

Inshore fisheries

Witnesses

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- Sheila Keith, Executive Officer, Shetland Fishermen's Association
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Coastal Communities Network submission

The Coastal Communities Network welcomes the Rural Affairs, Islands and Natural Environment (RAINE) committee's investigation into issues affecting Scotland's inshore fisheries.

The Coastal Communities Network (CCN) are a coalition of community-based organisations that want to see a stronger community voice in the planning, management and conservation of Scotland's coastal and marine area. With 21 members from across the coastal and island areas of Scotland the Network aims to bring together and support community-led efforts to protect, restore and sustainably use coastal and marine resources for the benefit of nature, people and climate. Each member group is rooted in a place-based community and encompasses a broad constituency of members and supporters.

CCN members want to see a recovered, healthy and productive marine environment that enables sustainable marine-based activities and supports community-based enterprise and well-being.

CCN wishes to make this written submission to the evidence session to bring to the Committee's attention some of the over-arching issues relating to the inshore fisheries sector and how these might be addressed from the perspective of CCN members.

1. Fishing industry pressures

CCN recognises that the fishing industry, along with many other businesses, is facing very challenging times. The loss of overseas trade markets and financial impacts as a result of Brexit and the Covid-19 pandemic have highlighted the implications of such wide-reaching events. Whilst such widely impactful situations are generally rare, the likelihood of extreme events due to climate change is set to increase and the potential for other far-reaching global events mean that we need to be prepared for change in the future.

The loss of overseas markets through Brexit and the pandemic highlighted limitations of the domestic fisheries supply for markets within the UK. This is identified within the SPICe briefing paper that notes that we import much of the seafood we eat.

Abundant stocks of fish and shellfish once present in Scotland inshore waters now no longer exist. Improving resilience of fisheries in Scotland is in everyone's interests. This requires addressing the state of the underpinning environment and health of essential fish habitats, and working to recover a greater diversity and abundance of fish and shellfish stocks that can support a more sustainable fishing industry.

2. Science

Decision-making needs to be based on the best available data and science. Whilst there are data gaps and a need for improved long-term monitoring of certain aspects of fisheries and fish stocks, there is already sufficient information that should be being used to inform fisheries management decision making but which isn't currently being applied. For example:

- There is sufficient information on the relative impacts of different fishing methods to justify restricting the spatial extent of bottom trawling and dredging in inshore areas.
- There is good evidence that demonstrates the benefits of proper protection for marine areas to recover seabed habitats and marine life that are essential to underpin sustainable fisheries and enable ecosystem recovery.
- Research undertaken by Marine Scotland that identifies the opportunities for improved productivity and employment from transitioning to an inshore limit prioritising lower-impact fisheries.

There needs to be improved co-ordination and transparency in survey, research and monitoring programmes and sharing of data and information. There are opportunities for this to be pursued at a regional seas level, but this requires greater government support for such an approach and involvement of all relevant Government agencies.

CCN members are involved in a number of survey, research and monitoring programmes within their local areas. Fishermen, coastal communities and the wider marine community have a key role to help provide marine data, as is recognised within Marine Scotland's MPA monitoring strategy. There is need for improved support for these groups in terms of funding, training and data handling, and engagement from government over the data that is collected.

There is a need for improved long-term monitoring to improve the evidence based for fisheries management including: improved information on location and intensity of fishing activities, the status of fish and shellfish stocks, and the condition of supporting habitats and ecosystem function.

3. Sustainable fisheries management

a. Impoverished state of Scotland's inshore waters

Fisheries need to be supported by a healthy, diverse and productive marine environment. Currently in Scotland we are failing to meet environmental targets and failing to address damage to our seas; Scotland is far from achieving Good Environmental Status (GES) for its seas. All indicators for the health and biodiversity of Scotland's inshore waters show continued decline - seabed habitats are being lost and further degraded and fish stocks have been lost; the recent Scotland 2020 Marine Assessment provides evidence of this decline.

Fisheries management needs to address the degraded state of Scotland's inshore waters. Pressure from fishing is recognised as one of the most widespread drivers of environmental change in Scotland's seas (Scottish Marine Assessment 2020).

The last 20+ years of fisheries management have been a matter of political choice that in practice has favoured certain sectors of the fishing industry. This approach has clearly not worked as we do not have sustainable fisheries and fisheries management is failing to address the impact of fisheries on nature and climate.

Fisheries management decision-making needs to fully acknowledge the interactions and impacts that different fisheries have on the marine environment (alone and cumulatively) and support appropriate measures and actions to address these. This is an essential requirement to support sustainable fisheries. There need to be clear recovery targets for Scotland's seas, including fish and shellfish stocks (embedding requirements of GES and taking account of regional recovery requirements) with an explicit requirement for fisheries management to help deliver these targets.

b. Not sustainable

At present fisheries in Scotland are not managed sustainably and Scotland is failing in relation to the key principles that define sustainable fisheries (for example, managing catch so as to avoid overfishing; avoiding excessive bycatch of non-target species; limiting impact on marine habitats and wider marine ecosystems).

CCN members are extremely disappointed that the recent Future Catching Policy failed to properly address the issue of fisheries sustainability and did not identify any wider-ecosystem sustainability criteria. The policy failed to address a key sustainability requirement to reduce and eliminate unwanted bycatch of target and non-target species

and was sadly lacking in proposals to address the impact of fisheries on seabed habitats and ecosystem function.

c. Lack of spatial management

CCN members are witnessing first-hand the impact of past and present fisheries management approaches on inshore habitats and marine life. Over recent decades these have allowed over-fishing and extensive use of damaging bottom trawl and dredge fisheries close inshore including in marine protected areas. This has resulted in loss of economic and employment opportunities.

Spatial management measures are required to limit impacts from more damaging fishing methods, enable recovery of essential fish habitats and ecosystem function, and support a transition to lower-impact fisheries. Spatial management would also help support protection of blue carbon habitats thereby helping contribute to climate change mitigation.

Spatial measures are not a new concept; for example, a ban on trawling in the Clyde was originally introduced in the late nineteenth century after fishery scientists at the time suggested that the Firth of Clyde fisheries were becoming depleted due to excessive trawling. However, subsequent fisheries management decisions in the 1960s-1980s removed this spatial protection culminating in the repeal of the 3-mile limit in 1984 which opened up all inshore areas to mobile bottom fisheries. The Clyde has since seen a collapse of once abundant, commercially important demersal fish stocks (species such as cod, haddock and whiting), with subsequent collapse of the fisheries dependent on these species (including a once highly lucrative sea angling industry) and associated loss of jobs and economy.

There is a requirement under Section 25 of the Fisheries Act 2020 for fisheries management to incentivise the use of lower impact fishing techniques but currently this is not prioritised in the approach to inshore fisheries management.

Despite the promise of spatial measures within the Future Fisheries Strategy action plan, there was very little progress on this in the recent Future Catching Policy.

d. Lack of effective protection for the marine environment

Despite marine protected areas encompassing 37% of Scotland's seas, less than 5% of Scotland's coastal seas area protected from bottom-trawling and dredging, meaning that the majority of Scotland's Marine Protected Areas are protected in name only.

CCN members have been witnessing dredging occurring in inshore areas both within marine protected areas and areas of supposedly protected habitats (such as maerl) outside of marine protected areas. In some instances, this fishing is entirely legal because of the failure of Scottish Government to implement management that prohibits such activity. In other instances, fishing has been undertaken illegally and is reflective of inadequate monitoring and enforcement of fishing activities.

Prosecution of illegal fisheries that have damaged seabed habitats does not recognise the cost of this environmental impact to society as a whole and there is no requirement within issued penalties to compensate for the impact.

Proper protection for inshore habitats is urgently required. This has been promised for several years but not delivered. Our comments on monitoring and enforcement matters are provided below.

e. Spatial protection and Marine Protected Areas work

Marine protected areas and other spatial measures enable seabed and marine life recovery. Marine Protected Areas (MPAs), if effectively protected and managed, can provide significant benefits for fisheries. Evidence from locations where more impacting fisheries are

prohibited shows how seabed habitats and marine life can recover. Where lower-impact fisheries (such as creel fisheries and hand collection of scallops) continue in these areas, fishers are able to benefit from (i) recovered health and productivity of the marine habitats, (ii) lack of spatial conflict with the mobile-gear sector.

For example:

- i. In the Lamlash Bay No Take Zone (NTZ) where no fishing is permitted, and in the South Arran MPA where fisheries management measures to restrict use of mobile fishing were introduced in 2016, monitoring has recorded an increase in the abundance of marine life in both areas; marine life cover in the NTZ has shown to be almost double that of areas still open to scallop dredging, and within the MPA the total density of marine life had more than doubled since the spatial measures were introduced. Research by the University of Glasgow, in collaboration with NatureScot and Marine Scotland Science and University of York have revealed different nursery habitat preference of juvenile cod, haddock and whiting, with evidence that cod in particular demonstrate preference for areas with greater benthic biodiversity and varied seabed landscape (Elliott *et al.*, 2017 a, b)¹ illustrating how recovered seabed habitats can contribute to fisheries.

The population of king scallop *Pecten maximum* has been a particular focus of the monitoring. Results from 2019 recorded between 3.7-6 fold increase in the density of scallops in the NTZ and the MPA (Stewart, *et al.*, 2020)². King scallops within the NTZ are older and larger with greater reproductive potential to contribute eggs and larvae to surrounding areas.

- ii. In Lyme Bay on the south coast of England, towed bottom fishing has been excluded from over 200km² of a MPA to protect marine habitats. Monitoring of the area has recorded benefits to the seabed marine life with a positive increase in mobile species (an increase of around 400% in taxa and abundance of exploited fish species) and increases in species within the MPA (Davies *et al.*, 2021)³.

MPAs are a management approach that can enable ecosystem recovery and they have a role to play in supporting a transition to lower-impact and more sustainable fisheries. MPAs provide far more than 'just' protecting biodiversity.

However, the current conversation around MPAs in both policy and decision-making in Scotland assumes MPAs have only a narrow remit to offer. They are frequently portrayed as primarily a detriment to fisheries, rather than connecting the value of protected habitats to ecosystem recovery and function, and by default, the beneficial contribution to fisheries as a whole.

CCN members are extremely concerned about how MPAs are being presented and dealt with both generally in terms of policy, decision-making and action and, also, specifically in relation to fisheries management. The failure to acknowledge the role of habitat protection

¹ Elliott, S. A. M., Sabatino, A. D., Heath, M. R., Turrell, W. R., and Bailey, D. M. (2017a). Landscape effects on demersal fish revealed by field observations and predictive seabed modelling. PLoS One 12: e0189011. doi: 10.1371/journal.pone.0189011

Elliott, S. A. M., Turrell, W. R., Heath, M. R., and Bailey, D. M. (2017b). Juvenile gadoid habitat and ontogenetic shift observations using stereo-video baited cameras. Mar. Ecol. Prog. Ser. 568, 123–135. doi: 10.3354/meps12068

² Stewart, B.D., Howarth, L.M., Wood, H., Whiteside, K., Carney, W., Crimmins, E., O'Leary, B.C., Hawkins, J.P. & Roberts, C.M. 2020. Marine Conservation Begins at Home: How a Local Community and Protection of a Small Bay Sent Waves of Change Around the UK and Beyond. Frontiers in Marine Science, Vol 7.

³ Davies, B.F.R., Holmes, L., Rees, A., Attrill, M.J., Cartwright, A.Y., Sheehan, E.V. 2021. Ecosystem approach to fisheries management works – how switching from mobile to static fishing gear improves populations of fished and non-fished species inside a marine-protected area. Journal of applied ecology. <https://doi.org/10.1111/1365-2664.13986>

to support sustainable fisheries is a major problem in the current approach to fisheries management.

CCN members are actively involved in conservation and habitat restoration projects (for example for native oyster and seagrass) and are interested in the opportunities for this work to help support sustainable, low-impact fisheries in the future. CCN would like there to be constructive engagement about such opportunities as an integral part of fisheries management approaches for inshore waters.

Highly Protected Marine Areas (HPMA) if properly planned within the context of wider spatial management could also make a significant contribution to supporting sustainable fisheries but requires an integrated and spatially based approach to managing inshore waters.

f. Need for an ecosystem-based approach

Management of inshore fisheries in Scotland does not currently follow an ecosystem-based approach. Fisheries management is still very single-species or single-sector focussed without consideration of wider issues and implications or assessment of cumulative effects.

An ecosystem-based approach to fisheries management is already a requirement under the National Marine Plan but is not being delivered.

The Future Catching Policy failed to identify any actions to address wider ecosystem impacts of different fleet segments.

g. Lack of effective monitoring and enforcement

CCN members are angered and frustrated by the slow progress with rolling out an effective system for monitoring and enforcing fisheries. CCN members have been active in reporting instances of illegal fishing activity in their local areas but have not always had positive engagement about these instances and frequently prosecutions have not been pursued.

An effective way to stop illegal fishing is to have all fishing vessels fitted with Remote Electronic Monitoring with real-time tracking information available on a publicly accessible website. We understand that this approach is already in place in Norway using boat's AIS systems showing that this is a perfectly feasible approach that could be achieved relatively easily and cheaply. To be effective the requirement needs to be encompassed within fisheries legislation. Not only would this provide real-time information about fishing activity, it would help build public confidence in the Government's management measures, and would provide public accountability for the exploitation of a public resource, as well providing benefits from a safety perspective to help locate vessels if assistance is required. Clearly such a system also helps safeguard the interests of fishers operating in line with relevant regulations and spatial restrictions.

h. Ocean plastic pollution

Plastic has penetrated all zones of inshore waters in vast quantities; it is estimated that about 10 times more plastic is currently in the ocean than what is produced each year. Scientific papers illustrate plastic accumulation in the body of marine organisms in Scotland: plankton, fish, *Nephrops* prawns, mussels, sea birds and marine mammals. A number of dramatic entanglement cases are witnessed each year in Scotland, and CCN members also regularly observe less publicised damage to seals, birds and small marine organisms.

