. It has always worked. We want to have a good relationship with the Republic of Ireland in the future, when we move forward and have control of our own waters. Can you give us an indication of how the Northern Ireland fishing sector will cope with control of the waters and, indeed, how we will ensure that the landings are made in UK ports and so on? How do you see that relationship working with the Republic, with its fishing sector?

Alan McCulla: It is a very interesting question, Mr Shannon. For generations, given the geography of the area, fishermen from Northern Ireland have had a very close relationship with their colleagues from the Republic of Ireland. It is our desire that that continues. I am based in Kilkeel, which is the southernmost fishing harbour in Northern Ireland. I can stand on the pier, which is nearly outside my office, and I can see the Irish Republic. When fishermen take their vessels out of Kilkeel, within a few minutes, they are in Irish waters. Therefore, it was with tremendous regret when, in October 2016, as a result of a decision in the Supreme Court in Dublin, Ireland suspended its part in what is a reciprocal arrangement, which has become known as the voisinage agreement.

Now, I say it is a reciprocal arrangement because, as it says in the exchange of letters that happened in 1964, if one side suspends the agreement, the other side can suspend the agreement. To date, the United Kingdom has not suspended its side of the bargain. The Dublin Government made an attempt to rectify the legislative issues surrounding that, but they were lobbied very hard by, among others, the Irish industry, our opposite numbers in the Republic of Ireland, who basically told the Irish Government that this was an opportunity to use something as a lever against the UK, in terms of the Brexit negotiations.

This is a tiny issue in the overall context of UK and European fisheries, which affects a smallish number of fishermen on the County Down and



County Londonderry borders with the Republic. But they have chosen to target those fishermen specifically, to use it as a lever to negotiate access, which is much more important for the Irish fleet, to UK waters. No matter what Dublin says in its platitudes about no hard border, the phrase I use is: "actions speak louder than words". It is Dublin that has already erected a hard border against Northern Ireland fishermen.

Q87 Jim Shannon: What would you expect the UK Government to do, Alan? To follow through on what you said there, what would you wish that they should be doing now?

Alan McCulla: It is an interesting one. In many ways, I am with the UK Government in maintaining the moral high ground on these issues, but the question arises: how long does the UK keep the moral high ground before it has to review the situation?

Q88 Jim Shannon: This is my last question, because I am very conscious that other members want to ask questions as well. You know the way that the leaving of the EU on 31 March 2019 has been discussed, but fisheries has become a key part of that, given the fact that the Prime Minister has indicated that December 2020 will be the cut-off point in relation to fisheries issues with the EU. Could you give us the sector's point of view in relation to where we are, and perhaps your thoughts, please? Can the UK Government sufficiently protect the UK fishing interest?

Harry Wick: The response when we challenged the transition period was to "keep your eyes on the prize". That is easier said than done, because, first, we do not know what the prize looks like and, secondly, it has been moved. If we kept the prize in one place, and we could be told exactly what the prize looked like, it would be much easier for us to keep our eyes on the prize. In terms of how we are protected throughout that transition period, the current agreement is that the UK will be consulted about any change in legislation that Europe makes. We do not know what "consulted" means. Does "consulted" mean we are being told it is happening or does it mean we have a say in what is happening? We need some granularity in that definition of "consulted".

Alan McCulla: I can recite no better the words of the Prime Minister, who has stated on a number of occasions, the most recent of which was her speech on 2 March this year at Mansion House, that with Brexit the United Kingdom will become an independent coastal state. As of the end of March 2019, that is exactly what happens. The UK becomes an independent coastal state. With the transition agreement, the UK independently has already made a decision as to what it is going to do with that status, and it has decided, during that transition period, to hand sovereignty of UK waters back to the EU.

In the longer term, which is the focus of my attention now, there is the prize that we are being told to focus on. Clearly, we do not want that to happen. That is a key test of Brexit. It is the litmus test, probably, for



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the entire country: that we do not surrender sovereignty of any part of UK territory, which includes our territorial waters, back to the EU.

Q89 Jim Shannon: Hear, hear. One last point comes to mind. Alan, over many years, probably about 20 years, we have been involved with the cod recovery plan. We are probably coming to a stage, at long last, where the scientists accept that there is lots of cod in the Irish Sea, which they have prevented the local fishing sector from harvesting. What are your feelings when it comes to the quotas and the possibilities, particularly for cod? In Portavogie, we have lost all our ability to fish cod, but Kilkeel still holds that opportunity. Can I have your thoughts again, please?

Alan McCulla: Last Wednesday morning you had Pieter-Jan Schön, an aquatic scientist from Belfast, giving evidence. We have listened to his evidence and, simply, I would echo what he said. I am long enough in the tooth in this industry, having proudly represented fishermen from Northern Ireland for the past 26 years, to have seen relations with our fisheries scientists at all-time lows. I see them, thankfully, today, at what may be described as an all-time high. Going forward, there is a key message coming from the scientists, from managers and from fishermen: that we desire sustainable fisheries.

Overall, we are moving in the right trajectory in terms of fish stocks in the Irish Sea but, as Mr Schön said last Wednesday, there are, of course, several outstanding issues. One of them, as you are quite right to say, is the situation with Irish Sea cod. We do not bury our head in the sand on these issues. We are collaborating with Mr Schön and his colleagues, and have been on new projects, which we hope will commence later this year, based on acoustics science, to try and get a proper handle on the amount of cod and other species that are in the Irish Sea.

Q90 Jim Shannon: The opportunities because of Brexit, then, are great, based upon the helpful science that there is. Would that be a fair assumption?

Alan McCulla: I am not a scientist and I need to do a Google search as to what the definition of science is. The very simple definition that Google provides me with is that science is the ability of humans to go out and expand their knowledge. When I look at fisheries science over the past number of years, the very crude way I describe it is that, regrettably, to a very large degree, science has become a game of number-crunching. Fisheries scientists, be they based in Northern Ireland or other parts of the UK, have not been allowed to do what they are supposed to do. That is to go out and expand their knowledge about the dynamics that are impacting on fish and shellfish stocks in all our seas. The goal is, with Brexit, that we get away somewhat from the number-crunching and are able to do real science.

Harry Wick: We have recently undertaken a science partnership with AFBI, which is designed to look at cod and other white fish species.



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Without Brexit being on the horizon, we could not have done that and expected that science to have been fed into the system. We now have the freedom to target science where it is going to be most effective. We are much more agile in our efforts to remain sustainable.

- Q91 **Chair:** Can I press you, Mr McCulla, on your very punchy remarks, if I may say so, in relation to the voisinage agreement? You suggested that it was the Irish Republic that was setting up a border in relation to its reluctance to bring forward a fisheries Bill. I did not quite understand what you thought the UK Government should do, if anything, and whether you think the UK Government should add to that sense of a hard border by reciprocating or not. I just want to explore a little more your members' thinking on the matter.

