

Environment, Food and Rural Affairs Committee

Oral evidence: Scrutiny of the Fisheries Bill, HC 1722

Wednesday 5 December 2018

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Members present: Neil Parish (Chair); Alan Brown; Mrs Sheryll Murray; David Simpson.

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Witnesses

I: Dr Carl M. O'Brien, CBE CStat CSci FLS, DEFRA Chief Fisheries Science Adviser and UK Delegate to ICES, Centre for Environment, Fisheries and Aquaculture Science, Phil Haslam, Director of Operations, Marine Management Organisation, Dr Craig McAngus, Lecturer in Politics, School of Media, Culture and Society, University of the West of Scotland, and Councillor John Lamb, Chair, Kent and Essex Inshore Fishery Conservation Authority

Examination of witnesses

Dr Carl M. O'Brien, Phil Haslam, Dr Craig McAngus and Councillor John Lamb

Q1 Chair: Good morning, gentlemen. Thank you very much for attending our meeting on the Fisheries Bill this morning because, as we know, we are scrutinising it as it is going through Bill Committee, so it is a case of having to get on with it but we are determined to give it scrutiny.

Just for the record, can we start on the left and work across and can you introduce all yourselves, please?

Councillor Lamb: Councillor John Lamb, Chairman of the Kent and Essex Inshore Fishery Conservation Authority.

Dr O'Brien: I am Carl O'Brien. I am DEFRA's Chief Fisheries Science Adviser. I am also the UK Delegate to the International Council for the Exploration of the Sea, and one of the Vice Presidents from the Centre for Environment, Fisheries and Aquaculture Science.

Dr McAngus: I am Craig McAngus. I am a Lecturer in Politics at the University of the West of Scotland and I am leading a project as part of UK in a Changing Europe, which is looking at fisheries policy post-Brexit.

Phil Haslam: I am Phil Haslam. I am the Operations Director of the Marine Management Organisation, which is an arm's length body of DEFRA with a competence for fisheries management, control and enforcement within English waters for English registered vessels.

Q2 Chair: Thank you very much. What I will say to you before we start is that if there are particulars of the policy questions that one or two of you may not want to answer, because you think it is beyond your brief, please say so.

The first question I will probably fire to Phil, Carl and John, which is the Bill process proposes to control access to UK waters, with conditional licences for non-UK fishing boats, and preserve equal access for UK vessels in all UK waters. What advantages or drawbacks do you see for what your organisations are trying to deliver? A nice simple question to start with. Who would like to make a start?

Phil Haslam: I think I had better start on that one. We already license English vessels within English waters at the moment, so what this does is it extends that competence so, under the banner of becoming an independent coastal state, taking back control of our waters. Our waters next year become UK waters, not part of EU waters. We will have to have a mechanism to control access to those waters. Within the Bill there is the policy objective of equal access for UK vessels but then there is the management of any other vessels that are permitted access to our waters, so there will be a capability that we will have to deploy in order to bring that function to life.

Q3 Chair: This is opening up a can of worms because, as I said, there is a



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certain amount of access we have to Norwegian waters, to EU waters. Do you see a combination of not only getting back access to our own waters but a certain amount of negotiation for fishing rights into other waters?

Phil Haslam: I think the whole context of access is something that is already negotiated, whether it is between third nations or within the EU. At the moment, as a member state obviously access is permitted to all. As that condition changes, there is going to be a need to have a mechanism to permit whatever access is asked.

Chair: Do you want to come in with a quick supplementary there, Sheryll?

Q4 **Mrs Sheryll Murray:** Just very quickly, do you envisage there is going to be an awful lot more work, for instance, if you are licensing a French vessel to come and take cod in the North Sea in the UK sector? The licences will clearly be species-specific. Do you envisage DEFRA or the MMO having an increased workload because of this?

Phil Haslam: The vessels will be licensed by their home nation, but what we are talking here is about a permitting capability to permit them access to our waters. To answer your question specifically: is that going to place a disproportionate burden on MMO? No. It is a competence we have now. It scales up but the thought is going into there is a way with the least possible intervention to make sure that this is done in the most efficient manner, so that work is ongoing now.

Q5 **Chair:** Who wants to have a go now then? Dr O'Brien or Councillor Lamb?

Councillor Lamb: Yes, I am quite happy to come in on that. I agree with what Phil is saying on how it is being licensed currently, but I do have a concern that in fact does the MMO have the actual resource to fully control? It might be saying that we license them but, if they are coming into our waters, how do we ensure that we control them? If they go between the six to the 12 mile limit within there, how do we ensure they stay within that limit? That means that falls to the IFCA that controls up to the six-mile limit.

We certainly have resource but we do not necessarily have the powers to do some of that. We rely on the MMO to be able to deal with that and we take their officers out with us. I do think there is a lot of concern out there—if we allow foreign boats to be licensed, whatever country they are—that we have seen some misuse on occasions. We have misuse in our own fleets. We have to be careful and we have to make sure that they are abiding by that or we enforce on them, but what enforcement powers will the IFCA or the MMO have if we catch foreign national boats doing things they should not be doing in our waters? That is something I would like to see strengthened.

Q6 **Mrs Sheryll Murray:** I will just come in again. It is probably going to be you again, Phil, I think. Following on from that, at the moment the Royal Navy patrols the English, Welsh and Northern Ireland sea fisheries.



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Scotland has the Scottish Fisheries Protection Agency. The English Inshore Fisheries and Conservation Authorities, some of them have their own inshore vessels. Can you see there would be any extra burden with us taking back control? Because under the Common Fisheries Policy the responsibility for enforcement already lies with the United Kingdom. Am I correct?

Phil Haslam: Yes, it does. I think it is already building up from the first principles to control within your waters. You need three broad effects. You need a permit effect. You need a picture effect and then you need a patrol effect. A permit effect, we have just discussed. The picture, in terms of establishing situational awareness to understand what is going on in your waters. The way we do that at the moment is we share data.

You will be aware of the vessel monitoring system. That is basically positional location devices on board vessels of 12 metres and above. We are taking steps to introduce that onto vessels 12 metres and below. Therefore, in terms of: will we have a picture of what is going on in our waters? Yes.

To take that forward, if that data does not continue, for whatever reason, from foreign vessels, we are reintroducing aerial surveillance so if we cannot do it by remote electronic devices we can do it by manned fixed-wing airplanes. So you build your picture and then, once you have your picture, on a risk-based intelligence-led process, you know which fisheries are running at any given time so that is where you are likely to get the activity.

The other layer of that is intelligence, which is within that fishery the following people are frequent fliers and then you can target your intervention. So to speak to John's point as to how we would do that—

Q7 **Chair:** You take it on a risk basis where you think there could likely be overfishing, people gaining access that shouldn't?

Phil Haslam: Yes.

Q8 **Chair:** You are going to have great difficulty in following every boat, but what you can do is target—

Phil Haslam: Yes. We do not need to follow every boat because if the rules are right the levels of compliance will be right, but what—

Q9 **Mrs Sheryll Murray:** IFCA's already have the power to enforce the six to 12 mile limit, am I correct?

Phil Haslam: They are empowered under the Marine and Coastal Access Act. Their jurisdiction is the nought to six. Ours is nought to 200. We are talking about the integrity of the EEZ for fisheries.

Q10 **Chair:** That is right. You are talking now about the nought to 200 mile or the Meridian line?



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Phil Haslam: Yes. But I think the question is: do I perceive an additional burden in what we do now? Yes, I do because the risk profile goes up. If there is not the access permitted, which has previously been enjoyed, that introduces risk. If there is full access that introduces a different risk, but can I see my life getting busier in terms of control enforcement effect? Yes, I can, in terms of just making sure that we can assure the integrity of our own EEZ as an independent coastal estate. That is why the work that has been going on is to uplift our control and enforcement effect.

Q11 **Chair:** That is really useful for the record. Dr O'Brien, would you like to make a comment on the original question?

Dr O'Brien: Yes. Access of vessels: the assessments are obviously done internationally in Copenhagen. As you know fish do not respect national boundaries, so if you change the distribution of fishing fleets—

Q12 **Chair:** They also fish together as well. They swim together. They do not always stay in species either.

Dr O'Brien: If you change the distribution of fishing vessels and their access rights, that immediately changes the way in which the fleets will fish, which has a knock-on effect to our assessment. There may be some changes that are required—certainly to modelling—in terms of quotas in the future and also where you might have management measures.

Q13 **Chair:** I think what we need in the future is something led to a degree by the fishing industry, if you see what I mean. I know you have to have sustainable stocks but are you saying they may change their fishing habits or they may change the type of fish they catch? Is that what you are saying or what?

Dr O'Brien: What I am saying is if you restrict the access of non-UK vessels to fish in our EEZ, they are obviously going to fish somewhere. If they do not have access to our EEZ, the obvious place is they will fish outside. If they fish outside, the models we are using at the moment for stock assessment, which have been developed under the Common Fisheries Policy, have assumed a certain fishing pattern and a certain distribution of fleets. If you change the distribution of those fleets, there is an immediate effect but that may not necessarily coincide with the predictions that we would do now, based on what we know in terms of spatial distribution of the stocks and spatial distributions of the fleets and the fishing patterns of nations.