Published scientific papers monitoring plastic in the high seas and using fisher interviews highlight the significant contribution of plastic from fishing activities. This corroborates the

observations and monitoring made by members of the CCN in numerous coastal locations on the mainland and islands.

Plastic helps transport toxic chemicals within the body of organisms (such as PCBs which are carcinogenic and known to impede reproduction). Through biomagnification, species at the top of the food chain are particularly affected, such as the high contamination levels seen within Orcas and porpoise in Scotland. Most marine organisms are not monitored for PCB contamination or other pollutants, so the full extent of toxic contamination is not documented.

Plastic is persistent in the environment, and slowly breaks down into smaller and smaller pieces with more and more capacity to penetrate organisms and transport toxic chemicals.

Plastic pollution is a stressor on the whole ocean food web. The combined pressures of changing climate with visible changes of the oceanographic conditions in Scotland and the large quantities of pollution represent a severe risk for fish stocks and fisheries.

Most marine equipment is now made with plastic. It is critical that fishery management engages manufacturers of fishing gear to get out of the “all plastic” approach.

While the international program *Fishing for litter* contributes to manage pollution found on the seabed by trawlers, it is not tackling plastic from people in their everyday work. Many harbours do not support fishers to adequately manage their plastic waste, in particular during net mending and creel pot maintenance. Floating plastics and pollution accumulated along the coastline is ignored. Plastic pollution in Scotland is overlooked in some of the wildest parts of the coastline where CCN members are active.

Norway is in a similar situation to Scotland with active fisheries, a complex coastline and a critical accumulation of plastic. The country has implemented a range infrastructure and programs to support fishers to help get plastic out of the environment:

- A program of recovery for lost gear flagged by fishers helps prompt removal of ghost gear. Such clean-ups are often organised by fishers themselves
- Strong support for recycling and disposing of fishing gear, even in remote harbours. A number of Norwegian companies are involved in the recycling of fishing gear.

There needs to be improved engagement with the fishing industry to tackle plastic pollution and help find solutions to reduce and remove pollution in all areas of operation.

4. Inshore fisheries governance and community empowerment

a. Lack of wider stakeholder input to fisheries management decision making

As the Future of Fisheries Management Discussion Paper (2019) recognises, “Fish are a public resource and as such the benefits from fishing should be shared as widely as possible”.

As a public resource, wider community and stakeholder interests need to have an equal say in its management. The existing approaches for inshore fisheries governance do not support this and consequently there is no social licence for the current governance arrangements. CCN members feel (and are) excluded from fisheries management decision making as are other wider stakeholder interests.

Current governance structures need significant change if co-management is to be at the heart of policy development and decision making. There needs to be a move away from treating fisheries in isolation from other marine uses and users.

There are a range of other social and economic interests and activities that can be affected by fisheries and vice versa. Future fisheries governance must involve the full spectrum of relevant stakeholders including community groups, environmental interests, consumer groups and local authorities. Fisheries governance structures need to provide a locally focussed delivery structure with a remit and responsibilities that include marine environmental and biodiversity protection and enhancement as well as fisheries management. Such bodies need to be formally constituted and adequately resourced with stakeholder representation that reflects the wider interest and responsibility of the group.

The structure and function of the Inshore Fisheries and Conservation Authorities (IFCAs) in England provide an example of such an approach, providing greater stakeholder input into decision making.

b. Integration with Regional Marine Planning

Regional marine planning, if properly supported and resourced provides considerable opportunities to deliver an ecosystem-based approach to management of inshore waters, including fisheries, and delivery of GES at a regional level (as a contribution to GES nationally).

Some CCN members involved with regional marine planning, such as in the Clyde, but are frustrated at the lack of effective integration of fisheries management into the process, and the lack of support and direction for developing a fully integrated and functional spatial plan.

Effective spatial planning is essential for future inshore fisheries management and could enable regeneration of fisheries and support local management. It could enable objective decision-making concerning protection and exploitation of marine habitats (including integration of marine protected areas including the proposed Highly Protected Marine Areas) to support marine ecosystem recovery. If properly supported a spatial planning approach can realise cost benefits through better integration and co-operation in decision making.



CIFA

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CIFA submission

Infrastructure:

Poor infrastructure in certain ports has ultimately led to lower profit/prices for the Scottish boats than boats in other regions receive. If no ice plants or processing factories are present this can cause a real issue for some coastal fishing ports.

Fuel:

As with other sectors the fuel crisis is hitting inshore fishing very hard. We appreciate Cabinet Secretary Gougeon did intervene for CIFA to the UK Government, CIFA also contacted Minister Prentis, but unfortunately no action was taken as yet.

The current cost of fuel is resulting in a further reduction in profitability. In addition there are safety implications as some fishermen may not be filling up to a safe level to ensure they have more than enough to get back home due to the cost implications. We have picked up informally there may be a resistance to support fuel costs for those fishermen who export to the EU. We cannot be sure the validity of this claim, but we would note that even if seafood is exported, it also supports domestic families and the coastal infrastructure and businesses and is vital to coastal communities.

General Regional Competitive Disadvantage:

Elected members will be aware currently it is easier and less costly for Northern Ireland to trade with the EU, and so often seafood caught in Scottish waters are more easily exported and for a higher price by the Northern Irish and Danish than would be possible for Scottish businesses.

However regional disadvantage can come in many forms, for example if one specific area is being targeted for extensive environmental legislation/renewables developments/aquaculture/campaigning etc whilst other areas are not to the same extent, this will result in one area being at a regional disadvantage to others even when sustainably fishing. This in turn can lead to loss of markets for one region over another.

Many areas of the inshore are suffering from the spatial squeeze quite significantly, this impacts communities and domestic and international markets significantly.

MPAs/PMFs/HMPAs and Bute House Agreement:

In 2015 Minister Richard Lochhead responded to Rhoda Grant MSP in Parliament when she asked about fishermen's concerns regarding MPA designations and their impact on the socio-economics of local fishing, and had any compensation for loss of income been considered?

Richard Lochhead assured Parliament he had put in place a 3 point plan which included a £500,000 budget to monitor MPA's which fishing vessels could participate in. We are unaware of these schemes/opportunities materialising. There was also a commitment to review socio-economics and science over an initial 3 year period and a promise of potential new jobs in other sectors.

We are unaware if these commitments have been addressed as described or expected, we feel they have not. What we can confirm is the loss of local boats in some areas over the last 5 years, and the loss of associated businesses.

We would encourage our elected members to consider the Rural Affairs Committee from September 2015 in respect to how many of the fishermen's fears have been realised:

[Rural Affairs, Climate Change and Environment Committee - Scottish Parliament: 23rd September 2015 - YouTube](#)

Our member fishermen are extremely worried about the further roll out of the Bute House Agreement and what this might mean for inshore communities. This is especially true as we are sure that previous commitments to independently/neutrally monitor existing designations and work with fishermen have not been achieved as described for the first MPAs.

We listened as Dave Thompson SNP MSP spoke 7 years ago about his fear over a possible "*death by a thousand cuts*" to local fishing communities, it seems this could have been a premonition rather than a fear.

We are aware of the scientific work underway by groups such as Arran Coast/Our Seas to look for (*or even place*) PMFs in specific areas, and their hopes to influence the location of future HMPAs as well as fisheries management by campaign. We are also aware of the significant public grant funding they have received which will help them develop such work. £153,000 from NatureScot in a grant funding allocation for a survey boat build (*a grant scheme which was not publicly advertised to any other partners*).

We are very much in favour of balanced conservation, but if the intention is to examine and manage one area more than others, or to take citizen science and enable some groups more than others, then the process seems in danger of seeming rather unbalanced to some.

We urge our politicians to consider what is happening south of the border with HMPAs:

<https://www.theguardian.com/environment/2022/aug/17/holy-island-vicar-leads-fight-against-fishing-ban-that-would-rip-the-heart-out-of-lindisfarne>

Science – Stocks, Features and Predation:

The inshore fleet suffers significantly from lack of reflective science and a lack of resource to conduct research. We would like to see fishermen more involved with scientists and the government in the collation of data in a reference style fleet, demonstrating real co-operation.

This could and still might be a perfect low cost example of long-term collaboration and co-management in a Norwegian Style reference fleet model, at a fraction of the cost of other schemes. We hope in moving forward we are able to pick up on this work.

We definitely need regular neutral science. We often hear the inshore lands very little fish, and so this means there are no fish left. There is no context to explain these fishermen use selective gear to avoid fish as they have no or little quota. Regular neutral science has to be the key. It may not have been a priority a few years ago, but of policy decisions are to be taken on this area then we have a responsibility to ensure the data is correct and exists.

We should also note that our members have extensively discussed the issue of predation. For the last 3 or 4 years fishermen in general have been expressing concerns over predation issues from high skate and spurdog (dogfish) numbers. Both species will predate on finfish stocks such as cod and hake and could impede stock recovery.

We have asked to participate in a similar scheme to that which some fishermen down south took part in. This scheme allowed spurdog to be caught through a monitoring system. The scheme started initially in the Western Isles but halted a few years ago, we are very keen to start a similar scheme and have been asking to work on this for years. This may assist in issues of finfish predation and again just

basic stock knowledge, as well as allowing some limited but important diversification opportunities.

Quota Allocation and Bycatch:

In a number of formal consultations, meetings and events over the years, we have made it abundantly clear that a previous track record allocation of quota, followed by a monetarisation and trading of quota and licences (*which are national resources*), has led to a consolidation of fishing opportunity. This consolidation has generally been into the hands of a few larger boats and companies. Inshore communities have felt the loss of this consolidation and lack of opportunity for generations now. Why should areas not have the opportunity to have whitefish and pelagic boats?

We have consistently advocated that a fairer system of quota allocation is employed. It should not be correct that young fishermen who were not even born when the track record allocations or the trading of licences and quota started, should be denied opportunities to consider a sustainable career in fishing. Currently very few to no new starts could afford quota or a licence even if they could afford a boat. Quota is traded like a stock and often held in offices by fishing and non fishing companies as an asset.

We were hopeful that the roll out of the Future of Fisheries Management Strategy may offer new forms of allocation and opportunity for fishermen to diversify, particularly in the inshore. We have not yet seen this change, we hope it comes but we worry it won't.

We are also concerned that any diversification opportunities may only come from any **additionally** negotiated quota, not **all** available national quota. So in reality if no or little useful additional quota is achieved in annual negotiations, then no to little benefit will come to communities who currently have no quota. We understand business stability has been based around this trading of quota for some of the larger fishing businesses, but lack of opportunity in local waters around the coast has been the price of this stability for the few who have made significant profit. We would never advocate an overnight change, but a staged change would be the fairest thing. If we can look at issues of land ownership surely we can look at distribution of national quota? We do support sustainable well managed fishing across the various scales of large to small and across Scotland's regions, but the system could be fairer moving forward. It doesn't seem right that some ports are thriving whilst others are dying due to unequally allocated opportunities.

Another concern has always been that stocks which may also be of interest to those on the Inshore such as hake may also be used as a bargaining chip with 3rd countries during negotiations to maintain preferable access for the larger Scottish fleets and their requirements.

In the last year we also witnessed almost complete swaps from West to East with the exception of 1 stock. This can lead to the potential loss of a discards column and the threat of tie up for the nephrops fleet as a result. The inshore in general feel they are

being denied opportunity in the eyes of many fishermen. We have stressed these exact concerns many times, and in writing to the Scottish Government, we have annexed an example correspondence from over a year ago, yet in July 2022 we faced the reality that we were again unfortunately correct.

86% of the annual cod bycatch was already used by July 2022. So not only do inshore communities not have an opportunity to catch the finfish in their local waters whilst boats from other areas of Scotland can and do target these stocks which should really be allocated as bycatch only. In addition the much needed bycatch provision which some inshore boats need to even fish different stocks such as nephrops was almost gone for the rest of the year, which could result in those boats having to tie up through no fault of their own.

This could be considered unfortunate or unforeseen if it was not stressed in advance that this would happen, it's happened in years gone by too. How long can it keep happening when we are aware of the problem and what the likely outcome will be? This absolutely has to be addressed.

Claims that the inshore communities around the coast in general don't fish a stock in the past or at the moment and therefore won't miss allocations of it now or in the future aren't factual. We also don't support the mindset that it is better to keep the larger fleets going and satisfy their bycatch requirements whilst other fishing communities miss opportunity completely. In our eyes this is simply unjust, all regions of Scotland and scales of Scottish fisheries should be permitted an opportunity to sustainably fish under a well managed scheme when possible.

Inshore Fisheries Groups:

We continue to support the Inshore Fisheries Groups as potentially the only forum where regional fishermen can come together to discuss and agree policy and proposals. We see the remarkable achievements which have occurred in the Western Isles largely due to the diligence of Duncan MacInnes of WIFA.

An episode of Reporting Scotland from 2006 offered coverage of a previous Secretary of the CFA, Patrick Stewart. He noted that over a period of 10 years (1996 to 2006) the association had proposed at least half a dozen conservation proposals to the Scottish Office and the Scottish Executive, and not one had been implemented.

Thankfully in recent years there has been a great deal more progress with the development of the IFG structure with a will from Marine Scotland and many local fishermen. Mostly voluntary management measures such as creel limits and seasonal closed areas have been implemented, and they have been important for local fishermen. We are hopeful with support from the Scottish Government that we can see more proposals being developed in a co-management style through the IFG. We should note that we understand it may not be possible to implement every idea, but sensible progress and enablement is welcomed.

We are very aware that where fishermen's own ideas about conservation are not enacted, it leaves them open to criticism that they are not promoting sustainable practices. This is especially difficult when they have been for decades and still are. We genuinely hope that some management and conservation ideas can be drawn from the IFGs as we have felt an increased commitment in recent months from the IFG to help change.