Alan McCulla: It is a very sensitive subject. When I am sitting in my office, which is on the quayside in Kilkeel, I get regular visits and regular phone calls from my members who have been expelled from the inshore waters of the Irish Republic. Their first question is: is this issue going to be resolved? Unfortunately, when I explain to them that the issue has been caught up in the context of Brexit and is unlikely to be resolved in the near future, their next question, naturally enough, is: is the UK going to retaliate? When I come to London or I have discussions with officials back home in Northern Ireland, it is a very interesting subject, because, yes, the bottom line is that there is a small number, but it is very important to that small number of vessels that have been affected.

- Q92 **Chair:** How many vessels, would you say?

Alan McCulla: It depends on the definition, because of the intricacies of fisheries management. Around 50 or 60 vessels, I believe, are licensed and registered in Northern Ireland and based in the Irish Republic. They might be described by some as quota hoppers in reverse, but they have been directly impacted by this. When I look at Kilkeel, you are talking about a dozen to 20 smaller vessels, which do not have the ability to go to other fishing grounds. They have been financially hit by this decision.

Ultimately, when I try to explain to them that this issue is not going to be resolved in the short term, we get into a debate as to what the long-term outcome may be. The reality is that the Irish Republic catches something like 40% of its entire catch from UK waters. In the long term, if this is not resolved, it will be a bigger loser than fishermen in Northern Ireland will be.

- Q93 **Mr Goodwill:** I will return to the issue of staffing and the ability to recruit crew. During the referendum, at the fishing ports in my constituency, nobody said, "We must take back control of our waters to create jobs for Filipinos". That said, I understand the short-term problems you have.

Have you had any discussions with, say, the agricultural industry, which has similar problems in terms of recruiting seasonal agricultural workers? Currently, we can recruit staff from outside the EU, but we have to be



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recruiting graduate-level staff on over £30,000. Is there any common cause between fishermen and the intensive horticultural and agricultural industries? They may well be able to work with the Government to come up with a scheme that would help you, certainly in the short term, to fill those gaps in staffing.

Alan McCulla: We can draw parallels between the problems we are facing on our fishing vessels and the industries you have mentioned. There is a difference: the people we recruit to go fishing are experienced, and they are qualified. They have been through at least statutory courses, and sometimes they go well beyond that as qualified engineers. As we have said, and as Harry mentioned earlier, we have worked with the Department for Communities in Northern Ireland. We have launched an EU-wide recruitment campaign, which regrettably did not result in as many experienced and qualified people coming forward as we had hoped. But we are not giving up.

Over the past number of months, of course, the Migration Advisory Committee launched an inquiry into the impact Brexit would have specifically on workers coming from other parts of the EU. The UK industry made a joint submission to that inquiry. The submission was based on the fact that, potentially, the EU crew we have may have to go home too, and that potentially creates a bigger problem for us. That makes it all the more important that we are able to recruit experienced and qualified people from wherever in the world they happen to come from. My experience in this particular field starts back in 2006 or 2007. That is when we in Northern Ireland first started to bring in qualified fishermen from the Philippines, and it has continued since then.

Harry has mentioned what his organisation has been doing to try to reduce the overheads so we can maximise the return to the fisherman. I echo those sentiments within our organisation. In fact, that is what drove the fishermen I work for to invest in setting up their own fish sales company and their own factories, so they could maximise the return from their catches and pass it back to the vessel owners and the crew.

It is just not the case that they are waiting on Government to come along and provide a solution. The fishermen and boat owners are taking every initiative they can to create and deliver a package that will be attractive to locals who want to come back to fishing. Those things, unfortunately, do not happen overnight.

Q94 **Mr Goodwill:** Some welfare issues have been raised in the past in terms of accommodation on the vessels and maybe providing accommodation on shore when the boats are in port. Are skippers aware of these issues? What is being done to address those particularly?

Harry Wick: ILO 188 is a piece of legislation that sets out the standards for, among other things, accommodation, health and safety, and working conditions on fishing vessels and a variety of other vessels. Both Alan's organisation and mine are actively embracing ILO 188, and we are



working towards implementing that in the fleet to make working conditions better for fishermen. We have also assisted in founding the previously alluded to Fishermen's Welfare Alliance, which is a body that consists of industry, charity, NGOs, everyone who has an interest in the welfare of fishermen.

We are striving towards delivering a set of standards that vessels must reach to be perceived to be acting in the best possible interests of the fisherman or the deckhand, the most vulnerable people in the industry. So we are taking steps.

Q95 **Mr Goodwill:** In what timescale do you expect to deliver on that?

Harry Wick: The Fishermen's Welfare Alliance is very, very new. We have had maybe three or four meetings so far. At the moment, we are working on introducing our policy statement and getting more exposure for that. That is very much a work in progress. There is a weight of work behind it. It is proceeding with some pace and purpose, so you will be able to hear an awful lot more about that organisation in the very, very near future.

Alan McCulla: Harry has mentioned ILO 188. We are also very aware of modern slavery legislation. We take that extremely seriously. Just over a year ago, as an organisation, we engaged with a charity called Human Rights at Sea. As the name suggests, that specific maritime charity focuses on the issues of human rights for all seafarers, including fishermen. We engaged Human Rights at Sea. They came to Northern Ireland; they visited our ports; they interviewed fishermen from the Philippines and from Ghana, as well as the boat owners; and they provided us with a report.

The report did not provide us with a clean bill of health, but overall it was pretty good. The report also mentioned the concerns of the non-EEA crew. The concerns of the non-EEA crew were not about their salaries or the conditions they live in on board the vessels. Their main concern was whether they would be allowed to stay in the United Kingdom and pursue the career that has been so beneficial to them back home.

Harry Wick: Following on from Alan's organisation doing that, which was obviously an excellent idea, my organisation followed suit. We also had some areas highlighted. There was no allegation of any issues in respect of breaching slavery legislation; however, a number of vulnerabilities were highlighted for us to close up. That makes Northern Ireland the first region in the UK to have its entire fishing sector independently audited by a human rights charity and come back, yes, with work to do for the future but a clean bill of health. Northern Ireland is very much leading the industry and the country in that regard.

Mr Goodwill: That may help the Home Office in a process it might be looking at currently.

Q96 **Ian Paisley:** Gentlemen, you are very welcome. Very briefly, how would



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you characterise how the Northern Ireland fishermen and the Northern Ireland electorate who are involved in fishing voted in Brexit?

Harry Wick: If I could answer that question, 92% voted in favour of Brexit.

Q97 **Ian Paisley:** Alan, you gave evidence earlier today where you said you felt you were being punished because you exercised your democratic right to express an opinion.

Alan McCulla: Yes.

Q98 **Ian Paisley:** How does the community feel about that?

Alan McCulla: Sad, for want of a better adjective at this stage. If I may loan the catchphrase or strapline of one political party in Northern Ireland, what fishermen want is to be treated with respect. They want to be treated with equality, and all they want from Brexit is fairness. Why an estimated 92% of fishermen voted for leave is because they did not believe the common fisheries policy delivered any of that for fishermen in Northern Ireland.