Chair: An interesting point.

Mrs Sheryll Murray: Can I just—

Chair: Sheryll, please, quickly because I am being very generous to you.

Q14 **Mrs Sheryll Murray:** Very, very quickly. I understand that there is a move towards assessing stocks on the basis of zonal attachment rather than relying entirely on the catch. Could you just explain that?



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Dr O'Brien: In terms of what the scientists do and in terms of what ICES provides, not just to the EU but to Norway, to NEAFC and other coastal states, the assessments are based on biological stock units. Those biological stock units may or may not correspond to TAC areas. Zonal attachment, you could argue that relative stability is a form of zonal attachment because it is based on the distribution of landings but there are other variations of zonal attachment, such as: where do the juveniles live? Where do the adults live? Where are the eggs spawned by the adult fish? There are different ways of looking at distribution of species and looking at their whole life-history.

From a science perspective, there has been attention to the science of zonal attachment. You will have seen in the annex to the White Paper that the MMO, Cefas and others have been putting together some maps showing distribution of landings and distributions based on the biology. In some cases, they coincide quite nicely. In other cases, they are quite different. That is only to be expected when relative stability was determined many, many years ago.

There is work going on. It is not necessarily immediately impacting what is done within the assessment of stocks, but it has the potential in the future to do that.

Q15 **Mrs Sheryll Murray:** Just to get on record the protection of juvenile stocks. For instance, there is a United Nations' agreement that says somebody outside of our EEZ cannot catch all the baby fish so that it impacts. It is the United Nations Fish Stock Agreement. Am I correct?

Dr O'Brien: You will probably be aware that there is the plaice box off the Netherlands, which was put there to protect juvenile plaice. One of the problems with the closed areas and measures is that, in principle, they sound like a good idea. It is often quite difficult to validate those measures, so something that sounds quite sensible it is quite difficult to generate the data to show it is having an impact.

Q16 **Mrs Sheryll Murray:** You have the mackerel box off the south-west.

Dr O'Brien: Yes, you have the mackerel box off the south-west.

Q17 **Chair:** A lot of it is down to best practice in a way, because if your boats stay outside the 200 mile limit or stay outside of a protected zone that does not actually help the situation, does it?

Dr O'Brien: It doesn't. For some species it will not have an impact because they essentially stay within certain areas, so the species that would naturally live within our 200 nautical mile limit. There are other species, like mackerel and blue whiting, Atlanto-Scandian herring that migrate over large distances, and northern hake, which our fleet relies upon.

If non-UK vessels were to choose to fish collectively outside our border and catch as many hake as they could before they moved into our bit of



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the North Sea, you would not have any fish so, whatever percentage you think you are entitled to, you may never realise it.

Q18 **Chair:** That is why total agreement is so important in the end.

Dr O'Brien: Yes. That is why fisheries are internationally managed, so it isn't just the UK going alone. Scientifically, we will still work with our counterparts around the world but, in terms of management, there is still a need to have international agreement and to negotiate.

Q19 **Chair:** Under the rules that we wish to put in but internationally recognised, I think that is probably how you see it.

Dr O'Brien: Well, as an independent coastal state.

Q20 **Chair:** Yes, exactly. To Craig, please. Do Norway, Iceland and the Faroes have any lessons for controlling access for us basically?

Dr McAngus: Yes, I suppose they do. For a start, they have heavily invested in scientific institutes of their own. They take on board the advice given to them from ICES, but they also have well funded scientific institutes of their own that are constantly gathering data on their fish stocks that they can keep an eye on.

I suppose, in Iceland the way that their quota system works, their ITQ system, it has a real time effect in that stocks that are landed are measured and then updated on an online database, so that you can see what has been landed and the quality of the fish.

Q21 **Chair:** Do they have to land everything in Iceland or what?

Dr McAngus: I think there is a 50% uptake. They have to land at least 50% of quota that is given I think. I would have to get an answer on that.

Q22 **Chair:** My question meant: when they are fishing do they have to land whatever they catch?

Dr McAngus: I believe so, yes.

Q23 **Chair:** You do believe so, because that is better for managing the stock and understanding what is there, isn't it?

Dr McAngus: Yes. The other thing is that in Iceland, for example, one of its key partners when it comes to bilateral arrangements is the Faroe Islands. There are a lot of strong historical connections between actors at an international level between the two coastal states. There is a strong relationship between those two and there has historically been quite a lot of trust; there has not been any issue in the past over access.

I am not too familiar with the Norwegian situation but we can certainly get back to you with a written response on that if that would help.

Q24 **Chair:** I imagine that most of the Icelandic fish is largely frozen and then exported to the UK and other places. Is that right? Certainly, when it



comes to processing fish I think we do it in a slightly different way. We are more at the higher end of the market in some ways. Would that be fair or not?

Dr McAngus: I know that Iceland has a large frozen fish export sector. I could not tell you the proportion off the top of my head but, yes, obviously, because Iceland's geography would make it more difficult to transport fresh fish quickly to markets.

Chair: If Paul Flynn was here this morning he would tell us that the Icelandics won the cod wars. I think we still do import a great deal of cod from both Iceland and Norway, which is interesting as we leave the Common Fisheries Policy.

Q25 **David Simpson:** Good morning, gentlemen. The Bill proposes to keep the existing quota system and sell extra English quota. What challenges or opportunities are there in those issues?

Chair: Who wants to start with that?

Councillor Lamb: I am happy to kick off. From the IFCA point of view, up to the six-mile limit, we see the quota system in itself, in a mixed fishery, is not a good system. We see that we are quite often taking fish that is not required. It ends up as meal if we not careful. It is not being properly dealt with. We see fishermen, literally with their boats, that cannot go out and target the fish to some degree. They can put some put some technical measures in where they can say, "We are going to go for a certain thing", but you will still pick up bycatch. That bycatch has to be landed because of discard and so on in the landing applications.

It is not a good system for local coastal fishermen. We have 221 boats all working under-12 metres within the six-mile limit. If you look at that, they literally look at days at sea where they can go out to fish to try to get the runs that they want for the fish that they want to target. It is very difficult to manage that. What we are finding is it has retracted so much—because of the quota system and the way it has been—that most of the boats now only have one person on board. They don't even have a crew. They are going out there to try to fish for themselves. This is not a good system to be able to do it.

Q26 **David Simpson:** What would you replace it with?

Councillor Lamb: I have spoken to some of the people in the industry. They would rather be able to target fish in their areas because being a mixed fishery, and especially being an inshore fishery, they rely on what comes in and there are runs. We used to have the cod runs that used to be well known. They used to be October-November and you would get an end of January-February run. People would target that. That was a worthwhile fishery. That does not happen so much now and the cod has gone much further north.

What we do need is to make sure that what they can go out and catch in those areas is properly identified on what effort needs to be put in and



what they target for, and give them those days at sea that they need to be able to catch the amount that they need. Otherwise it makes it uneconomical for them.

Q27 **David Simpson:** Anyone else want to comment on that?

Phil Haslam: If I may, noting the inequities currently within the quota management the amount of quota that gets to the under-10 fishermen is a known problem. I see this as a mechanism to try to do something to address that. The workability of it has to be sorted through but I absolutely echo what John has just said. Up on the east coast where there are restrictions on the catches of bass, there are restrictions on the skate, trying to keep a small fishing business model viable is a challenge and we have to have a mechanism to do it.

Q28 **Chair:** How do we stop over fishing in this case? I understand the argument and I agree with a lot of it, but are you going to swap some sort of quota system for an effort system—days at sea—or are you going to have no control over it? Naturally, fishermen will go out and fish when there are fish there, and I would do the same, but we may be over fishing. How would you balance the two?

Phil Haslam: The quota system that we have at the moment, which is managed by the MMO for those that do not belong to producer organisations, does exactly what John says. We put out catch limits to people on a monthly basis, "This is how much of a certain species you can catch at any given time". This is a mechanism. Going down the quota management route, which is part of the objectives, is to do that.

Q29 **Chair:** Some species are not quoted are they, anyway?

Phil Haslam: Some species are not but, for those that are, this is a way of making sure that there is a mechanism to introduce more fishing opportunities for those who don't have sufficient at the moment.

The second point you make, which is an effort-based scheme, which is that you do not restrict the amount of fish you catch but you restrict the days that you can go out to sea. There is an attraction to that. There are thoughts going towards trialling that to see if it works. It is fair to say that it has been trialled elsewhere in the world and it has not always brought the perceived success, because if you start with 180 days of effort, you can fish every other day, great, but when that becomes 18 days you still have the viability issues in terms of this response.

Chair: Carry on, David. I am sorry to interrupt.

Q30 **David Simpson:** Dr O'Brien?

Dr O'Brien: My comment would be that some of the other fishing that you are alluding to is because of single species quotas. We have within the science community and within ICES mixed fisheries models, which the UK has been driving within December councils, certainly for the last three or four years that I have been to. It has tried to use mixed fishery



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models to manage the gadoid fishery down in the south-west, the cod, haddock and whiting.