We believe it is essential to properly resource the IFGs to permit them to deliver. We also feel that Statutory Consultee powers should be considered. At the moment IFGs have a limited input and may not even be informed about developments such as seaweed or finfish aquaculture sites on prime inshore fishing grounds, Statutory Consultee status would change this ensuring they had a meaningful input.

Marine Planning:

The concept of Marine Planning itself is not generally an issue, however government should be mindful that Marine Partnerships and their stakeholders understand their basic function and are able to complete their key tasks. There is a concern that some may regard Marine Planning Partnerships as a way to become involved in or shape fisheries management and science. We are mindful of some of these ambitions and hope that fishermen remain engaged and that Marine Planning in its core sense remains the key objective of these groups.

Funding:

We welcome Marine Scotland's support for young skippers to buy their own vessel. It is worth noting that family could not offer match fund to help young people buy a vessel, and this may really help.

Again in the Western Isles they operated an excellent scheme which allowed the local council to offer match funded loan support. It was a very successful scheme and helped young people to get a foot on the ladder. This is especially important when the banks are losing confidence to lend based on environmental campaign concerns. Many banks are only too aware of the risk of closures and impacts on business viability. We would urge government to consider interventions similar to the Highland and Island Development Board, a scheme which in years past helped to support a sustainable and economically vibrant inshore fleet.

We do hope that both the Scottish Government Grants and the UK Grants can go some way to supporting infrastructure and training in the inshore. Unfortunately morale is so low for many fishermen currently that they feel decommissioning should be considered. If they feel their job is being made impossible by policy, then this is understandable to an extent. We still have hope whilst some wish to keep trying, but politicians should be aware how bad things are for some. However it wouldn't take much to turn the situation around at all. There is vast sustainable potential.

We would like to see stable funding streams not only for infrastructure, but also for science. It is difficult to run studies which seek to examine sea fish over a timelapse due to the yearly funding pots.

Fishmongers Hall run an excellent scheme where fishermen and associations are able to access a funding professional who enables them to complete funding applications for science and infrastructure, we feel there may be room to copy this model and see more partnership bids between fishermen, Govt and scientists.

Space Sharing – Renewables/Aquaculture/Cables:

The SFF and NFFO recently published a spatial squeeze report.

[The Frightening Outlook of Fisheries Displacement - Spatial Squeeze Report Published - NFFO](#)

We agree with the basic premise of this report. This is another push on inshore fisheries, many of whom may have voluntary or single person representatives trying to work across all the problem areas.

We know politicians by necessity must be involved in many policy areas and will understand the concept of stretched capacity even with a dedicated support team. However fishing is literally being pulled in so many directions by so many initiatives and sectors, with little resource or man power to represent its interests in comparison to other commercial driven teams in renewables etc.

We are totally supportive of sensible co-existence, but wilful displacement is another issue. We feel that IFGs becoming a statutory consultee would be an excellent assistance as often fishermen are not even aware of developments in the waters they fish until the space is well on the way to being reallocated in terms of purpose.

Recently the West Coast IFG Chair along to a meeting for a potential seaweed farm, he had not been made aware of the development and yet a lease was already developed with the Crown Estate. It is prime and sheltered safe fishing grounds.

The company proposing the project said “*there is no fishing in the area*” during the meeting, to the fishermen who **actually fish** the area. When the fishermen confirmed they did fish the area and could prove it they were told “*we don’t believe you*”. This is a difficult and unpleasant situation to be in regularly, especially when you already have a very difficult job at sea. This is happening both East and West.

Right now we have to contend with cable projects, aquaculture projects both seaweed and finfish projects and now renewables alongside other leisure and commercial marine users and the Royal Navy. All requiring extensive liaison over and above that required in fishing policy.

We hope that national policy also takes seriously the concept of food security in these uncertain times and understands that fishing has a part to play in this story.

Campaigning:

By far one of the most difficult daily grinds for fishermen and their representatives is inaccurately represented social media/press.

We completely understand politicians often have this pressure and we are sorry about this. However these men and women are not public figures, they are working legally in fishing. Fishermen often have little privacy on small boats at sea, and have campaigners drones appearing above the deck to film whilst they are either working or doing something more private, like going to the lavatory. This is happening to people operating within the law.

Regular contempt at meetings and largescale often inaccurate campaign messages are other difficult aspects of fishing. It impacts on policy outside standard process and is truly impacting the mental health of fishermen.

Most people would not want to work under this pressure, it is extremely challenging. It is also extremely well funded and growing. As a culture and a group fishermen are being vilified in a way which would be unlikely to be tolerated towards other societal groups. Government have to be mindful of the mental health issues this is causing.

We support partnership working, but we are concerned about the growing polarisation between some eNGO groups and some fishing communities.

Access to Crew

More should be done to increase the number of domestic new starts into the industry, but there should be an acknowledgement that this will only be effective if new starts feel they have a path of progression and a sustainable future as supported by policy. We should also be mindful that some remote/coastal areas have severe issues with aging populations and depopulation, and as such available crew does not exist. In these cases sensible access to foreign labour could offer a solution.

We highlighted these issues in few years ago at a CIFA Summit thankfully attended by a number of MSPs and MPs:

[CIFA Inshore Fisheries Summit - YouTube](#) (event begins at 1h5mins)

As most of our boats operate inside 12nm they face difficulties in accessing suitable workers, this is an issue which in practical terms does not impact activity of similar boats on the East Coast.

Three years ago we made formal written and oral representation to the Migration Advisory Committee Calls for Evidence on non UK workers. Some of the recommendations we made were supported by the MAC in principle but not ultimately implemented over the last few years. At a recent DEFRA meeting it was explained that this evidence gathering consultation process will be conducted again later this year again. We will of course respond again in a similar format, however

our greatest concern at this point is how much time our boats can last without adequate and safe crew numbers whilst this process is repeated again. It should be kept in mind that the capacity and resource to continually repeat the same process can stifle the ability to proactively develop in other areas such as science or conservation.

We can not hope to be a world leading Seafood Ambassador globally with a disappearing and beleaguered fleet. We need safely crewed boats and sustainable opportunities.

We also plead that our elected members are aware of the impacts on mental health to those who are trying to continue in their vocation, and to those who have sadly been forced out of fishing. The situation is very serious, we will offer subheading briefings below on some of the issues:

Inshore Crew:

Inshore fishing boats are not permitted to fish with non-domestic crew on Transit Visas because of the 12nm rule unless they spend most of their time outside 12nm, which is not common or indeed possible for the smaller boats who fish inshore. The 12nm rule will apply to most of the Northern Irish boats too. The enforcement policy on the Transit Visas inshore has been carried out on Scottish fishing boats, leading to many of these boats tying up due to lack of crew.

This would be understandable if the policy was evenly implemented, however it has not been the case.

The Skilled Worker Visa as a process is demonstrably not working for the fishing sector with the low number of workers coming through when they are much needed. Aside from the time and cost of the process an additional factor is the required English Test, many workers simply fail this test. Often fishing boat skippers pay to become sponsors, find suitable skilled seafarers as potential crew. The potential crew member then fails the English Test, which most active fishermen claim is beyond the English requirements for the job itself. Not only can the experienced crew member not come to work in Scotland or the UK, but the skipper/owner has already paid a significant amount of money to be in the process which hasn't delivered any workers. This is certainly an area which could be improved and changed. A Welsh boat recently secured crew through the skilled worker scheme, it took 5 months and cost over £40,000 just to access the crew.

We are often told other sectors are accessing the Skilled Worker system effectively, however they tend to be drawing Skilled Workers from different countries to that which the fishing industry would. For example they may be coming from countries where English is more commonly spoken such as India to join the hospitality sector. Instead our boats priority interest would be safe and experienced seafaring countries like Ghana and the Philippines. We have expressed a willingness to consider employing Afghan or Ukrainian refugees if suitable, however this is quite an unlikely route as many are mothers and children and understandably in trauma.

It is possible to offer Offshore Renewables workers and Well boat crew visas when fishermen cannot have such an exemption, this makes little sense to most fishermen.

We will continue to liaise with the Scottish and UK governments and take part in any reviews, but any political assistance on this issue is greatly valued, it is honestly time critical.

Moving Forward

Most of these issues could be improved with some commitment, but the clock is ticking on any possible recovery. We do understand that we have some high quality civil servants and professionals working in marine policy and seafood, however political support is required in particular areas.

Fish legal submission

Fish Legal welcomes the investigation by RAINE committee into the condition and management of Scotland's inshore. We suggest some questions along the lines of the four themes: A. Sustainable fisheries, B. Industry Pressures, C. Competition for marine space & D. Inshore management and governance.

A. Sustainable Fisheries		
Questions	Comments	Solution
1. What has been the impact on the inshore of the removal of the 3 mile limit in 1985?	The evidence suggests that introduction of damaging bottom trawled fishing into the inshore has been disastrous ecologically, particularly for inshore fish populations.	Consideration needs to be given to restricting damaging fishing methods in the inshore at sufficient scale to allow inshore marine ecosystems to recover.
2. What is the current pattern of inshore fishing and what is its impact on ecology	The inshore fishery is dominated by the Nephrops trawl fishery which is a particularly damaging form of fishing particularly because of bycatch issues.	ditto
3. What is the cause of the apparent collapse of inshore fish populations such as west of Scotland cod	Research indicates that bycatch from the trawl fishery significant factor in failure of Clyde cod to recover.	ditto
4. What is the ecological importance of the inshore in terms of the life-cycle of fish?	The inshore contains much significant breeding and nursery ground for fish. Benthic abrasion by trawling removes vital habitat for young fish and many are removed as bycatch.	ditto
5. Is it appropriate to allow industrial types of fishing gear in the inshore?	Scotland is behind the curve in terms of providing protection in the inshore from industrial fishing. For example the Sussex IFCA recently banned trawling in a significant area of the Sussex inshore	ditto
6. Is the differential performance of different fishing gears understood?	For example, Nephrops creeling is low impact and high £output compared to Nephrops trawl.	Substituting low impact for high impact fisheries can allow ecology and economy to regenerate.
7. What is an 'eco-system approach to management?'	Marine Scotland claim to embrace ecosystem management but there is little evidence they are putting this into practice.	The minimum requirement of 'ecosystem management' is achieving Good Environmental Status. This should mean moving to less

		damaging forms of fishing thus allowing inshore marine ecosystems to recover.
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B. Industry Pressures		
Key questions	Comment	Solutions
1. What is the impact of rising fuel costs on the current fleet?	In the light of our commitment to Net Zero is it appropriate for the fishing fleet to continue receiving fuel tax exemptions?	Removal of these exemptions to be replaced with incentives towards the electrification of the fleet could assist the move to lower impact fisheries.
2. Should the state subsidise the modernisation of the aging inshore fishing fleet?	There have been calls from the elements within the fishing industry for subsidies to modernise their fleet.	We do not believe, in general, that subsidies are necessary or appropriate unless some specific public benefit can be shown. There is no public benefit for providing subsidies to high impact low value fisheries.
3. What might a Just Transition from high impact to low impact fisheries look like?	It is recognised that there needs to be a move from high impact to low impact fishing. There needs to be a funding pool and a reasonable timeframe in which such a transition can take place.	Some economic research needs to be undertaken to establish fair values of the costs of transitioning from high impact fisheries to low impact fisheries.
4. Where might funds for a Just Transition come from?	Funding could be found from the wider charitable sector provided there is evidence that the transition genuinely facilitates more sustainable fishing. In addition, it would be worth exploring with Crown Estate Scotland whether it could assist with a funding mechanism, given its income streams from the marine area including aquaculture and wind energy generation.	Some scoping needs to be done regarding potential funding sources.

C. Competition for Marine Space		
Key questions	Comments	Potential Solutions
1. How can the competing demands for marine space be satisfied?	The Scottish Government has been talking about marine planning for some time but mechanisms remain unclear. Clyde Marine Planning Partnership has been making some headway on this however it should be noted that Marine Planning Partnerships do not have any power over key marine issues such as fishing or aquaculture development. There are also difficult questions regarding where the democratic legitimacy of marine planning bodies may lie.	More thought needs to be given to the structure and function of marine planning partnerships
2. What role can planning play with respect to fisheries?	It is our view that use of marine spatial plans are a key element of successful inshore fisheries management. These allow for genuine eco-system management; crucially they depend upon being able to control/limit fishing effort and type of fishing effort. Spatial planning can create not only regeneration of fisheries but also genuine local management.	There is the opportunity now to trial marine spatial plans in the Firth of Clyde via the proposed Ecological Enhancement Plan proposed by the Research Advisory Group of Clyde 2020. What is needed is a commitment from the Scottish Government to put in place fishery measures in accordance with the plan. The fishermen of the Inner Sound of Skye.
3. Should differential performance play a role in allocation of fishing opportunity?	Marine Scotland seem wilfully blind to differential performance between high and low impact gears. The move from high impact to low impact gears can play a vital role in our move to greater	S.25 of the Fisheries Act 2020 obliges the Scottish Government to allocate opportunity on the basis of set criteria including the impact of fishing on the environment. Currently the Scottish Government is not doing this.

	sustainability. It is our view that this transition can not only provide the basis for recovery of the inshore marine area but also can provide additional revenue and jobs.	
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D. INSHORE MANAGEMENT AND GOVERNANCE		
Key Questions	Comment	Potential solutions
<p>1. Do we have <i>sufficient</i> information to manage the inshore properly ? For example:</p> <ul style="list-style-type: none"> - Condition of inshore fish stocks - Fishing effort across the fleet including <10s. - Differential performance across gears. - Understanding the full impact of bottom trawled fishing gear. 	<p>There are some huge gaps in the knowledge base that urgently needs to be filled.</p> <p>VMS and REM is urgently needed not just to understand the level of fishing activity but to ensure full transparency and accountability.</p> <p>We believe there is now sufficient information on the damaging impacts of bottom trawled fishing gears to justify restricting the use of such gear in the inshore (for example RAINE committee is familiar with the work of Professor Heath of Strathclyde University on Clyde cod).</p>	<ul style="list-style-type: none"> - Remote Electronic Monitoring and Vessel Monitoring Systems rolled out across the fleet asap. The former allows the manager to accurately assess what is being caught and the latter where fishing activity is taking place. Both crucial information for good governance. - A national programme of inshore monitoring of fish numbers
<p>2. Who should the inshore be managed for?</p>	<p>The inshore fishery has a wide range of stakeholders, which requires that it must be managed in a different way from the offshore.</p> <p>The wider stakeholder group have real concern that their interests have been chronically ignored by Marine Scotland. Our Seas have written a letter to the Cabinet Secretary showing evidence</p>	<p>Marine Scotland need to acknowledge not only that the wider stakeholder group will be listened to but also that some of their concerns will be addressed. This could be done for example by prioritising the recovery of, say, Clyde cod over the freedom of the trawl sector to use towed fishing gears</p>

	of bias by Marine Scotland against the wider stakeholder group.	
3. Does Marine Scotland meet its own legal and policy objectives?	We think not; i.e. not only does Scotland fail to achieve Good Environmental Status, Marine Scotland has failed to provide any plans to show how it could be achieved or any credible timelines.	Marine Scotland need to publish specific plans to demonstrate how it will meet its legal obligations including achieving Good Environmental Status and achieving compliance with the Landings Obligation
4. Is 'co-management', such as it is, fit for purpose?	Co-management is supposed to allow all stakeholders to co-operate in management of local fisheries. Unfortunately in Scotland Regional Inshore Fisheries Group do the opposite. These groups will stifle any local initiative that will threaten the freedom of the trawl sector. In short, they reinforce the hegemony of the trawl sector rather than supporting local management. If there is any doubts about this then please ask SCFF about its attempts to create a sustainable fishing pilot in the Inner Sound of Skye.	Marine Scotland needs to create mechanisms by which there can be genuinely local management that can ensure fair outcomes for all stakeholders. Currently this can be done via a Regulating Order but in practice it is impossible for this to happen without the agreement of the trawl sector and this is unlikely to happen. If anyone doubts this then they should look at the history of the SIFT proposed Regulating Order for the Firth of Clyde.