Of course, specifically, we look for examples. The best example we may come up with is that of the Hague preference, this mechanism that annually, since 1990, has taken UK fish from all fishermen in the Irish Sea, but specifically those from Northern Ireland, and given it to the Irish Republic. At the December fisheries council, Ireland has a choice as to whether to invoke that Hague preference. Every year since 1991, Ireland has decided to invoke it. In 1991, it meant that UK fishermen in the Irish Sea, and specifically those from Northern Ireland, had to surrender and give away something like £5 million worth of fish to the Irish Republic.

Since then, the TACs for these key stocks have been reduced. In 2018, the value of the fish we gave away to the Irish Republic was something like £500,000. In real terms, in the context of—I apologise for making this somewhat technical—area 7, which is the sea area that includes the Irish Sea, that amounts to 10% of the quota that we give away, on an annual basis, as part of the common fisheries policy. On the other hand, it equates to about 1.5% of the quota the Irish Republic gets, yet it continues to insist, year after year, that this must happen. To me, that does not speak of respect, let alone equality or fairness.

Q99 **Ian Paisley:** I get that. You are talking about a flagship policy of the European community over the last number of decades: the common fisheries policy. You are given an opportunity, as practitioners in that field, to say yea or nay to it, and you have rejected it. You are now being punished for doing that.

Alan McCulla: Yes.

Harry Wick: Yes.

Q100 **Ian Paisley:** That is a devastating indictment of how the negotiations are



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going. You are the first organisation this close to the coalface that is speaking to us, and you are telling us that you are being punished because you exercised your democratic right. As you said, Harry, you exercised it overwhelmingly. It was over 92%.

Harry Wick: That is right.

Q101 **Ian Paisley:** I just think that is disgraceful. But, anyway, you have mentioned in some of the evidence so far, gentlemen, the issue of the reliance of the Republic of Ireland on UK fishing waters, and Northern Ireland fishing waters, obviously. You mentioned a statistic in part of your evidence that about 40% of the Republic of Ireland's total catch comes from UK waters. Could we maybe drill down a little into that? In terms of the various species they would harvest from our waters, are there any species that would be higher than 40% in terms of their total available catch? Are there any examples of that?

Alan McCulla: I referred to mackerel, which is one of the key pelagic species. I understand, from Ireland's statistics, that they catch something like 64% of their mackerel in UK waters. As Mr Shannon said earlier, cod is an iconic species for fishermen. I understand, again from the same source, that Ireland takes something like 52% of its cod catch from UK waters. Nephrops, langoustines, Dublin Bay prawns, whatever you want to call them, are the most economically important catch to fishermen in Northern Ireland. I believe that Ireland catches something like 40% of its entire catch of langoustines from UK waters.

In terms of Northern Ireland, in terms of volume and value we take around 17% of our catch from Irish waters, but overall the UK catch in terms of percentages is much lower than that. It does not matter if you are from Ireland, France, Denmark or those other northern European nations. As I mentioned earlier, Europe takes something like four times as much catch from UK waters as the UK takes from EU waters.

Q102 **Ian Paisley:** This begs a question, though: if the Republic of Ireland is so reliant on our waters, why do we look weak at the moment when it comes to fishing? It appears to me that all the punishment is going to be on Ulster fishermen and British fishermen, yet we have the ace card. They are our waters, and it is our harvest.

Harry Wick: Absolutely, yes. I would raise the issue that it is not just the Republic of Ireland that is the problem. France and Spain combined claim a total of 25% of our nephrops. Brussels, which is 500 miles away from Belfast, is claiming a share of the haddock caught five miles off the Belfast coast. It is not just Ireland that is the problem.

The problem dates back to the inception of the CFP. This is the root of all evil, if you like; it is the reason for these problems. When the CFP was negotiated, the deal Northern Ireland and the UK got was grossly unfair. Our industry was placed at a lower priority than many other industries, some rightly and some perhaps wrongly. It is our heartfelt desire that



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this balance is redressed in these negotiations and we do not make the same mistake twice.

Q103 **Ian Paisley:** Throughout these negotiations, we have heard that no deal would be a bad deal and all the rest of it. The import of what you are telling me today is that, if there is no deal, it is the Republic of Ireland's fleet that sinks.

Harry Wick: No deal is not necessarily a bad thing for the fishing industry; however, it is not quite as simple as that. Like everybody else, we would prefer a good deal to no deal. In the event of no deal, we revert to UNCLOS legislation, which gives us exclusive control over our EEZ. We have already withdrawn from the London convention, so we have exclusive control over our EEZ. Access to that is determined solely by us, and the TAC, the total allowance catch, is determined solely by us.

Q104 **Kate Hoey:** You spoke about the people you were meeting this week who said they would always buy our fish because of quality. In the case of no deal, would they continue to buy it?

Harry Wick: Absolutely, yes. If you are a consumer in France or Spain and you visit your fishmonger, you are not interested in the politics of how that fish got there, as long as you can assure yourself that it is there sustainably.

Q105 **Kate Hoey:** What if the EU put on some kind of tariff?

Harry Wick: The laws of price will come into it. I want to reiterate the point that, while no deal is not a disastrous situation, having a good deal is much, much better.

Q106 **Kate Hoey:** But it would not be totally disastrous to have no deal.

Alan McCulla: We prefer a deal in terms of trade that has no impediments for any fish stock. If I may, I will go back to Mr Paisley's question about a bad deal and ask myself the question: for whom is it a bad deal? The focus seems to be on what might be a bad deal for the United Kingdom, but in many ways a bad deal for the United Kingdom will also be a bad deal for my fishing colleagues around Europe, specifically those in the Irish Republic. If we get into a situation where our members are unable to land the high proportion of their catches in the Irish Republic, who suffers? It will be Irish processors and Irish exporters.

If we get into the bad deal scenario and Irish vessels, like other European vessels, are expelled from UK waters, the question is: where are they going to go? The answer is that they will be displaced back into Irish waters. Next to the United Kingdom, Ireland has the largest part of what is now termed the European Union's exclusive economic zone.

There is a tremendous concern in the Republic of Ireland, which has been missed so far, about the implications that would have. Indeed, while it may be a minority voice, there is a voice among Irish fishermen that



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says, "You know what? Ireland should be taking the United Kingdom's lead, leaving the CFP and leaving the EU as well".

Q107 Ian Paisley: Your members interface with fishermen, processors and all the rest of it from the Republic of Ireland. Are you starting to hear the view that they should leave the EU policy as well?

Harry Wick: My organisation has found that quite a large number of Irish-registered vessels and Irish-owned companies are trying to hedge their bets in Brexit by seeking membership of our organisation, and trying to gain access to UK quotas at this point.

Q108 Ian Paisley: I hope you are putting your fees up.

Harry Wick: No, because we would have to put them up for everybody. We are in the business of helping the fishermen. While we cannot reject applications on the basis of nationality, because at this point in time we are still in the European Union, a grave concern for the future is the dilution of the quota that my organisation's members have built up over a long period of time.

