

Dear Committee members,

Thank you again for the opportunity to attend the roundtable and give our views on the Clyde Cod SSI.

Please find below a summary of our assessment of the Clyde Cod SSI against statutory and policy obligations and our recommendations.

[UK Fisheries Act 2020 – Section 1 Fisheries Objectives, in particular Sustainability Objective and Bycatch Objective](#)

The Fisheries Objectives require that fisheries must be managed so stocks are restored and maintained at sustainable levels in the long term, and that bycatch is avoided, reduced and recorded. Against these Fisheries Objectives, the SSI does not materially reduce the main source of fishing mortality on cod, nor does it introduce bycatch reduction measures.

[Joint Fisheries Statement \(JFS\)](#)

The JFS provides further guidance on how to deliver the Fisheries Objectives from the UK Fisheries Act 2020, including reducing unwanted catches and, specifically, committing to ensuring that fishing opportunities are allocated in ways which must incentivise selectivity and lower environmental impact. The SSI does not incentivise selective fishing or require changes to practices causing bycatch. By restricting creeling and by not properly incentivising any change in trawl, the obligation is not met.

[Scotland's Fisheries Management Strategy 2020–2030 \(Future Fisheries Management\)](#)

The Scottish Government's own strategy states that the Government will deliver on the Fisheries Act objectives through evidence-led, integrated management, tackling discards and supporting low-impact fishing. Fisheries Act 2020 (s.1(5)(c)) requires that *“the management of fish and aquaculture activities is based on the best available scientific advice”*. The Future Fisheries Management Strategy 2020-2030 states that the Scottish Government *“will always take an evidence-based approach”* by *“fully utilising the data and knowledge available at all levels”*. The SSI proceeds despite acknowledged evidence gaps and does not align measures with identified pressures.

[National Marine Plan](#)

Objective 1 - Fish stocks are harvested sustainably

Objective 8 - Tackle discarding through the avoidance of unwanted catches

General Policy 9(b) - Development and use of the marine environment must not result in significant impact on the national status of Priority Marine Features.

General Policy 9(c) - Development and use of the marine environment must protect and, where appropriate, enhance the health of the marine area.

The SSI does not address the primary cause of unsustainable exploitation, and adds to instability and no discard or bycatch mitigation measures are included. On the whole, there appears to have been no assessment of this SSI against the National Marine Plan, which would be a breach of the legal obligations established in [Open Seas vs Scottish Ministers](#).

Conclusions and recommendations

- The SSI does not meet statutory or policy obligations because it fails to address the known cause of cod mortality.
- It claims to want to address data gaps, which should always be welcomed. However, the precautionary approach mandates the need to act on the evidence that is already available which already tells us what actions are needed.
- Data on what bycatch is caught where is required under the 2020 Fisheries Act, this is not happening. That data would inform where and when to target action to avoid bycatch hotspots.
- What is required is bycatch-focused, evidence-led management that aligns with the Fisheries Act, the JFS, and Scotland's own strategy.
- There appears to have been no assessment of this SSI against the NMP, which would be a breach of the legal obligations established in Open Seas vs Scottish Ministers.
- Disparity in evidence standards demonstrates a bias towards trawlers, especially considering the reluctance to speak about restricting trawling or lifting the ban on creeling. Evidence-led policy has become policy-led evidence.

As parliamentarians and stewards of legislation, the Scottish Government and Marine Directorate is repeatedly failing to do what has been asked of this committee.

We are happy to provide more information if need be.

Thank you for the opportunity once again.

Rea

OpenSeas