Marine Conservation Society submission

The [Marine Conservation Society](#) is a UK charity fighting for a cleaner, better-protected, healthier ocean: one we can all enjoy. A dedicated Scotland conservation programme and office in Edinburgh were established in April 2000. We publish our own independent Good Fish Guide, providing advice on over 600 species and stocks of wild-caught and farmed fish and shellfish and engage on fisheries policy and aquaculture sectors not only in Scotland, but across the UK. We welcome the opportunity to provide evidence to the Rural Affairs Islands and Natural Environment Committee on inshore fisheries.

1. Sustainable fisheries

Our starting premise is that fisheries in Scotland, and indeed throughout the UK and globally, are operating beyond environmental limits and are not therefore sustainable. A just transition to climate and nature smart inshore fisheries is therefore essential to help secure a sustainable future for coastal communities around Scotland in perpetuity.

In 2019, the Intergovernmental Science-Policy Platform on -Biodiversity and Ecosystem Services (IPBES) published the most [comprehensive assessment](#) ever conducted on the global state of nature, starkly concluding that nature is undergoing dangerous rates of decline unprecedented in human history, eroding the very foundations of our economies, -livelihoods, food production, health and quality of life worldwide. This nature crisis, together with the climate emergency, create a *de facto* ocean emergency.

For 'marine systems', the report concludes that *"fishing has had the most impact on biodiversity -(target species, non-target species and -habitats) in the past 50 years - alongside other significant drivers."* (point 12 on page 9).

In a Northeast Atlantic context, the OSPAR commission conclude that ["86% of the assessed areas in the Greater North Sea and the Celtic Seas have physical disturbance"](#) from bottom contact fishing, of which 58% is "highly disturbed".

In a UK context, the [UK Marine Strategy Part One](#) stated that *"in 2012, a consensus of experts concluded that the spatial extent of damage to the seabed from fishing gear was greater than any damage caused by other activities"*.

Despite welcome, but slowed, progress on establishing MPA networks, all [UK Governments collectively failed to meet 11 of 15 indicators of Good Environmental Status](#), the benchmark of marine ecological health. These indicators include assessments for commercial fish stocks, indeed most shellfish stocks, and seafloor condition, especially all sublittoral rock and biogenic habitats and soft sediments in Celtic Seas and Greater North Sea. By 2020, fisheries were meant to be operating sustainably and biodiversity decline was meant to have been halted (as was meant to have been the case in 2010), further targets continue to be missed.

[Scotland's Marine Assessment 2020](#) states: *"Pressures associated with bottom-contacting and pelagic fishing continue to be the most geographically widespread, direct pressures across the majority of Scottish Marine Regions and Offshore Marine Regions."* The disturbance of the

seabed by bottom-contact towed fishing gear remains a significant pressure and the “no loss in extent” target for subtidal biogenic habitats has not been met. Some biogenic seabed habitats - meaning those created by living organisms such as maerl, mussels, flammshells, tube-building worms or corals - have [declined in extent by 90% or more in some areas](#).

Currently, 65% of UK stocks¹ are fished beyond environmental limits. To ensure future sustainability, catch limits must be set in line with scientific advice and all UK countries must move towards managing fisheries at, or below, Maximum Sustainable Yield (MSY). The next step in delivering the UK Fisheries Act, the Joint Fisheries Statement (JFS), commits the UK and devolved administrations to developing Fisheries Management Plans which will set out how certain stocks, or in some cases groups of stocks, are managed sustainably. We believe it is essential for the restoration of the marine environment and the future sustainability of fishing activity, that catch limits be set in line with scientific advice.

Across the UK, many commercial fisheries, and the marine environment in which they operate, continue to suffer from a lack of adequate data collection, monitoring and enforcement. The UK Fisheries Act (2020) sets out several Fisheries Objectives, all of which have the potential to improve fisheries management, such as the sustainability objective, ecosystem objective and bycatch objective. But, without reliable data, the benefits of meeting these objectives are unlikely to be realised. We believe innovative technologies can help address this issue. Remote Electronic Monitoring (REM)² with cameras has been proven to be a cost effective, accurate and efficient method of collecting data at sea and if implemented correctly, offers a win-win-win for marine wildlife, fishers and consumers. The cost of REM systems equates to roughly ¼ of the cost of traditional monitoring, can offer 100% coverage of the UK fleet and at a time when the annual costs of REM are falling.

We believe REM offers Scotland and the rest of the UK a chance to improve fisheries management and lead the way in the adoption of a progressive, cost effective, technology that delivers sustainability, accountability and confidence in the supply chain.

Regrettably, we currently don't know the true level of the accidental capture of sensitive marine species, known as bycatch, in many areas of the UK fishing industry. What we do know is that some capture methods such as longlining, creels, trawls and gillnets are largely responsible for bycatch in the UK. Bycatch happens when marine wildlife such as seabirds and marine mammals get accidentally caught, killed or injured in fishing gear. Every year, an estimated 1000 whales, dolphins and porpoises are killed by fishing activities in UK waters³. We believe bycatch in UK waters can be reduced by better understanding the interactions between marine wildlife and fishing gear, better monitoring and reporting of bycatch incidences (e.g. via REM with cameras) and taking action to reduce the levels of accidental bycatch in fisheries management decision making. We applaud the work of the Scottish

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1061261/Assessing_negotiated_catch_limits_2020_to_2022.pdf

² <https://www.mcsuk.org/ocean-emergency/sustainable-seafood/our-sustainable-seafood-work/transparentsea/>

³ <https://uk.whales.org/wp-content/uploads/sites/6/2021/02/cetacean-bycatch-uk-fisheries-problems-solutions.pdf>

Entanglement Alliance in seeking to reduce incidences of entanglement in west Scotland creel fisheries.

Delivering sustainable inshore fisheries

In order to help deliver a just transition to climate and nature smart fisheries, including in Scotland's inshore area, we would therefore like to see:

- A mechanism to improve inshore fisheries governance and **transition to a new spatial management regime, which includes a presumption against trawling and dredging in a significant part of Scotland's inshore waters**
- **Binding targets to end over-fishing** and eliminate the bycatch and entanglement of non-target and protected species
- A requirement for **fully documented fisheries delivered through Remote Electronic Monitoring with cameras** to improve data collection and help to end Illegal, Unreported and Unregulated (IUU) fishing
- A **new vessel licensing system that allocates fishing opportunities according to transparent and objective environmental, social and economic criteria** to incentivise the most sustainable low impact fishing practices
- **Fisheries Management Plans** developed for all commercially targeted stocks and species
- **A comprehensive and transparent review undertaken of Scotland's fishing capacity**, inshore and offshore, in relation to fishing opportunities.

In summary, our ultimate 2030 goal for sustainable fisheries, reflected in our collective [Ocean Recovery Plan](#) is:

Low impact, demonstrably by-catch free, high-value nature and climate positive fisheries, with healthy and resilient stocks, supporting sustainable fishing opportunities, coastal communities and a growing domestic seafood market.

Regarding wider outcomes for marine biodiversity that are relevant to fisheries management, we would like to see at least 30% of Scotland's seas *highly* protected, at least a third of which (therefore at least 10% of Scotland's seas) *fully* protected, from destructive and extractive activities by 2030, meeting the ambition of international benchmarks. This will include completing all designations, implementing fisheries management measures for all Scotland's MPAs, and, in keeping with the Bute House agreement, greatly recovering Priority Marine Feature extent and status beyond the MPA network and implementing new Highly Protected Marine Areas.

2. Industry pressures

We acknowledge the range of pressures facing the current inshore fishing industry. The solution is to plan a just transition to a sustainable fishing future where low impact, high value fisheries are rewarded that provide greater employment with lower environmental impact. A way forward to a climate friendly, low impact fishing industry is set out in the report [Shifting Gears: Achieving Climate Smart Fisheries](#).

3. Competition for marine space

We have long advocated for spatial management of fishing, and for that to be integrated with marine spatial planning. In the context of this discussion, it is important to understand the current spatial footprint of the fishing industry. As stated above, the OSPAR commission conclude that [*“86% of the assessed areas in the Greater North Sea and the Celtic Seas have physical disturbance”*](#) from bottom contact fishing, of which 58% is ‘highly disturbed’.

With respect to the inshore area of Scotland (0-12 nautical miles from shore), only 3.5% is closed to bottom towed gear year-round⁴. Of the Marine Protected areas (SACs and MPAs) designated for seabed species/habitats within or spanning the 0-12nm limit, 15% (by area) are closed to bottom towed gear year-round (see Appendix). A [Marine Scotland Science study](#) concluded that only 0.6% of historically trawled seabed in the study area was protected from fishing within inshore nature conservation Marine Protected Areas and Special Areas of Conservation.

4. Inshore fisheries management and governance

As stated in our individual and [collective Scottish Environment LINK](#) responses to the Future Fisheries Management discussion paper, we support the principle that fisheries management should be decentralised to the lowest appropriate level provided there remains national oversight and accountability. See, for example, the [Convention of Biological Diversity principles on the Ecosystem Approach](#): *“Decentralised systems may lead to greater efficiency, effectiveness and equity. Management should involve all stakeholders and balance local interests with the wider public interest. The closer management is to the ecosystem, the greater the responsibility, ownership, accountability, participation, and use of local knowledge”*.

We therefore support proposals for strengthening Inshore Fisheries Groups, including extending to 12nm which would improve integration with regional marine planning, **provided they are adequately resourced and there is improved representation for all stakeholders**. The English Inshore Fisheries and Conservation Authorities (IFCAs) are a valuable model, fulfilling many aims of the co-management agenda, with [one study highlighting](#) that 12 stakeholder groups were members of IFCA Committees or Boards compared to only two (mobile and static commercial fishing) for Scotland’s IFGs. A new local inshore fisheries governance arrangement must be more inclusive of all stakeholders of interest and could at least be partly funded through cost recovery programmes or mechanisms.

A high level of accountability, visibility and transparency in decision making is essential to deliver [Aarhus-compliant](#) fisheries management. Co-management must deliver inclusive and robust Aarhus-compliant governance, embracing participative management of fisheries on a regional sea-basin ecosystem basis with effective stakeholder engagement. We would support wide engagement across civic society, who all stand to benefit from well-managed seas.

⁴ Scottish Government [online]:

https://spatialdata.gov.scot/geonetwork/srv/eng/catalog.search#/metadata/Marine_Scotland_FishDAC_1306

Our seas are also becoming an increasingly busy space. For example, the expansion of renewable energy at sea is crucial to enable us to respond to the climate emergency and achieve our net zero emissions targets but it must be done appropriately and respectful of any unintended consequences. One such consequence is the displacement of fishing activity from one, or several areas, into other smaller and more compacted spaces. In doing so, fishing activity and pressure may increase with damaging impacts on sustainability and the marine environment. Managing activity at sea, including fishing, requires effective spatial management to ensure our marine resources, and the environment they depend on, are protected, healthy and sustainable.

We would like to see some form of **inshore fisheries authorities established and resourced with governance inclusive of fisheries, environmental and recreational stakeholders**; and fisheries research and management plans that contribute to nature and climate positive fishing and ocean recovery developed.