Alan McCulla: Mr Paisley, I would respond to a point you made earlier. The geography of the Irish Sea and the political lines that are drawn on that chart suggest that something like 70% of the Irish Sea falls within the United Kingdom's exclusive economic zone. When you look down the key species, specifically those species that are subject to the Hague preference mechanism, you find today that, despite having 70% of the waters in the Irish Sea, our share of cod in the Irish Sea for Northern Ireland fishermen and UK fishermen is less than 29%; for whiting, it is 38%; and for plaice it is 25%.

Q109 Ian Paisley: We are very generous, are we not?

Alan McCulla: We are, but I am even more generous than that. I do not suggest to my colleagues and friends in the Republic of Ireland that what we want from Brexit is to expel them from 70% of the Irish Sea or anything else. That is not what this is about.

If you, ladies and gentlemen, had the occasion to visit the quaysides—and you will have the occasion to visit at least one of the quaysides in Northern Ireland—fishermen in Northern Ireland generally are fair, equitable and do respect their colleagues in the Irish Republic. But they want the same in return. It has been evident over the last 45 years of membership of the European Union, and specifically the last 28 years since the Hague preference kicked in, that there has not been any of that.

Q110 Ian Paisley: If Michael Gove or David Davis were sitting where our Chair is sitting, what would you say to them? If you had the ear of those two Ministers today, what would you say to them?

Alan McCulla: The message I would be delivering to them is that the goals that have been set out by Northern Ireland's fishermen, and indeed



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the United Kingdom's fishermen, are very clear. In the first instance—I am just repeating what I said earlier on—the goal is to ensure that, as an independent coastal state managed via international law, the United Kingdom takes back in a meaningful way control of a part of UK sovereign territory and we do not give it away. That is first and foremost.

Flowing from that, yes, we are looking for a fair share of the available natural resources within the seas, and, yes, we are looking forward to being able to devise a better and sustainable management of the resources on which fishermen, more than anybody else, depend.

Harry Wick: My line would be that you have the opportunity to regenerate coastal communities; you have the opportunity to regenerate an industry; you have the opportunity to ensure sustainability for the future. Grab that opportunity.

Q111 **Chair:** How do we deal with the European Maritime and Fisheries Fund? That is designed to regenerate coastal communities, and that will be lost when we have Brexit. How are we going to deal with that?

Harry Wick: It will be lost, but we have some assurances that it will be replaced to an extent. We do not know at this time just how big that loss is going to be, but we are optimistic that it is something we will be able to wear. Post-Brexit, we would like to be less dependent on EFF and EMFF. We would like that regeneration to come from within the industry. If we get increased access to fish and we can manage access to labour, the opportunities we will get to become self-sustaining in terms of our infrastructure will be greatly enhanced. That is the future I want to work towards.

Q112 **Chair:** You want a bigger and more vibrant fishing industry with more money. You believe it could be self-sustaining without too much support from the UK Government to make up for EMFF.

Harry Wick: That is what we want to work towards.

Alan McCulla: Europe is already consulting on its successor to EMFF. As you quite rightly point out, we will not be privy to that in the future. Nevertheless, be it in the Irish Sea or in any part of UK waters, the probability is that UK fishermen will still be operating alongside and competing with their colleagues from the rest of Europe. In that sense, we believe there clearly is an obligation for a targeted scheme that will assist this industry in making sure that the vessels we have are fit for purpose, that we have infrastructure there that can handle the possibilities that Brexit presents, and that we have processing capacity that can avail of the tremendous opportunities that Brexit offers.

Q113 **Chair:** Would you expect that, then, to appear in the much awaited fisheries Bill?



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Alan McCulla: I am sure the much vaunted fisheries White Paper will have lots of interesting things to say, but we will wait and see whether it gets into the specific details of how fisheries are going to be managed in the future and what shape a replacement for EMFF might take. In terms of the White Paper and the post-Brexit fisheries management regime in the UK, that is something we are very interested in as well.

Fishermen in Northern Ireland, along with their colleagues in Scotland, England and Wales, are part of an internal market. That internal market includes a trade in quota and a trade in licences. Fisheries have to be managed at a national level, but regional management is also an essential element to it. What we would fear is coming away from a top-down approach in Brussels to a micro-management system within the UK, which I do not believe will do fishermen from any part of this United Kingdom any service.

Q114 **Lady Hermon:** It has been a very interesting evidence session, and you have made some very, very bold statements already, if I may describe them as bold. Since you obviously and rightly feel so strongly about your industry, it must be deeply frustrating that we have not had a functioning Assembly since January 2017. How damaging has the absence of a functioning Assembly been to your negotiating position?

Alan McCulla: It is an interesting question. I am reluctant now to make any more bold statements.

Q115 **Lady Hermon:** No, no, we are here to listen and gather evidence about what is a fundamentally important industry in Northern Ireland. We are delighted you are here, but I want to know the impact on your industry of the non-functioning Assembly.

Alan McCulla: From our perspective, we continue to benefit from membership of a national organisation. That is the National Federation of Fishermen's Organisations. Through the NFFO, and indeed under our own umbrella, with the help of many of our local politicians, we continue to access Cabinet Ministers, including Mr Gove and the UK Fisheries Minister, Mr Eustice.

Q116 **Lady Hermon:** Have you met with them?

Alan McCulla: We have met with them on several occasions over the last number of months. They and their team in Defra are very aware of the specific priorities for the Northern Ireland industry within the UK context.

Q117 **Lady Hermon:** You have met with the Secretary of State for Defra, Michael Gove.

Alan McCulla: Yes.

Q118 **Lady Hermon:** You were asked by Mr Paisley about what you would say to Mr Gove, so you have made quite clear to Mr Gove what the priorities are for the Northern Ireland fishing industry.



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Alan McCulla: Absolutely, yes.

Q119 **Lady Hermon:** How did he respond? Are you able to tell us? Let us hear transparency in action.

Alan McCulla: He gave an optimistic line on the priorities, which are common across the UK's fishing industry. Nevertheless, there clearly was disappointment across the UK industry given the outcome of what was contained in what is still a draft transition deal and the comparison to what people were saying before that. We get that in any negotiation there is give and take. We have been told by the Secretary of State and others down that we need to keep our eye on the big prize, and let us hope the big prize delivers.

Q120 **Lady Hermon:** Yes, so I wonder whether we could come back to the original question about the absence of a functioning Northern Ireland Assembly. Responsibility for fishing and agriculture is a devolved responsibility. We do not have direct rule. Has the absence of the Assembly not affected you at all?

Harry Wick: I can answer that to an extent. We went to the Brussels negotiations in December without a Minister. We left those negotiations with a significant increase in nephrops, a significant increase in haddock quota and a colossal increase in cod quota. Clearly, we were not hampered by the lack of a Minister on that occasion.

Q121 **Lady Hermon:** Are you saying that you do not need a Minister?

Harry Wick: There is more than that, unfortunately. Yes, of course we need a Minister, and of course we would like one sooner rather than later. The plans we have for the development and furthering of the industry are maturing. They are not yet at the point where they need ministerial approval, so we can live without a Minister for a short while yet, but we need one in the reasonably near future.