The Government's 25-year environment plan talks about an ecosystem approach to fisheries management. My interpretation of that is that you are not just looking at mixed fisheries. You are also looking at the non-commercial species. You would move away from setting a single quota to look at: how do you manage the fisheries and the ecosystem in a particular region? The solutions for the south-west may be very different from the Channel and may be very different from the North Sea, but it would be the right tool for the right problem whereas, at the moment, the Common Fisheries Policy has been focused on single species quotas. In a sense, the landing obligation has made things even worse because—

Chair: It is inflexible, basically.

Dr O'Brien: —it is inflexible, yes, and it is not reactive, which is the other issue.

Q31 **David Simpson:** Craig, do you want to make a quick comment?

Dr McAngus: Yes. I will steer away from the science but I think, if we are talking about small vessels, these small vessels are less likely to travel large distances for repair or maintenance or supplies or whatever. They are more reliant on their local communities. From our perspective and our research, we have thought that this Bill and this opportunity—if you want to put it like that—is an opportunity to see how this can be linked up to the regeneration and the sustainability of local communities.

I take on board the environmental and stock sustainability, but there is a social sustainability element here as well and the knock on effect that that can have on local businesses, not just directly associated with the fishing industry but also all the other businesses that work around that, plumbers, bakers, whatever it might be.

Chair: David, are you done with that one?

David Simpson: That question is finished, yes.

Q32 **Mrs Sheryll Murray:** I sympathise with your small boats. Having lost my late husband who was single handed fishing aboard an under-10-metre vessel, I completely understand the pressure they are under.

Could I just ask: would you envisage maybe an effort limitation scheme operating inside the 12 mile limit? Would that have any impact if you had a quota system or a different system for the larger vessels working beyond?

Dr O'Brien: Do you want me to start with an answer?

Chair: Yes, please; whoever feels free to do so.

Dr O'Brien: There is a reference to an effort trial in the White Paper. Because the current system is based on quotas—and internationally we



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will still be trading quotas—we might internally choose to manage a part of the fleet based on effort but the effort allocation initially would have to be linked back to quotas.

My real worry with effort at the moment is that we do not have a full implementation of a landing obligation. As a scientist, I do not know how much effort a vessel requires to catch its quota. All I know is how many days it is spending at sea to essentially land the last fish it can legally land. When the landing obligation has been fully implemented, and we will know what is being caught as opposed to what is being landed, then we will get a better idea of what effort is required to catch those fish so an effort scheme would be sensible somewhere down the line.

Q33 Mrs Sheryll Murray: It will make your science a little bit more precise if you can actually see what is coming in.

Dr O'Brien: I am not sure it will make it more precise. It will make it more robust. When I came into fisheries in the late 1990s, one of my first jobs was to try to estimate the mismatch between what was being landed and what was being caught at sea. So-called misreporting was rife in the fishing industry. That situation has changed dramatically in the last 20 or so years.

Q34 Mrs Sheryll Murray: Fishermen are more open to taking scientists to sea with them now, so they can assess the nature of their catch.

Dr O'Brien: Yes, in 2003 there was a MAF initiative to set up a fisheries science partnership, which is still running, where the industry comes forward with its own proposals for projects. Some of them are around, yes, an activity so they want to try to find measures where they avoid catching small fish and avoid discarding. They work with the scientists but essentially they are fishermen's ideas. They work with us and they work with other scientists in the UK to deliver those projects.

Q35 Chair: Can that be built on, do you think?

Dr O'Brien: Yes, I think it can.

Q36 Chair: It is a bit like farming. Unless you get the farmers to buy into it you do not get the policy to work and if you do not get the fishermen to buy into it, and if it is their own policies to a degree that they have come up with, or their own ideas, and it fits with the science as well, it is more likely that they are going to fulfil the obligation, isn't it?

Dr O'Brien: I think the clauses in the Bill around discard prevention charging schemes are essentially to incentivise that. If fishermen have specific gears that they want to use, or selectivity measures, the ways of avoiding catching fish, they do not have a discard problem, you could have the option of what appears to be over fishing in the short term because you are trialling the new gears and the better ways of fishing and trying to avoid the mixed fishery issues, which I think will have a big impact in the short term. In the longer term, because we are looking at



our own management system for the UK, we have an opportunity to look at an ecosystem-based approach, which the Commission has said an awful lot of nice words about but has actually done very little about.

Chair: It is so complicated with so many countries as well. David, I think we go on to question number 4 now.

Q37 **David Simpson:** Yes, focusing in on the Bill, the Bill largely copies the CFP's objectives. Should there be duties and would there be any drawbacks to that?

Chair: Who wants to start?

David Simpson: Carl, you seem eager.

Dr O'Brien: I am not a lawyer, so I am not sure what the legal interpretations are of the wording.

Chair: There are plenty of lawyers around.

David Simpson: Oh, there is, yes.

Dr O'Brien: From my own perspective, the fisheries' objectives that are in the Bill—in terms of sustainability, precautionarity, ecosystem, scientific evidence, discards and equal access—seem fine. The MSY objective, when I read it as a scientist, "To ensure that exploitation of living marine biological restores and maintains populations of harvested species above biomass levels capable of producing maximum sustainable yield", to me that is FMSY and BMSY.

I know there are some that have read the Common Fisheries Policy and, "Because it specifically says 'FMSY' and 'BMSY', why do we not have the same words?" To me FMSY in laymen's terms is exploitation. It is harvest rate. That is in the Bill. BMSY is biomass levels capable of producing maximum sustainable yield. So we have got it. The only thing that is missing is the date 2020. The UK Government are certainly committed to delivering MSY. Whether 2020 was ever achievable, as a scientist I have my doubts.

If you go back far enough to 2002, the World Summit on Sustainable Development agreed to exploit fish stocks at FMSY and BMSY by 2015, if possible, and 2020 at the latest. The scientific community within ICES was not asked to give MSY-based advice until 2010, and 2010 gave us five years to get to 2015. We are now five years later. I think the situation is considerably better than when I came into fisheries in the 1990s when exploitation rates were very, very high. We moved towards precautional levels. We are now moving closer to MSY levels.

Whether you get all stocks at MSY or you find some way of defining a metric that shows that all stocks are MSY-based on landings or the larger proportion are, I do not think is the issue. I think it is the fact that you need to make a continual progression towards sustainability and ultimately MSY may not be the end goal because, when you start looking at mixed fisheries, there may be some other metric that is far more



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sensible, not just for sustainability of the stocks but also the socioeconomic implications for the fleets. That is something we have not really looked at.

- Q38 **Mrs Sheryll Murray:** The date 2020 stands out for me because we could still be operating under the Common Fisheries Policy—depending on the EU negotiations—up until 31 December 2020. That could very well be why that date is not in the Bill, because we might still be operating under the existing rules up until the end of 2020.

Dr O'Brien: That was my understanding too.

Phil Haslam: If I may, just on the duties, both MMO and IFCA do have duties under the Marine and Coastal Access Act, of which these policy objectives would be the capstone to those duties and telling me the protection and productivity of the marine space and achieving that balance.

- Q39 **David Simpson:** Anybody else want to comment on that?

Councillor Lamb: On that, as Phil said, it is one of the areas that we certainly need to be looking very seriously at how we are going to manage that to the end of 2020 because we can see that some of the effort—what we are saying—needs to change. How are we going to maintain? This is what we need is to make sure that our stock levels, the biomass that we have, and the yield that we are getting from them is sustainable. That means then how do we make sure that we are taking the right fish in the right areas at the right time?

Quite often we do take too many young fish out before they have actually had a breeding season. We can try to limit that. That is very difficult on some of the fish because once they are caught and dragged up they are already going to—

Chair: Especially if they are caught in a mixed fishery.

Councillor Lamb: Absolutely.

Dr O'Brien: I think one of the reasons why to me the North Sea is in a better state than other areas is primarily because of EU and Norway. The European Union has had to negotiate with Norway and, generally speaking, they have had to agree three or four-year management plans. The targets they might agree may have been a long way away from MSY in the beginning but increasingly, over time, they have moved towards it.

If you contrast the North Sea with the south-west, where essentially it is EU management, there has been no agreement on management plans or long-term targets. I think us becoming a coastal state should help us manage our waters in a more sustainable way and have more fishermen as well and fishing industries.

- Q40 **David Simpson:** Just quickly to finish. When you said that the EU has to negotiate with Norway, could you expand a little bit on that? Does it



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mean that Norway has the power and they have to be negotiated separately with them or what is it?

Dr O'Brien: Although ICES provides advice on the main North Sea species, and it provides a total quota, it does not give any advice on the sharing arrangements between countries. Because the EU and Norway need to share the North Sea access, they have to agree not only the quota levels but also the access arrangements.

As part of that, they have generally signed up to three or four-year management plans because trying to agree every year, "What is our fishing mortality going to be for setting a quota?" is a never-ending task. So they basically say, "We will sit down every three or four years. We will agree a plan that says we want to achieve management that is consistent with achieving this particular exploitation rate, this particular biomass", and that is then used as the basis of setting quotas or advising quotas.

Q41 **David Simpson:** That would be done for a four-year period or whatever?