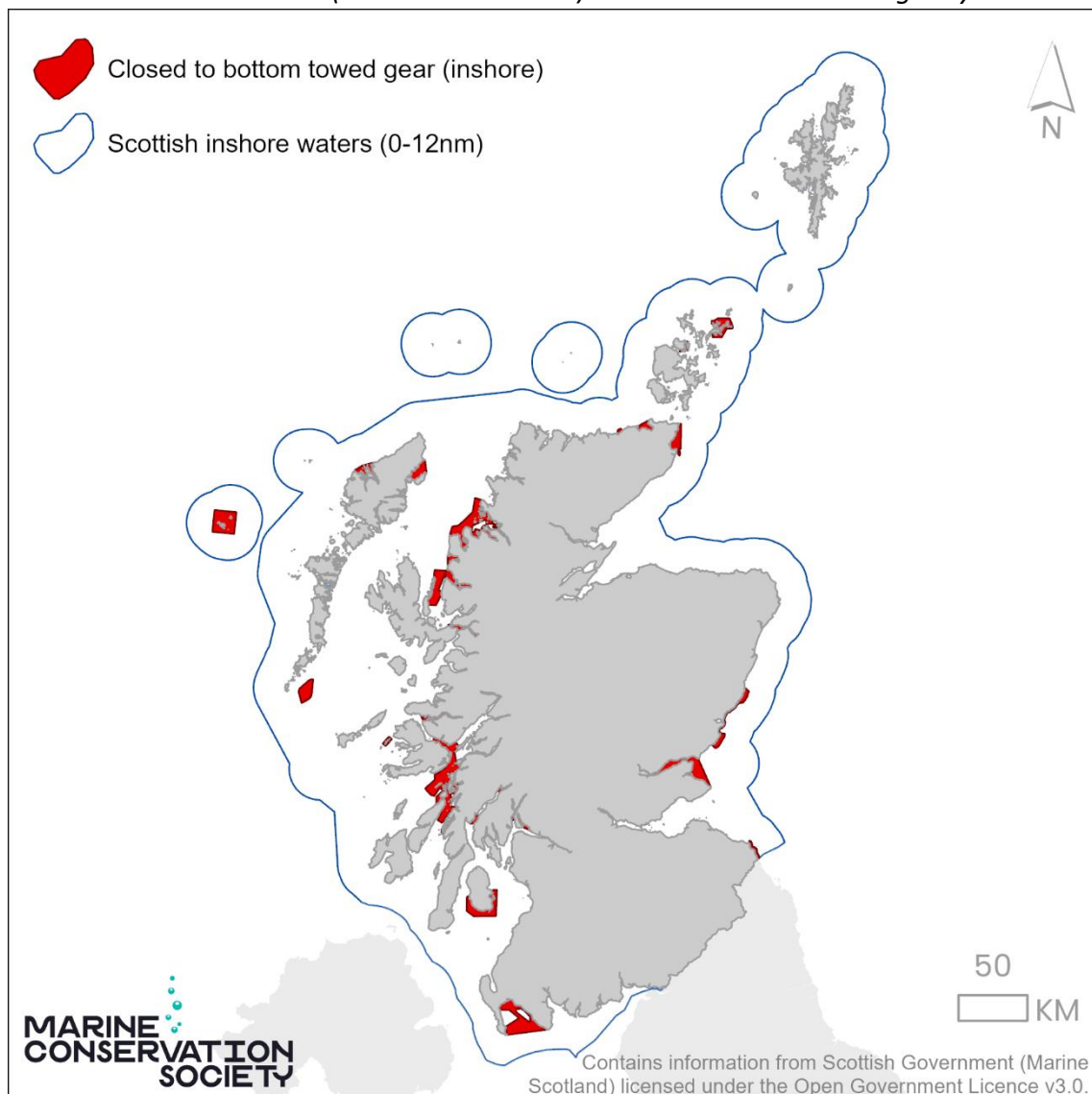
Calum Duncan

Head of Conservation Scotland, Marine Conservation Society

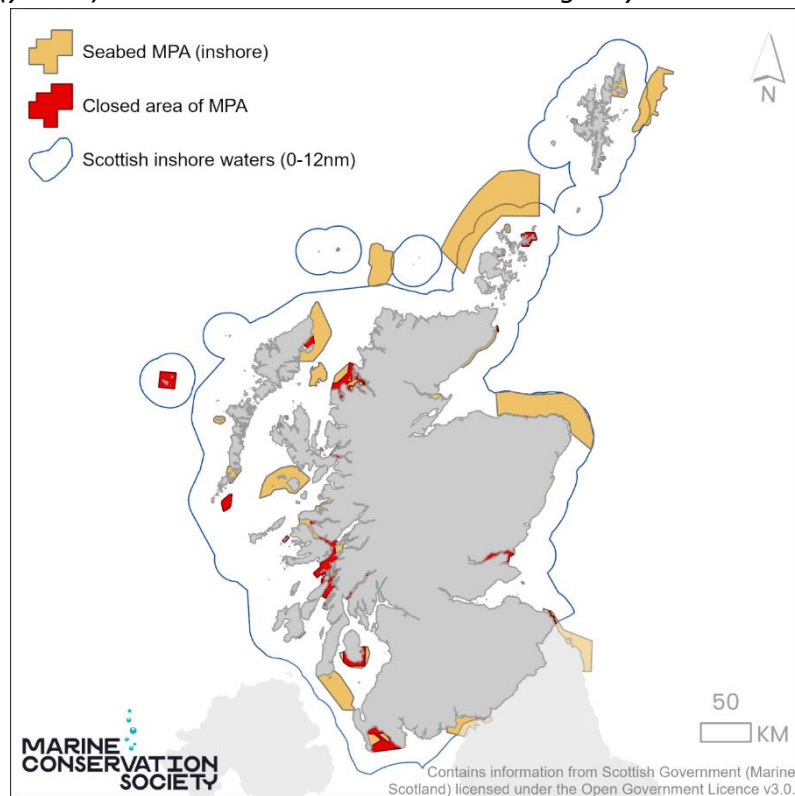
24th October 2022

Appendix

Scotland's inshore waters (0-12 nautical miles) closed to bottom towed gear year-round



Marine Protected Areas designated for seabed features in Scotland's inshore waters (0-12 nautical miles) (yellow) with areas closed to bottom towed gear year-round highlighted in red.



Inshore Fisheries Panel Submission

Shetland Fishermen's Association, Community Inshore, Fisheries Alliance, and Orkney Fisheries Association

We are honoured by the invitation to appear at the 27th meeting of the Rural Affairs Islands and Natural Environment Committee to share the knowledge and experiences of our members. Scotland's inshore fisheries are a vital component of our rural economy, coastal communities, and national identity. We are pleased to submit this document to introduce our thoughts on some of the topics outlined by the committee and look forward to the opportunity for further discussion.

Fishing industry pressures:

Supply Chain Issues

The past few years have posed significant difficulties for the inshore fishing industry. The socio-economic impacts of COVID-19, Brexit, and the war with Ukraine have disrupted markets, creating labour shortages and supply chain issues.

The inshore fleet is vulnerable to market disruptions and increased operational costs due to the live nature of their product. Scottish processors and wholesalers struggled to compete with EU counterparts due to the increase in cost and transport time as a result of post-Brexit trade rules.

Fuel and Energy Costs

The impact of rising fuel and energy prices is one of the greatest threats to the survival of seafood businesses. Businesses operating in the Highlands and Islands are particularly vulnerable to the increase in fuel prices due to their distance from markets

As fuel is one of the most significant costs for the small-scale fishing sector the fishing industry has been working with researchers to explore the viability of alternative fuel sources¹. To support this transition government support in the form of legislation, grants and training for both onshore and at sea components of the industry is essential.

Competition for Marine Space

A joint report² commissioned by the Scottish Fishermen's Federation and the National Federation of Fishermen's Organisations found that in 2050 over 50% of Scotland's EEZ could be subject to trawling restrictions, arising predominantly from MPAs and HPAs, offshore wind, and cables (including power interconnectors, offshore power distribution network cables, power cables to and from offshore infrastructure, and telecom cables).

The industry is asking for a strategic approach to understanding and dealing with the potential for displacement and requires an understanding of the cumulative impact on fishing of all aspects of the spatial squeeze, robust analyses of displacement effects and unintended consequences, and the

¹ [\(PDF\) Electrifying the Fleet : Final report "Electrifying The Fleet" More sustainable propulsion options for the small-scale fishing fleet \(researchgate.net\)](#)

² [ABPmer Report No. R.3900 - Final - 23 June 2022 \(nffo.org.uk\)](#)

design and implementation of mitigation measures to minimise impacts on fishing businesses and fishing communities.

Science:

The future and success of the inshore fishing industry is dependent on the existence and availability of robust science. Strong science is not only necessary to understand the current state of our stocks and the environments on which they depend but helps us respond to the changes brought about by climate change. While Scottish inshore fishers have participated in multiple scientific research projects to help fill data gaps³, ultimately inshore fisheries science requires government commitment to ensure the creation of independent, long-term data sets. The current system of inshore fisheries science relies heavily on industry bids for short-term projects, which is not suitable for the creation of long-term data sets which fisheries management requires.

The paucity of data for the inshore not only has the potential to undermine fisheries management, but also impacts the international reputation of Scottish seafood around the world. One example of this is the Marine Conservation Society's unjustified 'Avoid' rating for West of Scotland Brown Crab⁴ due to a lack of data on the stock.

Sustainable fisheries management:

Climate change:

Climate change is expected to have an impact on the inshore fishing industry. Warmer oceans will change the distribution of species and also change ocean currents, nutrient flows and whole ecosystems. The excess carbon dioxide absorbed by the sea causes it to become more acidic, which makes it harder for shellfish to form calcium carbonate, making their shells brittle and easier to break.

Better scientific understanding and management is the cornerstone for a resilient fishing industry that can overcome any challenge- including climate change. Warming oceans and changes in the distribution of commercial species means we must be flexible in how we manage our fisheries.. The industry is facing a period of uncertainty, and we must make sure we can be flexible enough to adapt.

For better, more flexible management we need stronger science. This means more data for marine species and ecosystems (especially for data-poor inshore areas), as well as scientists listening to fishermen and including their knowledge in their scientific models. Improving our understanding of how climate change is impacting our environment and the stocks within it will help us predict, adapt, and mitigate.

Lastly, the industry needs increased investment. Modernising the fleet will not only help to lower our carbon footprint but will improve vessel efficiency and safety overall. Additionally, investment in pier side infrastructure will help fishermen take advantage of technology such as hybrid engines (already being trialled in Norway).

³ Orkney Fisheries Association: [OUR PROJECTS | mysite-1 \(orkneyfisheries.com\)](#),
Clyde Fishermen's Federation: [PROJECTS | clydefish](#)

⁴ [Brown crab - Rating ID: 1158 | Good Fish Guide \(mcsuk.org\)](#)

Inshore fisheries governance and community empowerment:

Regional Inshore Fisheries Groups

We support the principle of the rIFGs and believe that they are vital to facilitate bespoke management for local regions which account for the nuance in the fishing industry and allow for two-way communication between industry and management. Regional fisheries management is complex and there are no easy fixes. However, there is room for improvement. rIFGs need to be better resourced. At the moment each rIFG is the responsibility of one person- if they are off sick or ill then the rIFG does not function. We need to build in resilience to the system to allow rIFGs to allow them to live up to their potential.

The inshore fishing industry supports the concept of co-management but recognises that for co-management to be effective stakeholders must be engaged at the appropriate levels, with clear and regular communication and with clarity around roles and responsibilities.

Sincerely,

Sheila Keith- Shetland Fishermen's Association

Elaine Whyte- Community Inshore Fisheries Alliance

Hannah Fennell- Orkney Fisheries Association

Open Seas submission

Our inshore seas are a public asset providing economic, social and environmental benefits to local communities and the wider population, yet their future prospects and the fisheries within them is at a crossroads - the health of the seas has been in decline for some time and continues, fish stocks are economically absent from most inshore areas, landings to most districts are on a downward trend, no stakeholder is content, most contend that things will decline yet further if no action is taken, all are calling for change in some form. We need accountability and leadership - Open Seas therefore welcomes the RAINE committee's time to explore these issues.

The failure is largely down to the fact that the legislation, government strategies and policies which have been set down have not been delivered by the regulator. [Marine Scotland's 2015 Inshore Fisheries Strategy](#) is a prime example, failed targets include,

- *"Marine Scotland will address the barriers to good governance and explore options to bring forward an updated legislative framework by 2020"* - no such legislation has ever been delivered
- *"Our inshore waters will be managed in a way which is environmentally sustainable and their potential will be maximised to the benefit of coastal communities."* - plainly not met
- *"A baseline of data will be developed to understand the fishing footprint and the interactions between sustainable fishing"* - a glaring omission from Government's current data needs

What is required is effective inshore protections, robust monitoring and compliance, reform of quota management and a just transition to low impact fisheries, all overseen by a more representative system of inshore governance. As the industry faces significant pressures, now is the time for a decisive shift from previous approaches, to create a race to the top, instead of to the bottom.

1. FISHING INDUSTRY PRESSURES

Years of poor management have led to inshore fisheries now struggling over limited resource and space - common resources need public oversight, Marine Scotland is failing to provide this.

- **Absence of spatial plan has resulted in conflict.** Marine Scotland's failure to deliver the [National Marine Plan](#) means that there is no spatial plan for fishing, this leads to competition between fleets (e.g. creelers vs trawlers) and other marine users (e.g. offshore wind). [In 2018 Marine Scotland claimed to begin a pilot](#) of "zonal fishing management in the waters off Arbroath and Montrose" but no such study was ever progressed. The result is ongoing conflict.
- **Government has failed its legal duty to use quotas to incentivise change.** Quota is a public asset but each year the Scottish Government hands it over to fishing businesses freely to those who have bought up allocations from others - through this process it has been consolidated. [Section 25 of the Fisheries Act 2020](#) requires Ministers use quota to incentivise "selective fishing gear, and fishing techniques that have a reduced impact on the environment" - this is not happening. As a result there is little opportunity to diversify and improvements in fishing practices are not incentivised.
- **Many are trapped fishing single species with small profit margins.** The lack of access to quota, the lack of commercially viable stocks (e.g. cod, haddock etc) and the consolidation of fish processing means many are trapped in challenging business models. They cannot find crew because they do not offer attractive salaries.