Lady Hermon: Yes, of course.

Alan McCulla: I have already mentioned the Kilkeel harbour project.

Lady Hermon: You said it was stalled because we did not have a Minister.

Alan McCulla: It very clearly was. To answer your question directly, yes, as a result of having no Executive Ministers, that project has suffered.

Q122 **Lady Hermon:** Absolutely, yes. In your introduction, you gave the evidence that there were plans—I am quoting here—in place to expand the fishing industry and create jobs. When asked to expand upon that, you said you meant jobs throughout County Down. Since I represent North Down, I would be very, very keen indeed to see more jobs throughout the county and throughout all of Northern Ireland.

We have now concluded that, yes, it would help to have a Northern



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Ireland Assembly back again. What pressure has been brought to bear by your respective organisations on local politicians to get the Assembly up and running? You said you could do without it for a short period of time. We were given evidence in March by Simon Hamilton MLA that the prospects of having the Assembly restored before the summer were bleak and, in fact, they were quite bleak for the rest of the year. How does that chime with the interests and the membership of your associations?

Alan McCulla: I am somewhat reluctant to get into the detail of the political situation in Northern Ireland. As a representative organisation that has cross-community representation, we work very closely with all political parties, no matter what their colour or persuasion.

Lady Hermon: That is what I would expect you to do, exactly.

Alan McCulla: In terms of bringing actual pressure to bear on any of those parties to start working together in an Executive, I cannot say that I have done that. Nevertheless, when it comes to the detail of projects like that in Kilkeel, be it Sinn Féin—the MP for South Down is Mr Hazzard—DUP, Ulster Unionists or SDLP, there are clearly benefits right across the community from this. All the political parties and all the politicians are very aware of that, and they are aware of the frustration that I and others have that critical projects, like that in Kilkeel, have been held up.

Q123 **Lady Hermon:** So they clearly are aware of the frustrations about an absent Assembly.

Harry Wick: I echo those sentiments. To put it in a nutshell, this is the second time today where no deal is a better option than a bad deal. We all want to see a good deal for Northern Ireland when the Assembly comes back. If that takes time to achieve, that is time well spent, if you compare it to the impact of having a bad deal.

Q124 **Lady Hermon:** To quote someone else, the clock is ticking. We are going to have Brexit at the end of March next year. It is less than a year away. Will it be all right if we do not have an Assembly before that time?

Harry Wick: Again, I would not like to get drawn into Northern Ireland politics, but I would suggest that a bad deal for Stormont is a bad deal for everyone in Northern Ireland. It is something we have to get absolutely right.

Alan McCulla: While I may not agree with everything the Secretary of State and his Fisheries Minister have told us over the past nearly 12 months—

Q125 **Lady Hermon:** We are talking about Michael Gove here.

Alan McCulla: Yes, we are. I have been impressed by the level of knowledge and expertise specifically about fisheries in Northern Ireland. He has clearly been briefed by officials in Defra, and I imagine he



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continues or they continue to be briefed by officials in DAERA, who are responsible for fisheries in Northern Ireland.

- Q126 **Lady Hermon:** That is excellent. If that is the case, I am genuinely very heartened to hear that. I am not surprised; he is very, very energetic in leading his particular Department. I am talking about Michael Gove here. But you said to us, and you repeated it, that there are some EU politicians who want to punish our fishermen for the Brexit decision.

Alan McCulla: Yes.

- Q127 **Lady Hermon:** When we have Michael Gove batting for us, so to speak, in Europe and in the negotiations, what evidence is there that we are being punished or that the fishing industry is being punished? Where is the evidence of this?

Alan McCulla: If we look at it on basic terms, in the latest negotiating guidelines that have been published by the European Commission looking forward to the long-term relationship, if the UK wants a free-trade deal, in exchange for the free-trade deal Europe has specifically said that European fishing fleets must continue to have unhindered access to UK waters and the same share of UK quotas as they have at the minute. That is there in black and white.

- Q128 **Lady Hermon:** That is a negotiating position.

Alan McCulla: It is a negotiating stance, but it is there. I have asked Mr Gove and others, "Is there any place in the world—because we certainly have not been able to find it—where any free-trade deal between any two sovereign states has been conditional on another country or trading bloc getting access to the natural resources of the other country?" The answer I have come up with, which has been confirmed by Ministers, is, no, it does not exist. The fact of the matter is that, as an independent coastal state, the United Kingdom and the waters around the United Kingdom will be governed under international law. That carries with it obligations for the United Kingdom, the main point of which is that we must manage our waters environmentally and in a sustainable way.

Europe is effectively dictating to the United Kingdom: "If you want a free-trade deal that governs the export of services, cars or any manufactured goods, we demand that Europe continues to have unfettered access to your natural resources, which means we have access to an unfair and unequal share".

- Q129 **Lady Hermon:** Could I come to Mr Wick? I am sorry; I was not just moving away, because in fact you had just finished. No, I am moving on to a different question and repeating to Mr Wick something that was very striking in his opening comments. You expressed concern or worry about an east-west border. I am quoting here: an east-west border would "cripple" the Northern Ireland industry very quickly.

Harry Wick: That is right. It certainly has the potential to do so.



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Q130 **Lady Hermon:** Could you explain and elaborate on what on earth you mean by “an east-west border”?

Harry Wick: Yes. I mean any border that interrupts the free flow of trade between Northern Ireland and the rest of the UK, so any hard border.

Q131 **Lady Hermon:** But you are not expecting that to happen.

Harry Wick: No, I am not, but it is a concern. Although the focus has been on potential trade disruptions between north and south, a sea border between east and west has been suggested before. That has potential to have serious ramifications for our industry.

Q132 **Lady Hermon:** In fairness to the Prime Minister, she has repeatedly said that no British Prime Minister could sign up to an agreement that meant there was a border down the Irish Sea, because we have to protect the integrity and constitutional status of the United Kingdom, including Northern Ireland. Is this not a worry that in fact is not going to happen? Perhaps talking about it crippling the industry is a wee bit too far.

Harry Wick: What we have from Theresa May is a statement that I would very much support; however, it is just a statement.

Q133 **Lady Hermon:** She is just the Prime Minister, however.

Harry Wick: The Cabinet Ministers led us to believe before that the transition period would be separately negotiated for the fishing industry. That did not happen. A lot of things politicians say, Lady Hermon, do not happen.

Q134 **Lady Hermon:** Are you implying that you do not trust the Prime Minister? Do you not trust her word? Is that what you are saying

Alan McCulla: We trust the Prime Minister. However, I would get back to the stated objectives of European politicians, be it Mr Barnier or the Taoiseach in Dublin. We could list them all. They talk about their backstop solutions. They do not want a hard border with the Republic of Ireland. There have certainly been suggestions made that there may be some sort of a customs post down the middle of the Irish Sea.

Q135 **Lady Hermon:** Not by the British Prime Minister.

Alan McCulla: Exactly, not by the British Prime Minister.