Dr O'Brien: Yes. As an independent coastal state, you could envisage a similar system that we would be negotiating with whoever wants access to our waters, in the same way that we want access to their waters. You would presumably have a three or four-year—whatever is a sensible time horizon—management plan where you are agreeing to exploit the stocks in a sustainable way.

The difference for the UK is that, because we are committed to an ecosystem approach to fisheries management, we would not be looking at the single species management plans that the EU and Norway have. It would be something that is more based around the mixed fisheries and the multispecies.

David Simpson: Yes, that makes sense. Thank you.

Q42 **Mrs Sheryll Murray:** Could I just ask you: there are still negotiations about the amount of fish that can be taken. Even though you have the fixed term management plans with Norway, it still has negotiations for individual annual amounts, doesn't it?

Dr O'Brien: Yes. In the same way that in the Fisheries Bill the UK has set up its fisheries objectives, EU and Norway will have an objective that says, "We want to exploit North Sea cod at a particular harvest rate. We want to achieve that biomasses reach a certain level by a particular date". Within that framework, it will basically tell you how much quota you can take. Some years they might choose to take scientific advice and other years they might choose to take less because you would have to take into account other factors, such as if you had seen something change drastically in the environment or the biology, such as recruitment. If you got successive years of recruitment failure, although the quota implications might be a slightly higher TAC now, you might choose to take less to basically guard against what could happen next year or the year after when the stock starts to decline.



Those are the sorts of management questions that I would hope that, when it is managing its own waters, the UK would have the opportunity to consider those issues that the EU with 28 member states at the moment has difficulties in actually having those discussions because countries want the biggest quota.

David Simpson: That is right.

Chair: Then question number 4, Sheryll, please.

Mrs Sheryll Murray: Right. The Bill replicates most of the wording from Article 2. It says here Article 2 of the CFP. I presume it means the basic regulation. No, we have asked that one, question number 4. It is 5, Chairman.

Chair: It has more or less been covered, hasn't it? Go on to question 5 then, yes.

Mrs Sheryll Murray: We have asked the 2020 MSY question.

Chair: Yes. I have been very generous in how broadly we have managed to ask the questions this morning, Sheryll.

Q43 **Mrs Sheryll Murray:** Absolutely. We are going on to coastal communities, so, Councillor Lamb, you might like to start off with this one.

Basically, fishing is very important to coastal communities and, although the Bill does not include many actions to strengthen coastal communities, what specifically should be done to make sure that those coastal communities that disproportionately benefit from fishing activity can benefit further?

Councillor Lamb: Yes, one of the things I find with coastal communities—where I am at Southend we are a coastal community; our fishing village in Old Leigh is still very much an active fishing village, albeit, mostly for shellfish—and it is so important, is what we need to look at with coastal communities is the support they need to be able to continue in these areas and to diversify from some of the things that they do at the moment. If they just rely on fishing it is very difficult for them because of the way the quota system is.

In Southend we have encouraged the tourism trade. It brings people in because they like to see the fishing boats move. They like to see them loading, especially on the shellfish. They like to try the fresh fish being landed. Rather than going to market and so on, they like to taste it there. It is all these different issues of where it is.

In Sweden I know they have one place where they do 40-odd different varieties of Herring. That is fantastic. We don't have anywhere that I know of that does that sort of diversification. It is: how do we use it and how can we help the communities actually alter and train them?



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It does mean that we also have to look at some of the rates that we are charging, and that is difficult. One of the areas I always have a concern about—which is not always mentioned in fisheries—is some of the boat owners then diversify into angling and they want to take out anglers and angling parties. Some of the angling parties, unless we put a control on them like bag limits or whatever, depending on the species, can take more fish than one of our local fishing boats that go out and catch them.

- Q44 **Mrs Sheryll Murray:** Can I just break in there because very often you will find that the recreational sea anglers will go on board a commercial vessel, but they actually have a commercial licence. Their licence would be subject to the same quota restrictions as, say, a commercial trawler. Are you saying that there are some boats that are not licensed that take out anglers and you feel they should be restricted?

Councillor Lamb: There are always some boats that will do angling because they happen to have fishing rods on board when they go out just doing some boating. They are not licensed angling boats. Licensed angling boats will actually take a licence if they are responsible.

We have put a bag limit on certain stock, such as we can say, “You can only take two fish to bring home. You can catch as many as you like as long as you put them back”. But the thing being, if you are not careful, some of these other boats can well take fish. Skates and rays in the Thames Estuary are ones that we know of. There was a whole void up the east coast of rays and skates all the way up, but in the Thames Estuary there was a glut and they would take them. It is managing that because what we know with skates and rays is that they will not wander too far, but how does that come back to support the coastal communities? There is a business to be had there, but we need to make sure we control it and control the effort.

- Q45 **Chair:** It is how we balance out between recreational fishing and also commercial fishing, because there is an argument that there is a lot of economic gain to be had from recreational fishing. How do you see controlling that?

Councillor Lamb: That is one of the areas. Fresh water fishing is controlled very easily by rod licences and so on.

Chair: I am talking more about sea angling.

Councillor Lamb: If you go back to sea angling, the same tackle shop will do both sides but there isn’t so much control on the sea angling side. Anyone can get a rod. They can go off the beach or they can go off the pier, but it does have a knock on for the economy, which is a good point, in that the tackle shops and all the suppliers, the bait diggers and everyone else, are all having part of that take.

- Q46 **Mrs Sheryll Murray:** Can I ask the rest of you, starting with you, Phil, what account is taken of the amount that is taken by recreational sea anglers? I remember—and it changed I think in about 2002—at one time



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my late husband, when he was operating in the under-10-metre sector, if there was a stop put on him catching cod, for instance, off the south-west, it was illegal for an angler to actually catch any cod at all as well because they were included in the under-10-metre quota management system as far as stoppages were concerned. Do you envisage that there will need to be some sort of restriction placed on anglers like that in future?

Phil Haslam: If you take bass as a stock, which is under active management measures now because it is a—

Mrs Sheryll Murray: Tell me about it. I have photos of bass that my boats are throwing over the side.

Phil Haslam: The fact is recreational sea anglers are playing their part. They have had restrictions placed on them. With a moratorium you can only catch and return. Then they have had very restrictive bag limits placed upon them, so they are playing their part.

Your wider question is: do we know how much recreational sea angling activity in the round takes from the fishery and then that obviously has to be combined with what the commercial sector take from the fishery. There is increasing amounts of evidence—and I think I will defer to Carl here; they are at ICES level—and a dawning realisation that that is quite a bit of activity.

If I may, Chair, going back to the initial point of coastal communities, what coastal communities need is beneficial economic activity. Commercial fisheries are but one part of that. Recreational sea angling I would contend is another. If the recreational sea anglers were here they would be saying that in places their activity and the economic gain based on their activity, outstrips that of the commercial. This is not an adversarial space. All of this can be balanced, but what I would contend is, not only from a fisheries perspective but from a wider use of the sea perspective, to support coastal communities diversity is key. I think what we find within the commercial fishing sector, they are very innovative businessmen there that are marketing it.

I do endorse what John says in terms of the traditions and tapestry here. Aldeburgh in Suffolk, the fact that the boats haul up on the beach and sell their catch right there is attractive. Cromer in Norfolk is the same with the crab boats coming in. That is attractive to people. Where that needs to be preserved that is all off the back of the fishing opportunity and the purpose of the Bill is to increase those fishing opportunities. It is more than just looking down the lens of commercial fisheries. It is the breadth of activity in the sea space.

Q47 **Chair:** Yes. It is almost sort of fitting in the fishing industry in with the tourist industry, not quite exactly but it does have a knock on effect where you go down to the quayside to watch all this going on. Whereas a massive great boat coming in isn't going to cause the same sort of stir, is



it, really?

Phil Haslam: If you look into the wash there is a very productive cockle fishery there; the same in John's area. The uptake of cockles in our country, it is not on the menu very often so there is also that angle of what we catch increasing the marketplace for it so that, for all the hard effort that is put in by the catching sector, there is a market for them to play into. Shrimps and cockles out of the wash, cockles from John's area, is also part of it.

Q48 **Chair:** Craig, can I ask you to give an answer?

Dr McAngus: Sure. I will stay away from the angling aspect. Going back to the points that were made earlier about distribution of quota and how that is done, not just in terms of proportion but the system that is used, and how we tie in this notion of social sustainability or sustaining communities with the environmental sustainability.

I think Iceland is an example worth looking at here because Iceland changed its system. It moved towards an individual transferable quota system, which improved its stocks massively but, at the same time, it had a very, very negative impact on remote coastal communities. It concentrated a lot of wealth and power in the hands of fewer quota holders, and some of the more remote areas saw a decline in their smaller fishing fleets.

It is important to have a think; and I mean this from the point of view of Government and the authorities to really think about, "Well, if this is the system that we are going to put in place, what impact will it have on local communities, not just a few years down the line but 10 or 20 years down the line? What role does Government have in supporting local communities if there is going to be some sort of impact?" In Iceland, for example, they tried to promote tourism in some of these more remote areas. That is all well and good but the types of jobs that tourism often attracts are lower paid and so forth.