SOLUTIONS

- **Recover the fisheries resource** - were there more fish to catch, fisheries would be more profitable - Scotland must recover nursery grounds, end overfishing and bring back the fish.
- **Incentivise low impact methods** - scallop dredgers and bottom trawlers use huge volumes of fuel to pull their gear through the seafloor - creel, dive and line fisheries are far more efficient and [yield higher economic and employment returns](#).
- **Reform quota management** - deliver on the duties of the Fisheries Act to ensure that quota is used to incentivise approaches to fishing which do not cause long term loss to marine habitats. stay within maximum sustainable yield (MSY) as determined by ICES.

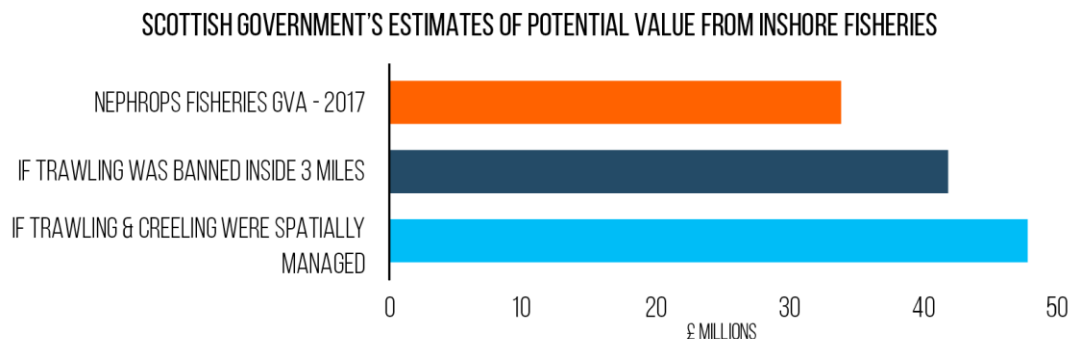
2. SCIENCE

Whilst some knowledge gaps regarding the extent of inshore fisheries, the recoverability of marine environments and the size and make up of key stocks remain, we have sufficient evidence available to know the steps that are needed to better protect inshore seas and make inshore fisheries more sustainable.

- **Science on protection is ignored** - Government scientists have already clearly indicated areas within [Marine Protected Areas and beyond need protection from fishing](#) - despite this we have this year recorded clear evidence this advice is not being followed.
- **Science on recovery is ignored** - International science shows clearly that [bycatch is preventing the recovery of key stocks such as cod](#), yet government is taking no action to reduce this pressure.
- **Science on economics is ignored** - Marine Scotland commissioned research has shown that transitioning to a [three-mile limit would yield better productivity and employment](#), yet is ignored.
- **Data needs are ignored** - Despite commitments in the [National Marine Plan](#), [Inshore Fisheries Strategy 2015](#) and elsewhere we still have no understanding of the location where most inshore fishing takes place.

SOLUTIONS

- **Establish Remote Electronic Monitoring (REM) on all fishing boats** - this will provide a low cost means to capture not just the extent of fishing and its seabed impacts, but also areas of juvenile bycatch to avoid and clean productive fisheries to target. The anonymised data should be made publicly available to assist in science.
- **Accountability** - there must be much greater scrutiny of decisions made (or not made) by Marine Scotland as custodians of this inshore marine resource.
- **Invest further in community and fishermen data collection initiatives** - fishermen and members of coastal communities are very well placed to collect data themselves. They should be supported to do so, both in terms of access to training and funding.



3. SUSTAINABLE FISHERIES MANAGEMENT

The principles of sustainable fisheries are straightforward - i) manage catch such that a stock is not overfished, ii) ensure it is selective and not causing excessive bycatch of other non-target species, iii) limit its impact on marine habitats and the wider marine ecosystem and then iv) ensure access is fair and done in the public's best interest. Sadly, Scotland is failing all of these principles.

- **Overfishing continues for many stocks** - the 2020 assessment found that [only 54% of stocks were sustainably managed](#). For many stocks the Government does not even know the overall abundance - the most recent scallops [stock assessment was 2016](#), for [crab was 2015](#), and has [never been done for wrasse](#). Nor does it have a mechanism to restrict catch in many cases - neither scallops nor lobsters are subject to catch limits.
- **Bycatch continues to cause huge additional mortality** - discarding results in food and ecosystem waste at a time we should be preventing both; e.g. ICES predicted that [47% of all plaice caught in the North Sea in 2021 were discarded](#).
- **Bottom trawling and scallop dredging continues to cause significant losses of marine habitats** - Open Seas has documented loss of maerl beds since 2018 in Orkney and on the west coast, including [even within designated Marine Protected Areas](#).

- **Access to the fishery is not incentivising change** - trawlers and dredgers within inshore waters are not being given any incentives to change or curtail their activity; the quota system is not being used to incentivise low-impact fishing; low-impact static gear is not being protected from gear conflict.

SOLUTIONS

- **Set catch quota no higher than sustainable limits** - a short term reduction would be followed by significant catch increases once stocks recover; the current North Sea cod total catch allowance of around 11,000 tonnes, would be nearer 50,000 once recovered.
- **Use Monitoring to record bycatch rates and identify hotspots to avoid** - robust and tamper proof REM across all inshore commercial vessels would generate an important baseline of data, currently severely lacking.
- **Establish robust spatial management to reduce seabed impacts** – remove the damaging impact of scallop dredging and bottom trawling from sensitive inshore seas – this could be done using existing policies such as the inshore cap, Highly Protected Marine Area designation or simply through marine planning.
- **Guide transition to low-impact fishing** – transition takes time and involves capital costs, fishermen need to be incentivised to change and supported in their transition. Many fishermen will publicly welcome this support given they understand practices like inshore scallop dredging cannot continue in their current form.

4. INSHORE FISHERIES GOVERNANCE AND COMMUNITY EMPOWERMENT

Inshore fisheries governance is failing and communities are not empowered to engage with decisions made in these areas. It is not fit for purpose and needs wholesale reform.

- **RIFGs are not accountable nor representative** - Marine Scotland continue to defer decision making to RIFGs, however, without constitution these groups are not accountable to fisheries legislation, are opaque and do not account for wider community concerns - the last minuted meeting of the West Coast group was in 2021 - <https://rifg.scot/about/meetings>
- **Co-management is currently being used as a euphemism for industry self-governance** - Co-management must include all stakeholders, not be a bilateral agreement between Government and industry. Industry self-rule has repeatedly failed.
- **Enforcement has failed to deter illegality** - In April 2022 a scallop dredger was found guilty of illegally dredging in the Wester Ross MPA but its skipper was fined just £3,200. This is not a deterrent and meant that another vessel was caught dredging in the same area in June.

SOLUTIONS

- **Empower the community and ensure proper participation in governance** - communities, NGOs or other stakeholders should be involved in decision making, we are agnostic whether this is via the RIFGs or an alternative reformed mechanism.
- **Make those responsible for decision making accountable for their decisions** - all decision making must align to legislative duties and broader policies, such as the National Marine Plan. Without any statutory footing the RIFGs have made decisions which conflict with these but without proper standing, neither they nor Marine Scotland can currently be challenged on this.
- **Transparency** - decision making is dogged by a lack of transparency - the Clyde Cod reports have still not been published despite RAINE committee calls - www.rifg.scot or another platform must be used to allow transparency.



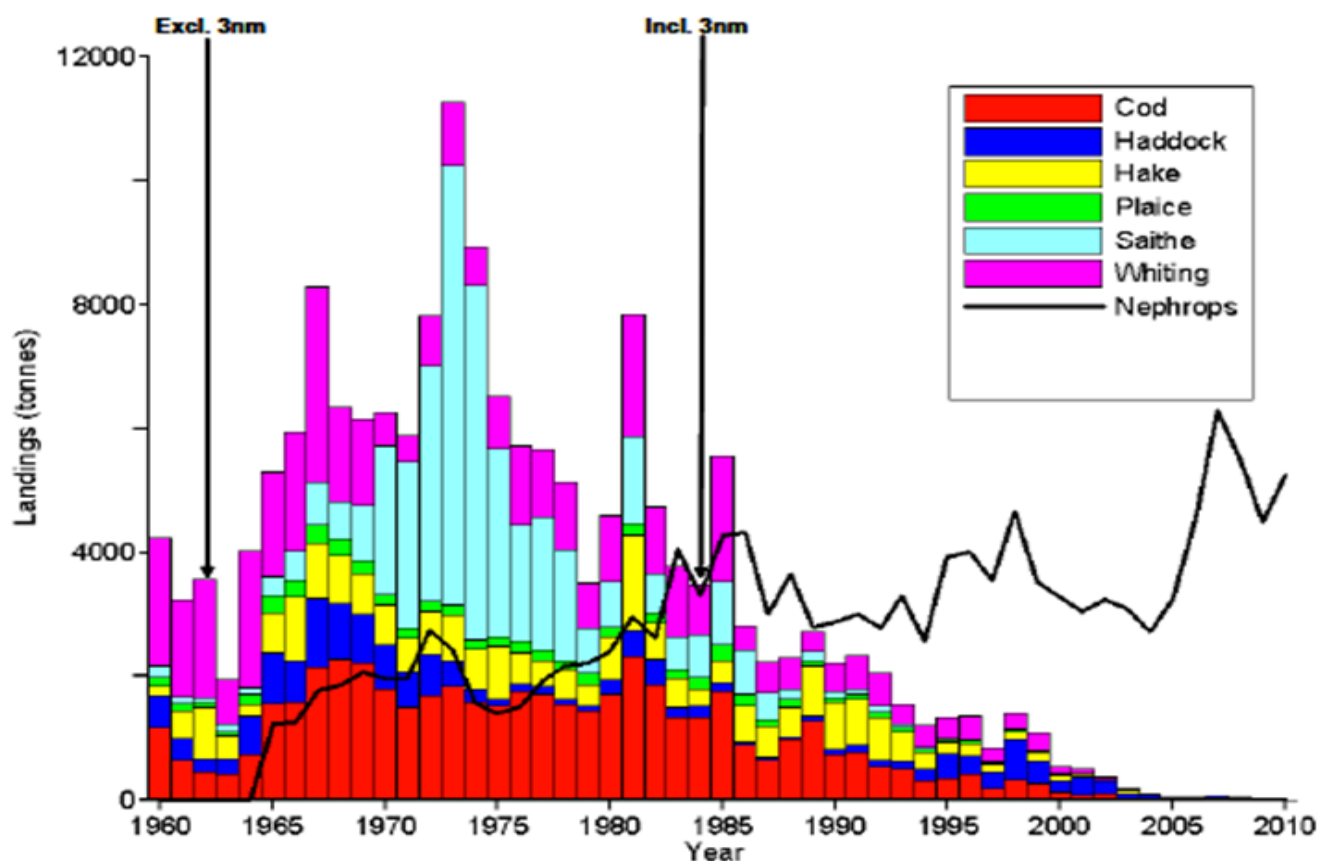
Damage caused by scallop dredger inside Small Isles Marine Protected Area – Sept 2022

For more information contact phil@openseas.org.uk or allan@openseas.org.uk
Open Seas advocates for sustainable fisheries and healthy seas. We are charity registered in Scotland (SC045699).

SCFF would like to thank the RAINE committee for taking the time to look at and better understand the challenges and opportunities in Scotland's inshore fisheries. We have compiled a list of notes, opinions and suggestions which we hope will assist the committee in their deliberations.

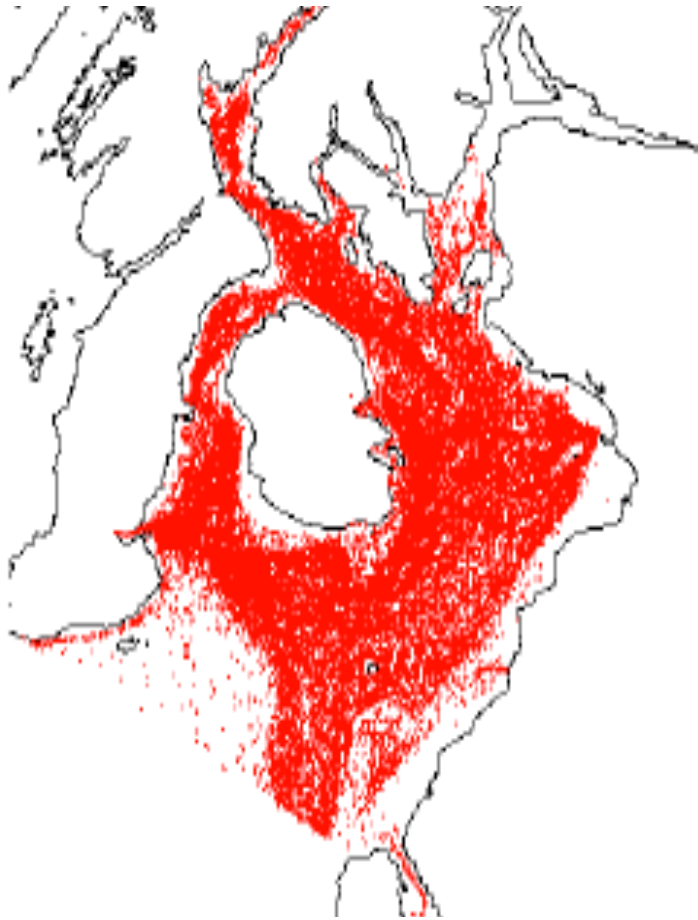
1. Sustainable Fisheries

The majority of the species historically commercially harvested from our inshore are now commercially extinct and our principal remaining inshore fisheries are based around shellfish.



This graph documents the landings of six of the principal demersal fin fish species landed from the Clyde between 1960 and 2010. The black arrows indicate when trawl restrictions were removed in the wider area in the 60's and then from the three mile limit area in the 80's. In that 50 year period each species went commercially extinct. This is illustrative of demersal fish landings from throughout Scotland's former three mile limit area. Source <https://www.gov.scot/publications/scottish-marine-freshwater-science-volume-3-number-3-clyde-ecosystem/>

- There are different harvesting methods competing for access to inshore fishing opportunity for harvesting nephrops, crab, lobster and scallop. Each method has distinct social, economic and environmental outcomes. Our fisheries are not managed to optimise those outcomes.
- Within the inshore there is little to no spatial management (separate areas where you might trawl or creel) or effort management (limits on how much trawling and creeling can happen in any specific area). Competition for space biases in favour of larger vessels, vessels deploying more gear and mobile gear vessels. Bigger vessels force out smaller vessels.
- Smaller vessels especially those deploying static gears generally offer superior social, economic and environmental outcomes.
- They usually get a higher price, can employ more fishers on less fisheries resource, use less fuel, have less bycatch and substantially less seabed disturbance.