Q136 **Lady Hermon:** Can I come back to Mr Wick, who raised the concerns about trust in politicians, and how politicians say some things and do not honour them? Can I confirm that there is confidence within your industry in the Prime Minister and that she will keep her word?

Harry Wick: We support the Prime Minister; we support what she is trying to achieve.

Q137 **Lady Hermon:** I am not saying “support”; it was “confidence” and “trust”.



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Harry Wick: It is a simple statement of fact that not everything politicians say comes to fruition. History is littered with evidence for that. If we look at the numbers, £47 million of our product goes directly to the UK; £6 million of our product crosses the north-south border. In my opinion, it is imperative that we safeguard the larger proportion of that money.

Q138 **Lady Hermon:** In support of your industry, you have quoted Michael Gove and praised Michael Gove, with which I have not disagreed at all. But now we have got to the stage where we have come to the Prime Minister and there appears to be some doubt about her keeping her word to the fishing industry. Is that correct or not?

Harry Wick: There is worry about the future, yes, of course. There is concern. It would not be the first time the fishing industry had been told that it would be represented fairly and we ended up with something like the CFP, which is clearly not a fair deal for the fishing industry. We are cautiously optimistic that the Prime Minister will keep her word.

Q139 **Lady Hermon:** I am sure she will be pleased to hear that. Could I move on and ask you about Lough Neagh? Do you have responsibility for Lough Neagh?

Alan McCulla: No.

Q140 **Lady Hermon:** You are just the coastal fisheries.

Alan McCulla: We are the commercial sea-fishers.

Q141 **Lady Hermon:** Who has responsibility? We have not heard much evidence about our eel and salmon fishing in Lough Neagh.

Harry Wick: When you visit Portavogie, it is my plan to invite along the chairman of the Lough Neagh Fishermen's Co-operative Society, who will be able to give you full chapter and verse on the issues.

Q142 **Lady Hermon:** Presumably you liaise very closely with other fishing organisations. We have heard about your close liaison with fishermen in the Republic of Ireland, but presumably you liaise closely with those internally in Northern Ireland.

Alan McCulla: The Lough Neagh Fishermen's Co-operative Society is effectively our opposite number in terms of managing, if I can put it that way, the resource in Lough Neagh. Over the last couple of years we have got to know their representatives well. We discuss with them, for example, the export of our various products across Europe, and indeed across the world. They have made me very aware in those discussions that they have a specific problem with regard to produce coming from Lough Neagh, in that it is mainly exported to Europe.

Lady Hermon: Exactly, yes.

Alan McCulla: In terms of European legislation, they have an issue in terms of the designation of their eels. Nobody can deny that. I am



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aware of lots of issues in terms of the management of eels on the island of Ireland. It is a cross-border issue in terms of the regions et cetera.

Lady Hermon: It certainly is.

Alan McCulla: It just emphasises to me that, going forward in this negotiation—and I will repeat this—we do not want adversity between fishermen who are neighbours on the Irish Sea or between fishermen who are land-based.

Q143 **Lady Hermon:** I am very pleased to hear that, because you said in your evidence that there was already—the word was “already”—a hard border.

Alan McCulla: Yes. If you really want me to, unfortunately, I can quote from evidence that was offered by one of our colleagues in the Republic to a similar committee hearing held in Dublin last year. The letter that was sent to the clerk of the Joint Committee on Agriculture, Food and the Marine states that the outcome—

Q144 **Lady Hermon:** Do you mind if I just say that we have not got to Brexit yet? This is a hard border that has happened without Brexit happening.

Alan McCulla: If I may, maybe this helps to answer the question. The letter states, “The outcome of the Supreme Court case is an opportunity for Ireland as vessels from Northern Ireland and the UK will require access inside our six-mile exclusive zone. This should be part of a future negotiation strategy by the Government in terms of maintaining our access to UK waters in the future”.

This was the point I was making earlier in terms of voisinage. It is reciprocal. It is Ireland that has rejected the legislation that would have fixed this issue, despite overtures that have come from us and via our politicians. I very much regret to say that Dublin does not want to move on this issue. They have erected the border. In the meantime, the United Kingdom continues to allow Irish vessels into the same waters around Northern Ireland.

Q145 **Lady Hermon:** Yes, but you accept that that was as a consequence of the Supreme Court ruling; it is not as a consequence of Brexit, because we have not got to Brexit yet.

Alan McCulla: I would contend that the Dublin Government, in the very early days after the Supreme Court judgment, attempted to find a legislative fix to this problem. Legislation was tabled in the Dáil. Regrettably, that legislation still sits on a bench to this day, because the Dublin Government were lobbied by industry, which encouraged them to treat this as a Brexit issue.

Lady Hermon: That clarifies it. That is very helpful, thank you.

Q146 **Mr Campbell:** You are very welcome, gentlemen. I am interested in this issue about the agreement that you are saying the Republic’s Government arbitrarily tore up. Was it in October 2016?



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Alan McCulla: That was the Supreme Court decision, yes.

Q147 **Mr Campbell:** I am trying to grapple with the concept of an agreement between two sovereign states. One nation state says it will no longer implement it, and the other nation state says, "Well, we will". I cannot understand how that concept could work. Could you perhaps explain it to me?

Alan McCulla: I suppose in that context, Mr Campbell, we are in good company. My members in Kilkeel who are directly impacted by this decision find it very hard to understand as well. When I return from discussions with officials and Ministers, be they in London, Belfast or wherever, and try to explain to them that the UK is maintaining the moral high ground in this situation, they tend to look at me and say, "That is all very well, but in the meantime we are suffering financially".

In the past week, we have heard stories about how Northern Ireland-registered vessels have been detained for operating illegally in Irish waters, have been through the court system there and have been fined. In that context, my members look at me and say, "Alan, there is a vessel registered in the Irish Republic that is fishing in UK waters around Northern Ireland, and the same action has not been taken against it". While I continue this mantra, "We are taking the moral high ground, chaps", it is a difficult one at times to get them to understand.

Q148 **Mr Campbell:** I can understand a Government saying, in effect, that they will take that moral high ground. That is a diplomatic response. But presumably there are a number of options open. Either there could be what some of your members describe as retaliation or, presumably, the Government could say, "Well, the current position is untenable. Therefore, can we now renegotiate or re-examine what was in the previous agreement and get something that is binding?" Is that not an option?

Alan McCulla: It certainly is an option. Going forward, it is very, very clear that some kind of replacement will need to be found for the voisinage agreement, probably post-Brexit.

I know this topic was discussed at last week's evidence session. There are examples in Europe of similar neighbourhood agreements between members of the EU and non-members of the EU. One that we have found out about is between Norway, which is clearly a non-EU country, and on the other hand Sweden and Denmark. My understanding of that arrangement, having visited Oslo last year and having discussed this very issue with Norwegian Government officials, is that it was negotiated between those three countries and subsequently ratified for Sweden and Denmark by Brussels.