I don't have the answer to what that system would be, but it is really important to try to balance off these different types of sustainabilities and try to think, "Who benefits from a future quota system that is put in place if that is the type of system that is created?"

Q49 **Mrs Sheryll Murray:** I know you have mentioned Iceland, but do Norway or the Faroes manage their fisheries in a way that benefits coastal communities?

Dr McAngus: The Faroes have been moving away from a total allowable effort system. There was a big argument between Government, the industry and science and they have reformed their system to move away from that.

In Norway, Norway's fleet I believe has become a good deal smaller than it used to be in the past, more efficient and more technologically



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advanced but profitable, and I think it is now subsidy free or almost subsidy free. That has come at a cost, in the sense that there are fewer vessels and fewer people fishing at sea.

When Norway did that it occurred at the time of fairly strong economic conditions so that was able to be absorbed. So there are a lot of contextual factors that flow into this. It is very important for the Government and the devolved Governments as well, to think carefully about the impact of this and think about the opportunities that could arise from it.

- Q50 Mrs Sheryll Murray:** That brings me quite nicely on to my final question, which is about grant funding. The Bill does introduce powers to introduce a new scheme to replace the funding that we currently see under the European Maritime and Fisheries Fund. Has the EMFF—and I know it has got quite strict rules in some areas—benefited the fishing industry and coastal communities, and could you suggest how, as an independent coastal state, we could perhaps operate a scheme that would perhaps be more beneficial if we could make it more flexible?

Phil Haslam: As the authority that is the intermediate body, we disburse the funds that are passed to England. To answer your question: has it had benefit? I have not seen anything to suggest that it hasn't. The mechanism by which members of the industry can apply for grants, yes, there are obviously boundaries to what can be done but, in terms of if it is to build an ice factory or whatever else or make improvements, all of that is in pursuit of increased efficiency within the industry and increased benefit to the industry. But if I may I think, from the other end, it is the applicants saying what they got out of it.

- Q51 Mrs Sheryll Murray:** When I asked about flexibility, I remember about five years ago I had a Westminster Hall debate where I was promoting the fitting of safety stock buttons aboard a small fishing boat to prevent accidents basically similar to the one that my late husband underwent. Initially, I was told there wasn't any grant funding but the MMO, when they went to the Commission, got permission to be able to include grant funding under the EMFF scheme to assist fishermen in fitting that. I am just thinking that if we do not have to go and ask permission every time we think something is a good idea, like giving grant funding for a safety element, for instance, would that not be better? Would we not be able to operate more flexibly?

Phil Haslam: If we are controlling our own fund there is going to be increased agility within it. The purpose of the European Maritime Fisheries Fund is in pursuit of objectives, so if it is more selective fishing the money is passed to underpin the introduction of gears that would help for that. As long as the broad objectives are stated, of what the purpose of this investment is meant to do—be it fishing vessel safety or whatever—as long as it is within that broad bracket I think you just have to make the case of why this particular capability is in pursuit of that objective.



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But I think the wider point is that, if we own it end to end, there will be agility.

Councillor Lamb: On the EMFF funding system, it has had limited benefit. It has limited benefit depending how big your company is and who is going to do all the bureaucracy that goes with trying to obtain it. For small coastal fishing areas, it is useless. They don't apply for it because it is too bureaucratic.

Q52 **Mrs Sheryll Murray:** You would like to see a more simplified system?

Councillor Lamb: Absolutely. If there was a micro fund or something that was set up maybe administered by the IFCA's if need be, but by a part of the organisation where we can say, whether it is the MMO, whether it is the IFCA, "You can make your grant. It is not so bureaucratic". We can then help fishermen.

When they have to change tackle and gear to go for a target fish it costs them a lot of money. We have a maximum size engine rate. If they have to change their engine because they have bought a new boat, it is a lot of money. They cannot get it. They don't go for the EMFF because they think, "Oh, hang on, I want to go fishing. Why have I got all this bureaucracy to do?" and they don't have the organisation behind them to back it up, so we need something in its place that is far simpler.

The other thing I would just like to say as well, I think we are missing a point from all the development that is going on, not only in the North Sea but around our coast. If you are a terrestrial planner and developing somewhere on the land, you would be expected to put in either funding for grants for the local authority or for section 106s that the community can draw on.

On the marine side, we don't get any grant that comes down from the developer who is making a lot of money from his development. Take all the windfarms and everything else. It might have a national benefit but the local community only benefits while they are developing it from putting extra workers in. There is nothing there to help the coastal communities develop, and I think there is an opportunity to say to developers, "If you are developing in the marine area then you also make a grant to the local communities".

Q53 **Mrs Sheryll Murray:** That is under the Marine and Coastal Access Act, isn't it, marine planning?

Councillor Lamb: Yes.

Phil Haslam: With planning, there are the plans and then there is the licensing of development activities initially.

Q54 **Mrs Sheryll Murray:** Is there a scheme at the moment under that Act that allows for what Councillor Lamb has just explained?



Phil Haslam: In terms of a developer contributing to the local economy, I think there are instances of where that is indeed happening. In terms of when there are particular tensions at sea, and something with the windfarms that you often find is, where the cables need to be laid to connect to the land, a lot of the time it goes through very fertile fishing grounds and there has to be some accommodation made, first, for the development activity, when they have to do all their surveys and everything else and, secondly, to make sure that post all the activity the grounds are fit for purpose again. That is routinely dealt with at commercial fishermen's working groups with the developer.

Going back to the point, if I may, in terms of the uptake of the funds, to balance John's point, which is that it is not fit for purpose, the fund that is available now there has mostly been uptake. There is no lack of applicants and the volume of money that is available is getting used up pretty quickly. In terms of enabling people to access it by breaking down the bureaucracy, one of the main functions of the MMO and with the team there is to step people through that system. Yes, there are necessary checks and balances, because there is money at the end of this, but I would not say it is was impenetrable.

Q55 **Mrs Sheryll Murray:** How do you get that information out there to say you have people who can assist, so the individual applicant or the local authority? How did DEFRA disseminate that information? Because clearly it does not always get fed down.

Phil Haslam: Either through websites, through social media, but how a lot of it gets done: you will be very aware that word of mouth and face to face is what works best within the fishing industry. I use my teams that are based at 14 coastal sites, and I am sure John and the 10 IFCA's do the same and say, "Look, there is an opportunity here. Don't miss it".

When I was running eastern IFCA, if I ever got an email saying, "This fund is open, don't miss your opportunity", my first action was to send it to the leaders of the local fishermen's associations in Wales, wherever it would be to say, "Look, this is an opportunity to do it". I do know there are people out there who will take your application and they will break down the bureaucracy for you and they will do it as a service. They will take your aspiration and turn it into the right words so you can do it. As I said, the fund that is available a lot of it is taken up.

Q56 **Mrs Sheryll Murray:** Moving forward, there is an opportunity now for us to break away from the over-bureaucratic European Union system to something much simpler, user friendly, when we become an independent coastal state.

Phil Haslam: The overall objective of having a fund that supports a viable and developing industry, something to take the weight of those changes that need to be done through a process, I would support that.

Q57 **Mrs Sheryll Murray:** The grant application is not going to just be a rejuvenation of the hefty application that we see at the moment?



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Phil Haslam: I cannot say that, but what it will be is it will be sufficient to cover off the checks and balances. If you are going for lottery funding, you have to go through a certain process. If you are going for any other fund, be it local, national or international, you have to do so.

Q58 **Chair:** Can I interrupt there because I think the tone of the question is very much you have the EMFF there now, so why don't we keep the good parts of that and why don't we change the other parts? Do not forget that this will be a separate fund and a different fund. What we are seeking is ideas, not just is the EMFF perfect—because I do not believe it is—but how can we make it better?

Mrs Sheryll Murray: And more accessible for people?

Chair: Yes, that is right.

Phil Haslam: As you say, to make it more agile, to break down the bureaucracy, but that just needs to be balanced against the checks and balances that will necessarily need to be in place.

Q59 **Chair:** Is it funding the right things at the moment in your view?

Phil Haslam: Yes.

Chair: It is?

Phil Haslam: In pursuit of the objectives that are set down. This money is there to—

Q60 **Chair:** What improvements would you like? It is interesting about European regulation. It is the same in farming. Everybody complains about them and then when you say to them, "What would you like to put there instead of it?" they all go remarkably quiet. I am not knocking it, but I cannot see it as perfect. What else would you like a fund to do to build on what is going on there now?

Phil Haslam: Potentially, I am the wrong person to ask because it is for the applicants to ask that question. I have not seen a volume of complaint to say this objective, where this money is in pursuit of, is flawed and wrong.

Dr O'Brien: If I could comment, the Fisheries Science Partnership is obviously funded through DEFRA. We work with the fishermen and with fishermen's ideas. We have similar projects that are funded through EMFF, where the fishermen have ideas they come forward with on what they want to do and work with science and also work with the MMO. They have been very successful in things like training and safety courses and also for gear trials.

The criticism of the EMFF has been that it is very bureaucratic. It is not the lack of ideas. It is the fact that the EU mechanism or machinery for receiving those grants is quite cumbersome. There are also some quite strict limitations on how you reclaim costs. You cannot reclaim all costs.