This Vessel Monitoring System location pings (shown in red) recorded from Nephrops trawlers >12 m length in the Clyde area in 2010. Source <https://www.gov.scot/publications/scottish-marine-freshwater-science-volume-3-number-3-clyde-ecosystem/>

There is a significant opportunity to utilise spatial management and effort controls to dramatically improve the social, economic and environmental performance of our inshore fisheries.

- There are little to no up to date stock assessments for most Inshore species and none for our inshore shellfish fisheries. The lack of stock assessments, spatial management or effort controls as well as the absence of inshore fisheries management plans means that it's difficult to manage any of our inshore fisheries for sustainability and impossible for them to attain sustainable accreditation.
- The vast majority of our Inshore nephrops stocks are harvested by trawl, despite trawling displacing creel fisheries and creel fisheries offering dramatically improved social, economic and environmental outcomes. Nephrops caught by creeling sell for up to 4 x those caught by trawling. A carefully managed transition away from trawl gears to creel and other low impact, high employment fisheries in Scotland's inshore could maintain employment in our coastal communities whilst facilitating conservation gains like dramatically reduce seabed impacts such as disturbance of sequestered carbon, reduce by-catch of demersal fish species and reduce fuel use.
- Our priority marine features such as biogenic reefs (which are essential fish spawning and nursery habitat) have shown dramatic declines. The 2020 marine assessment indicates those declines are ongoing. A substantial proportion of those declines are on account of the extensive use of mobile gears inshore.
- Substantial areas of our inshore will have to be closed to mobile gears if we are to protect and recover our remaining PMF's and or recover our demersal fish populations.

Efficiency of the Under 10m Inshore Fleet

Landings  5%

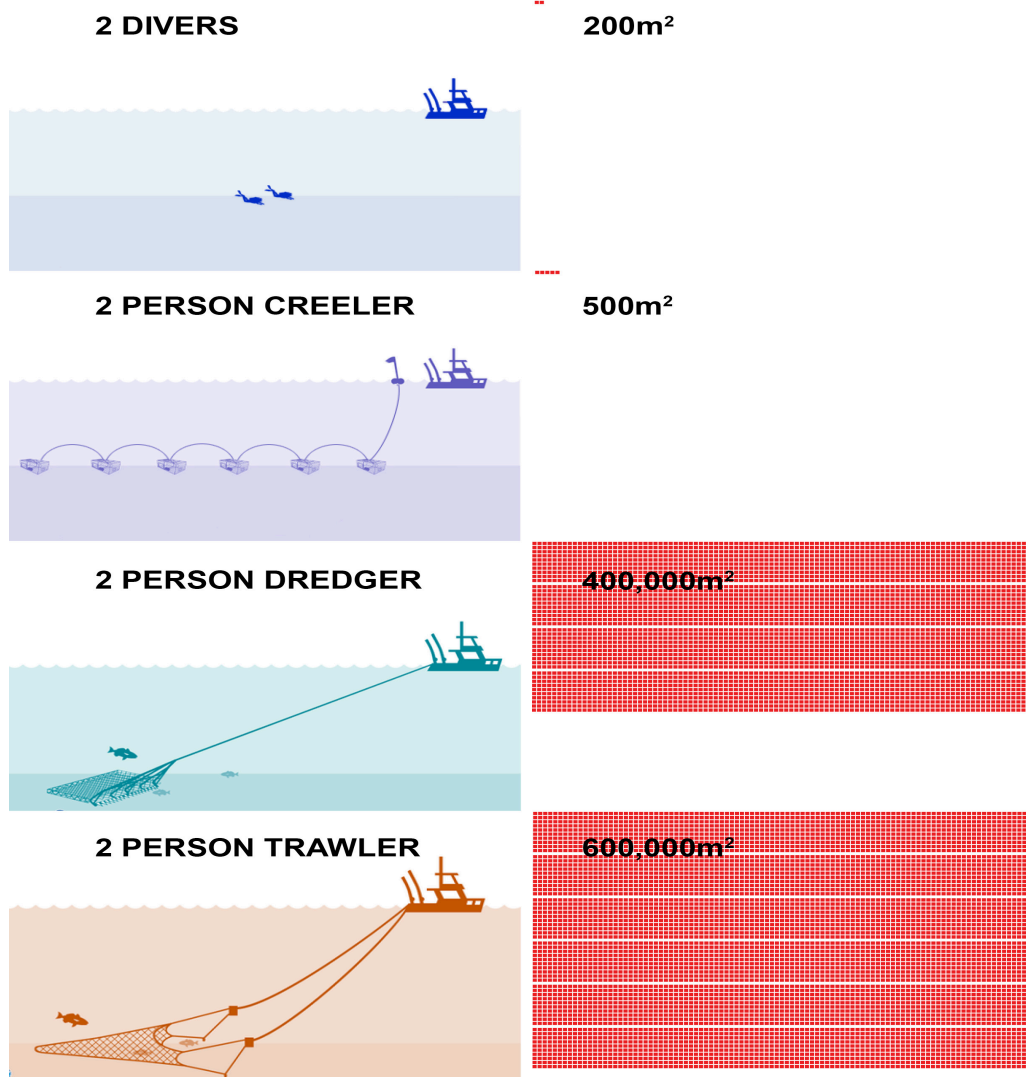
Value  10%

All Jobs  2/3

*** SPICe briefing 2019**

- Effort controls will have to be introduced on how much trawling or creeling can happen in any given area before we can sustainably manage our inshore fisheries or optimise those fisheries from a social, economic and environmental perspective.
- If we are to increase the use of static gears in Scotland, appropriate management of those gears will require to be introduced, this includes regulating both the overall national/regional effort and the localised effort in specific areas like MPA's and sea lochs. Such management is especially important in areas where there are sensitive features or limited access to fishing opportunity. There will require to be creel limits based on the target species population health and the carrying capacity of any given specific geographical area. Appropriate entanglement mitigations will also require to be introduced, especially in areas where a higher chance of entanglement exists.
- There are currently trials of vessel tracking systems which can monitor creel effort and ongoing research into entanglement mitigations that could facilitate substantial increases in static gears deployed in certain fisheries without undermining the sustainability of those fisheries.

SEABED DISTURBANCE OF FISHING TYPES PER DAY SMALL INSHORE VESSELS



2. Industry pressures

Competition for access to fishing opportunity in the form of quota, access to space and gear conflict. The complete lack of spatial management, lack of fisheries management plans and the monopolies on physical space by the mobile sector as well as quota monopolies marginalise the smaller, lower impact and higher value static gear fisheries.

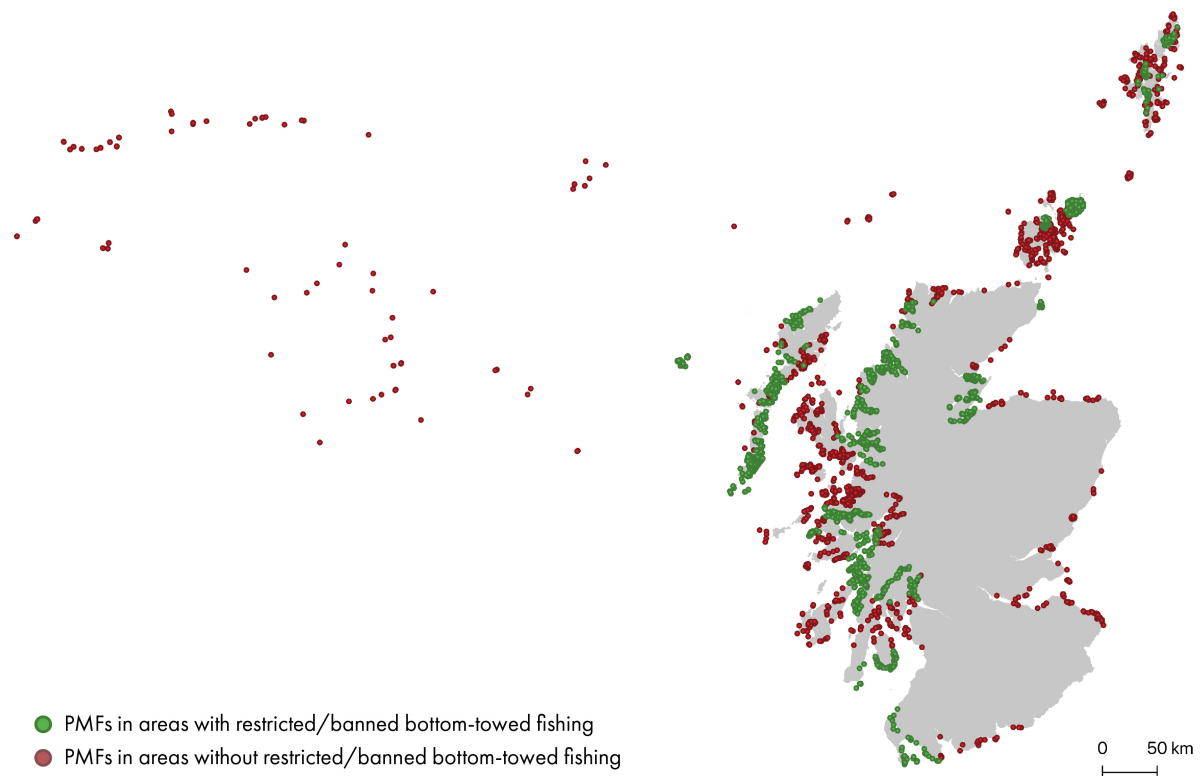
- The cost of fuel is making some sectors, especially dredge and trawl, unviable.
- The mobile gear sector also has a distinct issue with attracting crew. More and more the trawl and dredge fleet are looking to attract crew from outside the UK. Most crew working in the smaller static gear vessels are employed from the local area from where the vessel operates.
- The average age of fishers (50+) and vessels (35+) indicates a substantial requirement for investment to modernise the fleet and incentives require to be found to attract new entrants.
- Arguably the best incentive would be a sustainable, profitable and thriving inshore fishing sector.



Above: Larger trawl vessels compete in the same inshore locations as smaller creel vessels.

3. Competition for Space

- The need to address the challenges of spatial squeeze are one of the few areas where the whole inshore fishing industry, regardless of sector, are in agreement. There is a clear case that if we are not presently at overcapacity, then once the MPA, HPMA and PMF management measures and latest round of windfarms are introduced that overcapacity in the inshore arena will lead to continuing social, economic and environmental declines.
- We can either reduce capacity in the form of decommissioning or we can transition capacity into lower impact and higher value fisheries or a combination of both those options. There are currently no proposals or plans from the Scottish government to do either.
- A just transition fund, like has been afforded to the NE of Scotland could be used to facilitate a transition to modernise the inshore fleet to focus on a transition to lower impact and more selective gear, lower fuel vessels and match fishing capacity to the available fishing opportunity.
- Access to fishing opportunity should be allocated in a clear and transparent manner. Currently its very much a law of the jungle, whoever gets there first, whoever has the biggest boat, whomever can squeeze out the competition.
- Preferential access to fishing opportunity (in the form of spatial/access restrictions, quota allocations or gear allocations) should be granted to those gears, methods and management regimes that optimise the social, economic and environmental performance of any areas fishery.
- It is arguable that wherever creeling, hook and line or dive fisheries are profitable that competing methods with poorer social, economic or environmental performance should be excluded so as to ensure they are not displacing those higher performing fisheries.



Above: The red dots show completely unprotected Priority Marine Features. The green dots show protected or partially protected PMFs - though a significant number of these still allow towed gear through part of the year, making the partial protection largely futile. Source: [SPICe Briefing, ScotGov/NatureScot](#)

4. Inshore management and governance

- Inshore fisheries management and governance is almost completely absent.
- There are no stock assessments, no fisheries management plans, no effort controls, no prioritising of lower impact gears, no incentivising of lower impact or more selective methods (despite this being a legal requirement), no separation of static and mobile gears, no attempt at optimising the social, economic or environmental performance of the fisheries in any given area.
- There are currently no plans or proposals on how to protect and recover our remaining priority marine features or our decimated demersal fin fish populations.
- Approximately 50% of our remaining priority marine features are afforded no protection from dredge or trawl and it's still perfectly legal to destroy them, this destruction is happening, ongoing and well documented.
- The Inshore fisheries groups have achieved little to nothing except maintain the status quo.
- A decade ago the original IFG's produced draft management plans which prioritised effort controls (limits on how much trawling or creeling could happen in an area) and spatial controls (limits on where trawling and creeling would be permitted). Those initiatives have never been progressed.
- Marine Scotland has advised SCFF and their member associations on numerous occasions to take fisheries management initiatives to the IFG's. Despite 10 years of trying, three distinct pilot proposals and unanimous consensus from all the full time fishers operating in the Inner Sound the IFG has never supported any of the Inner Sound fishers proposals. Not one of our fisheries management initiatives; per vessel creel limits, area based creel limits, effort caps,

spawning area protections, fisheries management plans, spatial management etc has ever been supported or progressed by the IFG.