But it reflects historic fishing patterns going back many generations before there was membership of the EU by either Sweden or Denmark, and indeed even before there was an EEC. There are clearly examples



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around Europe, let alone between Canada and parts of France that happen to be next door to Canada. There are clearly examples much closer to home.

Mr Campbell: That is something the Committee could take account of.

Q149 **Kate Hoey:** You are very welcome, and it is very good to hear both of you. I was thinking earlier that it would be helpful if both of you were on Michael Gove's fisheries negotiations team, because your understanding is probably better than that of many people in the Department. Do you feel like the people who really know about what is going on sometimes get ignored?

Alan McCulla: That is a very good question. If you were standing on any of the quaysides in Northern Ireland, the fishermen would say that, not just today in the context of Brexit but for a very long time, they have been trying to lobby and discuss issues with people who maybe do not have a full understanding of what is going on.

I mentioned earlier in the context of fisheries science that I am long enough in the tooth to have seen relations almost completely break down between both sides, but we have worked very, very hard to rebuild those relationships. Today, while we definitely do not agree on everything, I certainly believe there is a good relationship, not only between fishermen and fisheries scientists, but generally speaking between fishermen and the officials and managers we liaise with. Again, it is not 100% right; it probably never will be. But we are certainly in a good place in that respect.

Q150 **Kate Hoey:** It was clearly disappointing, not just for the fishing community but for many people, that there is going to be a transitional period and that the common fisheries policy will continue during that period. What is your real concern about those two years? Is there any way we can try to do something that will minimise the longer-term damage that a transition period could do to fishing?

Harry Wick: The worry for that two-year period is that the UK does not have any influence or control in decisions that Europe makes. If you look at UNCLOS legislation, it dictates that what the UK fishing community cannot catch for itself is automatically passed over to other neighbours that can catch it. It is therefore in Europe's interests to do as much harm to our catching capacity as possible throughout this interim, to ensure it has a larger share of the pie, come the time when UNCLOS is the driving legislation.

Q151 **Mr Goodwill:** Is it not the case that, in the first year at least, we will have been involved in the negotiations in December for that next year? It is maybe not quite correct to say that, for the whole two years, we will not be.

Harry Wick: Apologies, yes. For that one-year period, we are very, very vulnerable.



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Q152 **Kate Hoey:** Afterwards, can we not reverse it? We could just say, "Sorry".

Alan McCulla: Just to clarify that, Mr Goodwill is exactly right in terms of December 2018. Forgive me for hesitating over the dates, but in December 2018 we will have the traditional fisheries council in Brussels. The United Kingdom will still be a full member of the EU and will participate, therefore, in that council. Decisions will be made for the entirety of 2019. We leave the EU in March 2019, and we have that question over what happens in December 2019 in terms of the TAC and quota negotiations.

In addition to that, we have lots of ongoing negotiations in Europe affecting a variety of issues for fishermen. The first one that comes to mind is the technical conservation measures. Put simply, this is about the size of the holes in the nets. That negotiation will be ongoing in Europe. The question Harry and I have is this: what real influence will the United Kingdom have in that process? The danger is that decisions will be taken in Brussels that impact upon our members specifically in the Irish Sea, which we have no real influence over.

Q153 **Kate Hoey:** Could you give us an example of that? Once we are eventually, finally out of it, I still cannot get my head around why we cannot reverse it, if we are taking back control of our waters.

Alan McCulla: The specific example I used was about the size of mesh holes in the nets that are used by our fishermen who target nephrops, prawns. Even last December, the Commission tabled a proposal that would increase the size of the holes in nets. Our argument was that, at the end of the day, it was not that specific measure that contributed to conservation and sustainability. We were able to deploy all sorts of other evidence, which showed that fishermen in Northern Ireland do not just talk about what they can do in terms of conservation; they can deliver. When we presented that evidence, the Commission backed off. That does not mean to say that specific proposal went away. In fact, I know it is still lurking in the background.

When we leave the European Union at the end of March next year, we are concerned that this process will continue. The detail still has to be explained to me as to what influence the UK team will have with the Commission to try to make sure that meaningful measures, and not just cosmetic measures, are introduced for fisheries in the Irish Sea.

Q154 **Kate Hoey:** I understand that specific point, but if it is not an international law what is stopping us here? Do you know what I mean?

Harry Wick: If I can address that, the Northern Ireland fishing industry is in a state of recovery. It is recovering well, but that recovery is fragile and delicate. With a period where we have no legislative control, that recovery could be derailed, and the consequences of that would extend for many years into the future.



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Q155 **Kate Hoey:** In that short-ish period of time, it could be very, very much overfished.

Alan McCulla: No, I would disagree with that. When I talk about conservation and the sustainability of fish stocks, I keep referring to an example where, a few years ago, I sat with the Commissioner in Brussels. We were talking about conservation measures, and his quote to me was, "Mr McCulla, fishermen from Northern Ireland do not just talk about conservation; they do actually deliver". That is somewhat different to what may be levelled at fishermen from other parts of the EU.

I would contend—and hopefully the Committee will see it when it visits Northern Ireland—that fishermen in Northern Ireland have been at the forefront of ensuring sustainable fisheries. With all due respect, there is absolutely no way that we can ignore the rules, ignore the TACs and the quotas and just have what some people have billed as a free-for-all once we leave the European Union. That cannot be allowed to happen.

Q156 **Kate Hoey:** No, I understand that. You have shown just how keen fishermen are on conservation. They know that is their future. I still do not quite get why, after we have left, we cannot do all the measures you are already doing in terms of conservation, but reject anything from that period in which we have no real say, if something has been introduced.

Harry Wick: If I can get to the heart of that, the danger is that, during that period when we have no say, the stocks would be underfished. As a consequence, many of our fishing businesses would go out of business. In the future, we would not have the same catching capacity. Under UNCLOS legislation, what we cannot catch we have to pass to the rest of Europe. It is in the EU's interest to damage our catching capacity as much as possible in the short term, to ensure it has a bigger share in the future. In order to regenerate from that, because our recovery process is quite fragile, it will take a significant period of time to get back to where we were.

Q157 **Kate Hoey:** Is that the same for the rest of the United Kingdom's fishing? Is that why they are all so concerned as well?

Alan McCulla: There is a distinct danger there. There absolutely is. We have to remember that fish have tails and they do not recognise political boundaries.

Q158 **Kate Hoey:** They seem to in Iceland, do they not?

Alan McCulla: Yes, and we fought three wars with them, we lost and now we are their biggest trading partner. There is a lesson in that, too.

But it is clearly in the interests of the UK, Ireland, France, Denmark, Holland and all the neighbouring countries that, as we move forward in that post-Brexit context, we continue to co-operate and manage that sustainable resource, which is our fish and our shellfish. It is in



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everybody's interest to do that, and nobody is suggesting that that should change.

As we are trying to explain—forgive me if we have been slightly confused with the question—there is a fear that, with the lack of detail that is contained in the transition agreement, the UK will be sidelined during these negotiations and, as Harry has explained, we will find ourselves having regulations imposed from Brussels that are cosmetic, in the sense that they are designed to harm fishing right around the UK.