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You can reclaim a percentage of the costs. That also limits whether fishermen and local communities get involved.

Q61 **Chair:** That could be looked at, you think?

Dr O'Brien: Yes.

Q62 **Mrs Sheryll Murray:** That is what I was trying to get to. There could be a lot of improvements, which would focus that money in a better way?

Dr O'Brien: Yes, the mechanism for managing that money and the constraints on the applicants. We are not short of ideas and the industry is not short of ideas, and neither are the local communities. It is the mechanism whereby they are funded or partially funded, and it is the partial funding that causes them problems.

Q63 **Chair:** That is very useful. That is what we were trying to get to, thank you.

Just before we leave these questions, there was part of question 4 that I do want to put to you. The Bill implicates most wording from Article 2 of the CFB but not the CFB's commitment to achieve an MSY level expectation of fish stocks by 2020. Does this have any implications for managing shared stocks with the EU and other coastal states? I would just like to get that bit in if that is all right, Sheryll. Carl, you probably ought to have a stab at that one.

Dr O'Brien: I thought that Sheryll and I sort of answered the question together earlier on. I think that the answer is that, regardless of whether there is a date there or not, coastal states are looking at management plans or are managing their stocks in an approach that is consistent with MSY. Depending on whether it is Iceland or the Faroes or Norway, they may or may not be wedded to 2020. They are more wedded to the idea of making gradual progress, and as long as things are moving in the right direction that is fine. That is the view that the UK should probably take and has been taking in the past.

Q64 **Chair:** Not get fixated by a particular date on this one, you think?

Dr O'Brien: I think that it is one of those dates that sounded nice in 2002. As 2020 gets closer it has just been—

Q65 **Chair:** When you are in 2018, nearly into 2019, it is not quite so credible?

Dr O'Brien: Yes. The way that the World Summit on Sustainable Development agreed its objectives and the way the Common Fisheries Policy agreed its objectives, in terms of MSY as a target, was sensible. As a scientist, I was never asked and ICES was certainly never asked, "Is 2015 achievable or is 2020 achievable?" If you had asked the question, the answer would probably have been no. Is 2025 achievable? For all stocks, probably not. 2030 might be. The important thing is not the date. Don't get fixated on the date. It is the gradual progression that is important and we will be moving to a new management system.



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Q66 Mrs Sheryll Murray: Can I just come in and ask very quickly: presumably, it is an ambition of the regional councils as well to improve that. I notice there is nothing in here that talks about the regional councils, like the North East Atlantic Fisheries Commission, which we will be participating in even when we are an independent coastal state.

Dr O'Brien: You probably know the words of the Bill better than I do, but I am not sure whether there is a reference to multi-annual plans in here. Obviously, the EU has been developing multi-annual plans in the North Sea and down in the south-west. The UK's vision in terms of an ecosystem approach to fisheries management will have some form of multi-annual plan as part of that, but it will not just be the simple plans that the EU has and it will not be focused just on commercial species. It must be focused on some of the non-commercial species and some of the very sensitive species we have for biodiversity purposes. It will be a different sort of plan.

Chair: We are joined now by Alan Brown from Scotland and, Alan, you are going to ask question 7, please.

Q67 Alan Brown: I am from Kilmarnock, by the way, not just Scotland, and apologies that I was late. The Fisheries Bill extends protection of the marine environment. Do you have a view whether that protection is going to be strong enough?

Chair: Go on, Carl. It never pays to hesitate, always go for it.

Dr O'Brien: You have to read the Bill in the light of the Government's 25-year environment plan and the White Paper. I think that collectively there is enough protection in there. On the fisheries side, as we said before, is the ecosystem approach to fisheries management. On the environment side, there are ecosystem and environmental ways of managing the system. As part of the EU, we have been developing methods and leading some of the work under the Marine Strategy Framework Directive. We obviously will not be subject to that in the future, but we used to have a national assessment of our seas, Charting Progress 1 and Charting Progress 2, before MSFD.

I think that there is enough legislation within the devolved Administrations and their Governments to provide protection for the marine environment and also allow us the possibility of linking it with fisheries, which I think is one of the failings of the European Union. They have kept the Common Fisheries Policy very independent from the Marine Strategy Framework Directive. You cannot manage one without managing the other. They need to be intimately linked, and that is how I see this going forward. We have a 25-year environment plan, the White Paper and the Fisheries Bill and they will all deliver that protection.

Q68 Alan Brown: You keep referring to the White Paper, but the White Paper is just aims and aspirations. Are you still confident that there is enough in the Fisheries Bill? That is actual legislation. As I say, the White Paper just sets out the aims pre-Bill.



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Dr O'Brien: The 25-year environment plan is linked to the Fisheries Bill as well, so the two together would deliver the right protection. That is my view, anyway.

Q69 **Chair:** You believe that is in the environment plan, then, do you?

Dr O'Brien: My reading of what is in the 25-year environment plan picks up on the environment and ecosystems and the links with the ecosystem approach to fisheries management.

Q70 **Chair:** It is just to make sure that Government do make that link, basically.

Dr O'Brien: In here, isn't there a need for annual statements from the Secretary of State? I would assume that as part of those statements that linkage would be made more explicit.

Q71 **Chair:** I do not think they are annual, are they? I think that they are every four or five years, which I do not think is enough. I am advised that there is an issue statement and a six-year review.

Q72 **Phil Haslam:** The aspiration as with the objective is then, in terms of the operational delivery of it, between the IFCA and the MMO we have put in marine environment protection since 2012 in terms of bylaws to protect species or habitats or whatever is necessary to give effect to that. That is a process that is ongoing. Within the Bill is an additional empowerment of the MMO to take our remit further out to the 200 miles. I would contend that this is something that we are already doing. There is more to be done, but the commitment to protect the marine environment through the 25-year environment plan and endorsed by the Bill is there.

Councillor Lamb: I fully support what Phil says. If you look, from when they were formed, the IFCA took on a much greater environmental role and duties. They have been increasing and, in fact, we have seen them grow stronger as we have worked much closer in that marine environment with all the actual scientific areas and Natural England and so on. We do certainly nought to six miles for the IFCA but we also help the MMO when it goes over the six miles to 12 because some of our MCZs and so on stretch out over the six-mile limit. We still maintain and monitor and work with those to encourage and that is where we make sure that the fishing effort does not damage those areas. In fact, it helps them and encourages them. We use that, working with our scientific colleagues, to make sure that they are going out to give us how we are managing that area because it is an area that is under constant management.

Dr McAngus: Taking a step back and thinking a bit more broadly, going forward what is unclear to me, looking at the Bill, is that there is a lot of detail in some areas but in other areas there are obviously gaps. What are the relationships between the different parts of the industry and the institutions that are there to support them going forward and how can these things be improved, the relationship between the scientific



community, broadly speaking, the industry itself, the management authorities and so forth, and getting to a situation where the different pieces of that are working together in tandem?

We are not in a situation, like when I was talking about the Faroes earlier, where science and the industry are at loggerheads because science is saying, "We should not be fishing like this because it is very bad for the environment" and fishermen are saying, "No, it is fine because we see there is plenty of fish". These two things can be married, if you like, so there is an element of trust and co-operation.

Taking what Iceland and Norway have managed to do, this is not to say that the relationship between these different parts is harmonious all the time, but there is trust there. There is trust between Government and science, between science and industry, between industry and Government. Going forward, we should try to move towards a situation where that culture is in place, a culture of co-operation and consensus as opposed to science as the kind of thing that is done to us from the point of view of a fisher. How you do that I don't know. It is difficult, but I do not think it is impossible.

We were talking earlier about taking scientists on board boats. I know that they have been using technology on board fishing vessels—this is way above my pay grade—to almost use fishing vessels as scientific vessels in their own right, bringing back data to help scientists. That co-operation is there and fosters that culture of co-operation.

Chair: Yes, I think that is very good. Alan, anything else?

Q73 **Alan Brown:** This is for John. He touched on this slightly. Does the Bill provide enough clarity about the roles of IFCA and the MMO in terms of the marine environment?

Councillor Lamb: Could you just repeat that? I missed it.

Alan Brown: Do you think that the Bill provides enough clarity about the roles of the IFCA and the MMO in terms of the marine environment?

Councillor Lamb: One of the things is that we are going to grow even more on to the marine environment overall because we are very much looking at stock control as well. We are looking at how we are managing those seabeds and areas and putting in protection for certain ones. We have some chalk reefs that we safeguard. We do not want dredging. We won't allow trawling because they are set areas. Where we identify those areas, we are growing and we need better controls. If we need to do those, we will go to DEFRA to say.

Certainly, we work with the MMO very closely and, as Craig mentioned, we take scientists out on our boats and we use side scanners and so on so that they can get information. We work with Cefas, and anyone else who wants to come out we will work with.



Q74 **Alan Brown:** I suppose the key thing is: does the Bill provide enough clarity about the different roles?

Councillor Lamb: No, it doesn't. IFCA's, if you look at the Bill, are not mentioned at all. That is where the IFCA has a really important role to play, especially in the nought to six mile, and we can help in the six to 12 mile as well because we have vessels that can go out that far. This is why I say we can help manage that area, but they are left out of the Bill. It is a shame, I think. It is an omission that needs to be corrected.