Q159 Kate Hoey: Finally, what percentage of fish caught in our waters goes to the rest of the EU? What percentage is immediately taken to the rest of the EU?

Alan McCulla: There are lots of statistics out there, but let us take just the fish that is landed into Northern Ireland and then taken out to GB, the EU and the rest of the world. Something like 61% of what is landed in Northern Ireland is consumed within the United Kingdom; 8% is sent to the Republic of Ireland, which of course is part of the European Union; and a total of 31% goes to the European Union. To be precise, 2.3% goes to the rest of the world, and that is growing.

However, if we then start including the landings by our vessels in other parts of the EU, which is also classed as an export, the numbers change. As far as the Republic concerned, the number increases by volume, because it is largely the bulk pelagic species like mackerel that are landed into ports like Killybegs. In turn, yes, we do not want to lose those markets, but neither do the processors in Killybegs want to lose that fish. It becomes an important component of their industry that is, further down the supply chain, classified as an Irish export, when in fact it was fish caught by UK fishermen.

Q160 Kate Hoey: Then, of course, they do not pay taxes when their fish go—

Alan McCulla: They do.

Kate Hoey: It is not quite your area, but I know on the north coast of Antrim there are issues about people who are registered in perhaps “bogus” addresses in Northern Ireland, but who are fishing from Donegal, who then take their catches back to Donegal and will not be paying any taxes.

Alan McCulla: I can only speak for our own members. The bulk of the commercial fishing industry is based on the County Down coast. I can assure the Committee that, when it comes to their obligations with HMRC, they meet them religiously.

Kate Hoey: I am sure they do. I was not talking about them.

Q161 Nigel Mills: You may have to forgive my fishing ignorance. I have a seat about as far away from the sea as you can get in the UK, so it is not a big area of expertise for me. Can you just talk us through whether there are any other regulations you would be worried about, if we were forced to



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maintain regulatory alignment with the EU? You have mentioned the size of the holes in the fishing nets. Is there anything else specific that would be a problem that you could see?

Alan McCulla: As an exporter, we are concerned that during the transition period the EU could very well change the health and environment conditions of our fish exports without any formal input by the UK. We need to be assured that, where such proposals are made, the UK will continue to have, at least during the transition period, a full and proper input into those negotiations.

Nevertheless, the devil is in the detail. We have seen this high-level transition deal. I have not seen the detail. I guess nobody has seen the detail, because it is still being worked out. But those kinds of concerns are very, very real today.

Q162 **Nigel Mills:** It is not just the transition. If we chose or were forced to maintain regulatory alignment for ever to avoid a hard border, presumably, if the EU changed its welfare rules, its conservation rules or whatever else, we would have to follow suit forever.

Alan McCulla: Sense needs to prevail. As I mentioned a few minutes ago, fish have tails and they move. Therefore, in a post-Brexit context in the UK, there is no point doing everything we can to conserve and preserve fish stocks if they then move over this imaginary line where the rules are more lax and they can be taken.

Post-Brexit, it is critical that we maintain that kind of dialogue, as is presently exemplified by the relationships in the North Sea between Norway and the EU. There is precedent there. In terms of Brexit and fisheries, we are not inventing the wheel. This has happened and it happens elsewhere. We need to learn from those lessons going forward.

Q163 **Nigel Mills:** We have spent a lot of time talking about a hard border on land. How do we enforce the border at sea? If we are saying that, going forward, certain boats cannot fish in certain waters or something, how do we stop them?

Alan McCulla: With all due respect, when people who do not know visit the fishing fleet or have the occasion to visit even the various enforcement agencies, they generally come away pretty impressed with the technology that is being used today. The key one at the moment is satellite surveillance. Practically every large fishing vessel that departs from any port in the UK or indeed Europe is monitored on a 24/7 basis, so they can pinpoint where it is. Our organisation is clearly focused on the Irish Sea and the north-east Atlantic, but we also have a member vessel operating in the Indian Ocean. We have a member vessel operating off the coast of Namibia. If we had the technology here today, we could look it up and see exactly where those vessels are at right now.

Of course, it is one thing seeing where the vessels are at. If somebody is breaking the rules, it is an entirely different thing to be able to deploy an



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asset to that vessel to check out what they are doing. As we are making preparations for day one, there would seem to be a lack of assets within the UK to do a proper policing job.

Harry Wick: I would echo that sentiment. We also have the Royal Navy and Marine Scotland, which conduct unannounced boardings at sea. The capacity for the Royal Navy to do that is very well established, and I would encourage this to continue, so we can enforce legislation in future.

Q164 **Nigel Mills:** Are we obliged to stop our vessels entering waters they are not allowed to? Is that something for the waters they are entering to stop?

Harry Wick: In terms of being allowed in the waters, that is not really the issue. It is catching fish that they are not allowed to catch. Their catch should be inspected when they get back to port. It can be inspected at sea by Marine Scotland, the Royal Navy or other agencies. In those instances, it is not uncommon for a vessel to be detained or arrested and brought back to port so charges can follow.

Alan McCulla: As I mentioned earlier, I come from a fishing background. I am proud to say my father was a fisherman. Even then, I thought it was as simple as going and buying a boat, putting a net on behind and going out and catching fish. When I joined our organisation in the summer of 1992, I quickly came to realise that that was not really the case.

There is a whole plethora of rules and regulations that govern fishing vessels, not least of which is the fundamental one: the fishing licence. That is a piece of paper that is issued to every fishing vessel owner in the United Kingdom. That piece of paper basically tells them where they can fish and what they can fish. In that respect, for example, I cannot take a vessel that is operating in the Irish Sea today and deploy that vessel into the Indian Ocean, or vice versa. We need to go through a very thorough—and I really mean thorough—administrative process in order to get the appropriate licensing and approval to deploy these fishing vessels.

Q165 **Chair:** Gentlemen, thank you very much indeed for your attendance today. It has been most insightful. I would not worry too much about being frank; the best evidence is frank. You have done very well to answer our questions today. What you have said will be of great interest to the wider world outside and will certainly help to inform our report, when we publish it shortly, on this important matter.

Alan McCulla: Chair, can I just say, certainly on my behalf and hopefully on Harry's, that we have been delighted to have this opportunity here today? We have been delighted to have a frank exchange and to field the various questions. I know you are coming to Northern Ireland next month. Unfortunately, I will not be there, for a good reason, at least from my point of view. This maybe typifies the respect that fisheries in



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Northern Ireland are given in a global context: I have been invited to a conference in Canada, to talk about some of the work we are doing in Northern Ireland, which is now held up as a global world-leading example. We are very, very proud of that. I hope you have an enjoyable visit to the Strangford peninsula.

Harry Wick: One of the questions was whether we feel we are being listened to and taken seriously. This Committee is evidence of the fact that, yes, we are being listened to, and we are exceptionally grateful for that. Thank you.

Chair: We are most certainly happy to listen, and we take it extremely seriously. You can be sure of that. Thank you.