Phil Haslam: The duties of the IFCA are explicit in the Marine and Coastal Access Act, similar to the duties of the MMO. What the Bill establishes, which is the objectives, the aspirations and the broad direction of travel, for the delivery of that at the operational end I think that the MMO and the IFCA's work closely together now. The report into the operations and conduct of IFCA's of 2014 and, similarly, the triennial review of the MMO said that we had to get closer together because we weren't there. We have worked very hard over the last three years to get ourselves into a position where we are routinely co-operating where our worlds interact. Going forward, from an MMO point of view, am I clear of what I do and what the IFCA's do? Yes, I am.

Chair: Okay. David now, please, question 8.

Q75 **David Simpson:** The Bill proposes to introduce a discard charging scheme. Is it likely, in your opinion, to be effective and have other countries introduced it? If they have, has it helped to reduce the discarding?

Chair: Phil is starting to nod there. It is no good to nod and not say anything, so off you go.

Phil Haslam: No, I am quite happy to. The discard charging scheme or the prevention charging scheme is basically a choke mitigation measure. You will be aware of the landing obligation, which becomes fully applicable in January 2019. Within that, there have to be some mechanisms to enable the regulations to be workable, and this is one of the mechanisms that could be used in order to disincentivise the need to discard. If you have 100 kilograms of a certain species and you have caught 130, you bring it in but there is a charge to make sure there can be no financial gain but equally no proceedings in terms of enforcement for doing that activity. It is one of a number of mitigation measures that have been considered.

The difficulty is that if it becomes an habitual thing there obviously has to be a way of paying down that amount of fish because that fish has to be accounted for in some way or some form. This is part and parcel of the development of this idea is to say in theory this is a mitigation measure. In operability terms, how are we going to bring it to life?

Q76 **David Simpson:** Is it in operation in any other country?



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Phil Haslam: I am not aware of it being in operation. Norway enacted a landing obligation, but I do not know what mechanisms they have to underpin it.

Q77 **Chair:** Sorry to interrupt, David, but the thing is it is almost essential that that fish comes back. If at the moment it is being discarded, some species do recover but a lot do not when they are discarded. It is already being taken from the sea so, like I said, it is essential. As far as I can see, you must not incentivise fishermen to go and catch what we do not want them to catch. They have to have recompense for fuel for bringing it back but they cannot really make a profit out of it. I think that is going to be the trick, if I may say so, when reviewing it.

Dr O'Brien: The Republic of Ireland introduced a scheme a few years ago, which was for the pelagic fleet. Some of the boats were catching slightly more than their quota. The way the system worked was that initially you get a very small fine. If you habitually reoffend, essentially the fine becomes so large it is not worth your while fishing for the fish.

I agree. There has to be a gradation to the charging. Initially, you want it to incentivise changes in fishing practice and change in certain activity, and I think that is what the intention is with the Bill. If you have fishermen who are trying to pretend to do that but in a sense are flouting the law, then the charge should be sufficient that it is not worth their while to go fishing. Essentially, it is a penalty. It moves from being an incentive to being a penalty.

Q78 **David Simpson:** Has that scheme worked in the Republic of Ireland?

Dr O'Brien: I haven't heard that it has not worked.

David Simpson: No, I have not heard that either.

Chair: That is a politician's answer.

Dr O'Brien: Looking at the ICES assessment, I am not aware that there are large amounts of fish being discarded or that would have been discarded so the quotas are being honoured.

Q79 **Chair:** But are they discarding it before they bring it home? That is the thing.

David Simpson: Absolutely. I was going to say that.

Dr O'Brien: I do not have any evidence.

Q80 **Mrs Sheryll Murray:** Can I ask where any financial benefit would be invested if you operated this scheme? Would it perhaps be invested in better science? Would it be invested in the development of more eco-friendly, sustainable, fisheries-friendly gear? Can you see that this may be a way of the industry helping to fund better gear so they did not have to discard this much fish, so they did not have to land it?

Dr O'Brien: I think that Phil mentioned choke mitigation.



Phil Haslam: Yes. In terms of answering your question, I am not close to the detail, but all of those things that you suggest would be logical.

Q81 **Mrs Sheryll Murray:** It seems sensible.

Phil Haslam: It may be that it links back to the fund that we have previously spoken about, but I am not in a position to be able to comment on the detail.

Dr O'Brien: The way I view it is that because there will be a choke issue and there will be problems implementing the landing obligation in the short term, this is a solution that will allow boats to carry on fishing rather than fleets to be closed down quite quickly.

Q82 **Mrs Sheryll Murray:** Do you think that this would be better than the way the boats are going to have to operate from 1 January 2019—I know in my constituency—until the end of the implementation period on 31 December 2020, which is the EU system?

Dr O'Brien: I think that this is preferable because in a sense for those fishermen who are already using good practices you are incentivising them to carry on. At the moment, what incentive do they have?

Mrs Sheryll Murray: Absolutely.

Chair: Good answer. David, do you have anything further?

David Simpson: No, it is fine. I have finished, thank you.

Q83 **Alan Brown:** I am on the Fisheries Bill committee and yesterday we heard some evidence from a fisherman. He was apoplectic about these proposals. I am just wondering and just putting it to the Committee: do you think that the Government are going to have the capability to assess fairly what the true cost to fishermen is of landing these extra fish? The idea is that they are not penalised but they recover costs. Do you have any faith that that can be done fairly and equitably from a Government perspective? The charge was also made that if the fish are landed effectively free, as it were, how do you stop the processors and the subsequent supply chain down the line making money out of what is free fish landed by the fishermen?

Dr O'Brien: To me, that sounds like you do not quite understand what the discard prevention charging scheme is meant to achieve. Under the landing obligation, all vessels will have to land their catch, so the cost of landing discards is essentially their problem. If they choose to fish in such a way they do not catch small, undersized fish, they do not have a discard issue and they are not wasting their time fishing for something that is not saleable.

The discard prevention scheme is that, once the landing obligation has been implemented, if you carry on with the single species quotas you will very quickly find out that some fleets will have to stop fishing possibly midway through the year. The only way to avoid that is to have some mechanism where we know what is taken out of the sea. You do not want



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to penalise them; you want them to co-operate and provide data. This is a scheme that will incentivise them not only to provide their data but if they have good ideas—and they could go to the EMFF for funding for gear selectivity—on ways of avoiding catching or even fishing in certain areas at certain times of the year or avoidance measures, then they can trial those and they will get the benefit from it.

Q84 **Chair:** He might have got the wrong end of the fish or the wrong end of the stick?

Dr O'Brien: I am surprised that the fisherman was apoplectic.

Councillor Lamb: I can understand in some ways. If you take—

Q85 **Mrs Sheryll Murray:** Some fishermen have been introducing square mesh panels in their trawls for a very long time.

Councillor Lamb: There are various options.

Phil Haslam: They have taken strides to secure the sustainability of the stocks, which is the bedrock of the whole industry. If you do not have fish—

Councillor Lamb: I can understand fishermen get very upset about this and where it is, especially if they think they are going to be charged for bringing in fish. We can make sure through technical measures and so on—especially in a target fishery—that you can target that fish and you can release to some degree, not totally but to some degree, the fish you are not out there trying to catch.

In a mixed fishery, it is very difficult but this is where, as Carl said, we do need to develop these areas to say what technical measures we need so that we can put that in place and to help the fishermen to change so that they are only catching the fish that we want to land, not everything. It is very difficult when you are out there and you cannot see; you are just dragging everything up and you land it. The pelagic fleet have CCTV cameras and everything else. You cannot put those on under-10-metre boats to some degree. They are looking at ways to do it, but how can you control that? The last thing you want is them putting back.

I do think as well that the Common Fisheries Policy has not helped because other countries are not as keen as we are to make sure that the discard ban, as we put it, or the landing obligations are enforced. Things do go on and this is what upsets people when they think, “Why are we being discriminated against under the CFP?” That will not happen when we are on our own, but we do need the measures in place to make sure that fishermen are given at least an equal chance to catch the fish they want to catch.

Q86 **Chair:** Yes, I think that is a good point. On this question, are there other measures that other countries have introduced, other than a charging scheme, or other approaches? I know net sizes, net shapes, all of these



things are all part of it, but to reduce discarding is there anything that stands out to any of you as witnesses that might be quite a good idea for us to consider?

Dr O'Brien: The UK has a very good scheme down in the south-west, a spurdog bycatch avoidance scheme, where the fishermen are collaborating not just with Cefas but with the MMO and the local IFCA to make sure that they do not catch spurdog. By avoiding hotspots of those species they can fish in other areas. The industry is quite creative itself in coming up with ideas.

Q87 Chair: That fits back into this idea of more science and more fishing-based science and the fishermen co-operating with the science in order to try to nuance these things.

Dr O'Brien: The avoidance scheme initially was proposed by the Cornish FPO. It was the Cornish fishermen themselves who realised there was a problem. Fishermen do not like killing fish and dumping them. They catch fish to sell and to land for human consumption. Spurdog is one of those species that you can fish in areas and not catch any, but they aggregate. They form large shoals and, if you happen to be unfortunate enough to pass your net through a shoal, you can catch tons of them, all of which in the past had to be dumped. With this bycatch avoidance scheme, they are still allowed to catch a small amount but essentially they have a traffic light system and the seas around the south-west are coded in such a way that they avoid those large catches. If you ask the industry, it can be quite creative in ways of mitigating discards.

Q88 Chair: I know that as far as the public are concerned and as far as fishermen are concerned, it has been the discarding of fish that has been so emotive. You think that in many ways we are probably as advanced as anybody on it, do you, or are there other ideas that you know of across the world?

Dr O'Brien: From a science perspective, I think that the UK is ahead of the rest of the European Union and the world. There is a new tool; is it called Gearing Up?

Phil Haslam: Yes. In terms of development of technological solutions to implement this objective things, such as remote electronic monitoring, which is CCTV cameras on board vessels, and similarly sensors on gears so you can tell when a gear is operable or inoperable, all play a part. In terms of whether we are leading on that, we have had a trial in the North Sea for the last seven years, a fully documented fishery there, to make sure that we are on the front foot in terms of this. In answer to your question, yes, there is a lot being developed but we are certainly up with the pace, if not leading that.

Chair: There is a moment now—a bit like in changing the farming policy, changing the fishing policy—that we carry on with what is right within the CFP management but we have a chance now to change it quite dramatically, hopefully for the better. This is very much what our inquiry



is trying to look at, so I appreciate that. Sheryll, question 9 and that is the final one.

Q89 Mrs Sheryll Murray: Yes, the final one. The Bill proposes delegated powers to ensure a responsive fisheries management system. It is hoped that it will be a lot more responsive than we have seen under the Common Fisheries Policy. Some respondents to our inquiry have suggested that those delegated powers need to have some form of formal consultation. How do your organisations currently work with your partners?

Councillor Lamb: I can kick off on that from the IFCA side. Quite often we are working with industry. We talk to industry. We have regular meetings. If we are looking at changing a bylaw, we will not just change the bylaw we will go out and talk to them, "What is happening on the ground? How will it affect? What are those effects? How do we manage that?" We will bring that into the administration and we will work with that. We do work with the MMO on that.

Q90 Mrs Sheryll Murray: Can I just ask how long that consultation takes? I am thinking that if, for instance, we see a lot of haddock on the ground we may need to introduce an emergency uplift to accommodate that. How long does your consultation on a bylaw take? If we wanted to introduce emergency measures, then very clearly we could not go through a year's consultation.

Councillor Lamb: No, exactly. Ours would not take a year, but in my mind it is still too long. It is some of the things that we need to do, and we need to do it quickly to deliver it. We do very quickly call meetings. We can do it within literally a month or two and be up and running and move. Once we have agreed where we are moving, then writing it and moving it forward is a bureaucracy that ties it down trying to get it through. We can do an emergency bylaw if we find something that is totally different. We can bring that in straight away nearly. Literally, we can do that and then go through the rest of the process. That could take the extra time, but as long as we have a process we can immediately start putting it in place.

Q91 Chair: Yes, almost like an appeals process, bring it in and then—

Councillor Lamb: Absolutely, bring it in and then we can move it forward.

Q92 Mrs Sheryll Murray: Dr O'Brien, what is your view on the delegated powers?

Dr O'Brien: It depends whether you are talking about quota or non-quota species and whether it is finfish or shellfish. I could see that for shellfish species, which up until now we have essentially managed ourselves, the delegated powers would be fine. Where I have a slight concern is the issue you have just raised of haddock. If you think of haddock in the North Sea or haddock in the Celtic Sea, they are assessed internationally. If the UK were to want an uplift, I do not know how the



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delegated power would work. In a sense, it is not within the UK's gift to decide whether it can have an uplift because you would need the scientific community to agree.

Q93 Mrs Sheryll Murray: We are looking at it in the context of the overall quota management of the UK's allocation. Basically, if you were going to have these delegated powers, maybe the MMO or DEFRA would have to keep a reserved pool in order to accommodate any emergency uplift.

Dr O'Brien: Given that we have not done that in the past and the Common Fisheries Policy has not required us to do that, it would be quite difficult to do it.

Q94 Mrs Sheryll Murray: No, you would normally do a quota swap within the EU, wouldn't you?

Phil Haslam: If that is the path we seek to go down, it is doable. You asked the question: how do we do it now? Through dialogue, basically. The strength of the IFCA model is the authority is made up of a cross-section of stakeholders so the executive decisions made by the authority reflect the fact that there is input there, where the MMO at the national level right now is enforcing the Common Fisheries Policy, so we are just putting in place the rules.

Even doing that quota management, how do we do quota management? We go out and we hold clinics. We assess with individual groups of fishermen what works best and how we set this fishery up for success. We do not always get it right, but we endeavour to have that dialogue of, "Don't give us cod in month X because we know it is not running through". I have a team of people who do this, one in particular who spends his days going around assessing and balancing the requirements here. I think that we just continue that activity.

It goes back to the macro level, when we can get to a strategic partnership between policy, regulator and the industry where we are continually talking, because the regulations that work best are the ones that are understood at the first instance and support the viability of business models. You get compliance because people get why they are doing it and they don't have to try to operate outside the rules. Then you get the efficiencies of the system and you get everyone rowing in the same direction. That for me is the trajectory we are on. We are already doing that now with the landing obligation in terms of landing that and as we get to these other points of operability of policy we are going to have to have similar discussions.

Q95 Mrs Sheryll Murray: Craig, could you give me some idea as to what Norway, the Faroes or Iceland do?

Dr McAngus: Sorry, no, I would have to get back to you on that one.

Q96 Mrs Sheryll Murray: Okay. As they control their own waters already, it would be interesting to know how they implement any emergency



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measures. For instance, do they have a consultation system?

Dr McAngus: Sorry, I misunderstood the question. Yes, I know that in Norway, for example, they can shut down grounds very quickly.

Q97 **Chair:** Within 24 hours, I think.

Dr McAngus: Yes, it is very quick.

Q98 **Mrs Sheryll Murray:** The Government or the fisheries department has autonomy where they can make moves and they do not have a consultation system?

Dr McAngus: No, because it can happen in a matter of hours, as was said.

Phil Haslam: I think that we need to distinguish between the making of formal bylaws, which is the process that John mentioned, and then dynamic fisheries management measures that need to be taken.

Mrs Sheryll Murray: Absolutely, and emergency measures, yes.

Phil Haslam: They can be offered as licence conditions. We already have that process where if something changes we have the dynamism. Most things are sent out by text, as I say, "X has changed" and therefore that mechanism is in place. I think that we just need to build upon that existing behaviour within the bounds that we operate now. If we have greater licence, greater latitude, and we want this agility, we can move with that.

Q99 **Mrs Sheryll Murray:** This is why my question mentioned the delegated powers to ensure a responsive fisheries management system. Some people have said that they felt there ought to be a formal consultation, but sometimes that is not practical, is it?

Councillor Lamb: No, and it is sometimes too long if we go through that.

Q100 **Chair:** Craig, can I come back to you on countries other than Norway? Are there any other emergency management systems and things that they bring in very quickly in Iceland or the Faroes? Do they then consult afterwards or what?

Dr McAngus: Iceland has a very interesting system. They obviously run the ITQ system, which we mentioned earlier, but the way they manage it is their fisheries directorate, which is separate from Government—they are the fisheries management authority—when fish are landed at ports they are weighed and that data is then fed into a real-time management system, which is available—

Q101 **Chair:** When you say "weigh" is that per species or total weight?

Dr McAngus: Yes, per quota. A boat will be allocated X amount of quota for cod, say, for a year, and then what is caught there then is checked off against their overall quota. They can then share and buy each other's



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quota. If they need more cod quota, they can buy it off someone else, et cetera, or within an overall national quota.

Q102 **Chair:** I suppose they have a very large quota?

Dr McAngus: Yes, but the interesting thing about that system is that because it is real time there is always a scientific output. You have a consistent monitoring of what is being landed all the time. You can check whether or not cod seems to be getting smaller or a certain species seems to be getting bigger. You always have that—

Q103 **Chair:** I see, so they check the weight of it but also the size of it?

Dr McAngus: Yes, it is not just to do with quota. It also has that wider monitoring. In terms of the emergency measures that they then take I am not entirely sure, but as we talked about with Norway, they have a very quick response of closing down grounds.

Q104 **Chair:** Very interesting. Anything in the Faroes?

Dr McAngus: Not that I am aware, no.

Chair: All right. Gentlemen, are there any last thoughts that you may have? It has been a really good session. It has been very thought provoking, which is what we wanted. You are most welcome to say now, but if you suddenly in a blinding flash when you leave here decide there is something else you should have said, please let us have it in writing. The whole idea of what we are doing with the Fishing Bill is we are following it as it is going through Parliament. We will then do a report on the Fishing Bill before we get the Third Reading, so the evidence that you give today will very much make part of our recommendation in that report. It may well lead to one or two amendments that we may put down as a Committee as well, so I thank you for that. We appreciate your time, and it has been a very good discussion this morning. Thank you very much.