- Co management requires a set of ambitions (like optimising the social, economic and environmental performance of an areas fisheries), the development of fisheries management plans and support from the regulator for localised initiatives.
- Marine Scotland appear to act against spatial management even when there are clear social, economic or environmental benefits and even when supported by the vast majority of local fishers.
- Marine Scotland appear to be a regulator subject to a dramatic degree of regulator capture and to only be interested in facilitating the ambitions and short term interests of the mobile gear sector and supporting the larger industrialised fisheries methods.
- Marine Scotland do not currently have any plans to introduce extensive spatial management anywhere in Scotland's inshore. They have no plans to introduce inshore shellfish stock assessments or to introduce inshore fisheries management plans.
- Our under 12 meter fleet is not fitted with vessel tracking, despite this being in place in the rest of the UK's devolved administrations and despite previous government commitments to have a full roll out by 2019.
- The lack of fit for purpose vessel monitoring creates issues around management of our fisheries from no establishment of track record, to no effort monitoring, to poor understanding of spatial footprint as well as regarding policing and enforcing fisheries and conservation regulations.
- An inshore limit or similar extensive special management is required to protect and help recover our remaining PMF's.

Inshore Fisheries Panel Submission

Shetland Fishermen's Association

Overview of Shetland's Inshore Fisheries Management

Where fishing opportunity exists, inshore fisheries are of vital importance for the socio-economic survival of coastal economies. Potentially they have an essential role to play within the creation of fishing policy. Not least they play a highly significant role in the sustainable exploitation of fisheries resources in community coastal waters.

Shetland Islands could be described as being the home to the best developed fisheries management for inshore fishing in Scotland. The Shetland Shellfish Management Organisation (SSMO), established in 1999, is a good example of people uniting behind a common vision of sustainable shellfish fisheries that now have a data set of over 20 years to backup adopted management measures. The Scottish Ministers grants SSMO the powers to regulate its own inshore fisheries – out to the six-mile limit. This means that only licensed inshore vessels can fish for shellfish in these waters. SSMO works closely with UHI Shetland to maintain healthy fish stocks, such as king scallops, brown crabs which are all MSC-certified.

SSMO share offices in Lerwick with the Shetland Fishermen's Association (SFA) and the Shetland Fish Producers' Organisation, collaborating as "Shetland Fishermen". The SFA work closely with the SSMO to ensure that professional fishermen in the inshore waters around Shetland are represented. However, there are difficulties in getting the voices of the inshore fishermen, who catch species other than shellfish, represented in the RIFG network. Connecting local fishermen and their representative organisation in policy making needs to be a key priority.

There are currently 150+ inshore fishing boats in Shetland, utilising under 10m quota from Marine Scotland, catching inshore demersal (98 vessels caught cod this year) and pelagic species (111 vessels caught mackerel so far this year). The inshore sector enjoys a symbiotic relationship with the whitefish and pelagic fish catchers in Shetland which has created the infrastructure, buyers, transport, etc. required for a successful inshore fleet survive and thrive.

In August 2019 the SFA wrote a policy paper “[Rebuilding Scotland’s Inshore Fisheries](#)”. The document is written from the experience of a fishermen’s association which understands all the components required to sustain a well-managed inshore fishery.

Shetland has a thriving inshore fishing fleet which still continues to have new entrants, resident in Shetland, joining the fleet. A marked difference to other traditional inshore fisheries in Scotland. The Scottish Government has provided fishing opportunity to inshore fishermen but it needs backed by support through the continued provision of accompanying resources such as science and compliance. In Shetland, there is a growing inshore fleet but the limited quota is at risk of being diluted to a level where it is unlikely that the investment to join the fleet can be repaid, whilst covering costs. In order to provide for their families and also to help preserve and maintain their fishing activity fishermen are regularly obliged to supplement their income with miscellaneous part time work.

The effective fisheries management in Shetland has delivered sustainable and viable fisheries whilst also maximising the economic and social benefits in a rural economy some way distant from its customers.

General Comments on Inshore Fisheries Management

Policy

Shetland can be seen as an example of where fishermen, community, scientists and the Scottish Government have worked together to create a system that works where communities and fishermen have been the largest financial contributor. However, all is at risk through the lack of funding available to provide the routine, year after year science which is the tool to ensure future sustainability. Funding is currently limited to science which has an element of innovation.

Political efforts to revive or strengthen Scotland’s inshore fishing fleet have been a challenge for a long time. The government needs to manage the expectation that they can solve or mitigate many of the issues facing fishermen. This is especially relevant today with Marine Scotland facing budgetary challenges to deliver an ever expanding remit of work, including fisheries and the delivery of such things as offshore wind. This set against the backdrop of ambitious environmental challenges and political imperatives through the SNP’s relationship with the Greens, and in the words of the Cabinet Secretary, “Most of what needs done will be agreed on a risk-based approach”.

Some challenges come from fishermen themselves. With the most damage being done by fishers who do not have a custodial attitude to the environment and sustainability of stocks. Often the most concerns relate to fishers who are not from a local community and are concerned about the here and now and not the next generation of fishermen.

Barriers such as licencing or quota restrictions, can be a good thing to ensure fishing opportunities exist, but they need backed up with evidence and compliance. Rules without compliance have limited success.

Environmental and External Pressures

There needs to be a recognition that fishermen do not fish everywhere. The fact that they continue to fish the same areas is indicative of effective fisheries management and the assurance of a future fishing industry.

All food production has an environmental impact, so arguments need to be proportional. For example, 15% of Scottish inshore waters are subject to scallop fisheries, in Shetland it is even lower at less than 4.7%. The evidence does not show blanket approach is the best fisheries management.

The emissions from the Scottish fleet are small when compared to the likes of farming or transport. However, as technology/engineering allows skippers will transition where it is efficient, proven technology and cost effective. There is already a lot of work going into vessel design and gears which reduce the release of carbon. The industry starts from a good place and will move forward on that basis.

There is a need for objective definitions of terms like 'sustainable' and 'sustainability', and objective quantitative measures of sustainability. As it is, everyone seems to use (or misuse) these terms in a different way. For ENGOs in particular, 'sustainable' simply seems to mean what they think is 'good' and 'unsustainable' means what they think is 'bad'. That is, they use 'unsustainable' for things that they disapprove of, without any objective evidence of what they are actually supposedly measuring. That contributes to the constant shifting of goal posts.

ENGOS/Pressure Groups should satisfy set criteria before they can become involved in the management process - in terms of who they actually represent, what their aims and objectives are, their governance, transparency (inc. funding, conflicts of interest, etc.), etc.?

Cumulative Impact and Displacement

As well as fishermen being concerned about the impacts of power cables, seaweed farming, etc. they are concerned about the cumulative impacts of all developments imposing on their traditional fishing grounds. A stage is reached where there is a significant displacement to inshore fishing efforts, and earnings, and a potential impact on the natural eco-system. They feel there is a need to pause while impacts can be quantified. An appeal is made that all seafood producers be given the space to succeed in a sustainable manner and we ask for a discussion on proportionate development.

New developments, whether it be offshore wind or seaweed ranches, will continue to apply spatial pressures on the success of fisheries. The Scottish National Marine Plan requires that, “fishing opportunities and activities are safeguarded wherever possible” and “the other sectors take into account the need to protect fish stocks and sustain healthy fisheries for both economic and conservation reasons”.

The opportunity for achieving genuine collaborations between new developments and existing fishers is being missed by ignoring the inputs from fishers. Best practices would be to listen to the advice and work with fishermen to understand existing fishing patterns and aim for co-existence. Rather fishers are seen as a problem they should be seen as a vital part of the solution.

Inshore fisheries have serious concerns over EMF emissions generated from the transmission of electricity through subsea cables. The cables produce electromagnetic fields which penetrate most materials and therefore are emitted into the marine environment with the resultant induced electric field. It is common that impacts on electro-sensitive species are mitigated through the burial or rock placement on cables. However, new science is showing that these measures are not enough to mitigate, what can be serious impacts on species such as crabs, lobsters.

Science/Community Involvement

There needs to be a focus on establishing management groups which can decide on what science is required to ensure the best fisheries management measures for that area. This must include fishermen at the heart for inshore fisheries management to succeed.

Science is worthless in its own right, there should always be an accompanying objective. Science should be there to serve an agreed management system, not the other way around. In Shetland there are great examples where the management model was established, with fishermen at the heart, and science aided the delivery of the successes seen today.

SIFT submission

The need for a just transition to modern fisheries management

Scotland's inshore fisheries are economically, socially, culturally and environmentally important for many coastal communities, especially on the west coast and on the islands. But they are often undervalued. They have long been overshadowed by the offshore fisheries – with their smaller fleets of typically larger vessels. Perhaps as a consequence, inshore fisheries have not been the subject of a parliamentary inquiry since the establishment of the Scottish Parliament.

The Sustainable Inshore Fisheries Trust believes that this situation should be addressed at the first opportunity. Such an inquiry could address not only the future of the inshore fisheries themselves, but also their economic and environmental context, and the role they could play in meeting the wider objectives of both Parliament and Scottish Ministers.

Inshore fisheries are facing increasing challenges

Scotland's inshore fisheries are increasingly exposed to the interlinked biodiversity and climate crises. These crises, which affect the health and distribution of commercial and non-commercial marine species, present a material risk to the fishing industry – as well as to other livelihoods in coastal communities, and the wider wellbeing of the nation. In addition, there is increasing competition for space in the inshore waters; the fishing industry must now compete with an increasing range of aquaculture, energy and leisure industries.

Policy responses

The scale of these challenges has been recognised by the Scottish Government. In its Fisheries Management Strategy 2020-2030 Delivery Plan, Ministers note that *'Now more than ever the spotlight is on the twin crises of climate change and biodiversity loss, which require urgent action in order to deliver change on a significant and long-lasting scale'*. And in its 2022 Programme for Government there was a commitment to *'Start the process of developing a new National Marine Plan, to address the global climate and nature crises by carefully managing increasing competition for space and resources in the marine environment.'*

However, the scale and pace of actual measures to meet these challenges has been, and remains, inadequate. A dedicated Inshore Fisheries Bill was promised in 2016 but was not delivered and in its place have been occasional piecemeal measures, which have failed to ensure that fundamental reform has occurred. Regional Marine Planning, first announced in the Marine (Scotland) Act 2010 (and subsequently set out in the National Marine Plan 2015), also remains far from developed. Indeed, the Clyde Regional Marine Plan (the 'pilot' for regional marine planning in mainland waters) does not yet even contain a plan. Furthermore, that 2015 National Marine Plan did not include material spatial management, which remains a cornerstone of effective marine planning.

Urgent need for action

The result is an antiquated inshore fisheries management regime which is no longer fit for purpose, with some legislation now more than 50 years old. Fisheries policies lack underpinning evidence, fisheries governance structures exclude key stakeholders, fisheries enforcement is weak, there is a dependence on only a small number of target species (exposing the fisheries to climate change-induced risks and contributing to gear conflict), and the wider impacts of poorly managed higher impact fisheries on the marine environment help ensure Scotland's seas fail to meet good environmental status indicators.

This does not have to be the case. Relatively simple management measures, well-proven in other jurisdictions, could be adopted. These could ensure the inshore waters support sustainable fisheries employment alongside a recovering environment - which would bring further benefits to fisheries and other users.

The need for a full Parliamentary Inquiry into inshore fisheries

A full Inshore Fisheries Inquiry would focus attention on the Scottish Government's failure to modernise Scotland's inshore fisheries management regime. It could investigate and report a clear list of recommendations for reform of inshore fisheries policy. The Sustainable Inshore Fisheries Trust believes that such an inquiry should give particular consideration to:

- **Research and monitoring** - the health of stocks of commercial and non-commercial species, and the activities of the inshore fleet need to be understood if management is to be effective.
- **Governance structures** - governance structures need to be constituted, inclusive and transparent if fishery management is to take into account the impact of fisheries on all marine stakeholders, and effectively embrace the ecosystem-based approach. See SIFT's paper on [Reform of RIFGs and the evidence on the effectiveness of the English IFCA system](#).
- **Fishery Management Plans** – all inshore fisheries need to be planned; FMPs would inform not only how the fisheries will be managed but also how they will interact.
- **Spatial planning** – clear cross-sectoral planning is a prerequisite for managing all stakeholders' competing demands for space.
- **Enforcement** - illegal and unregulated fishing activities must be deterred. This must entail both compliance activities at sea and subsequent Court processes. See SIFT's paper on [Fisheries Enforcement in Scotland](#)

These issues are particularly urgent for this Committee to consider this session given the extent of related policy matters covered by the Bute House Agreement. The new Highly Protected Marine Areas will on one hand help the industry by boosting fish stocks and promoting biodiversity, but the choice of location could result in displacement from traditional fishing grounds, even for low impact fisheries. How should such issues be managed?

There is limited detail on the proposed "cap to fishing activity in inshore waters", and scepticism about the effectiveness of this approach. How could it be designed to support a more sustainable fishery? The Bute House Agreement also refers to measures which "could potentially include spatial management", which if properly implemented have the potential to turn around the 40-year decline in our inshore fleet and mitigate many of the pressures currently experienced by the sector.

Across these policy areas, we believe Scottish Government policy would be more likely to be constructively influenced by Parliament if an inquiry were held in advance.

A just transition

If inshore fisheries management is to be reformed, the reform process must be led by the fishing industry itself. This will only happen if there is transitional support for the most affected fishery sectors.

Transitional support would bring the fishing industry into line with other industries which are also being supported in their transition to a more sustainable future, notably the transition deal for oil and gas. Transitional Support is also currently a live issue for Scottish agriculture. There must be a similar package of financial help for the inshore fishing industry.

Transitional Support for Inshore Fisheries

Transitional support for inshore fisheries must be comprehensive so that it includes funding towards:

- Replacement of high impact by low impact fishing gears;
- Replacement of high emission by low emission engines and vessels;
- Compensation for revenue reductions arising from the loss of access to established fishing grounds as a consequence of the introduction of new spatial management measures – especially during the initial period between when closures are imposed and their fishery benefits (in terms of spill-over of new and larger numbers of target species) have occurred. This should cover both conservation measures, like the forthcoming suite of HPMAs, and fisheries management measures, such as gear-specific spatial management.
- Targeted vessel decommissioning costs, where excess capacity in high impact fleets must be reduced.
- Compensation to vessel owners for alterations (e.g. revocations) to licences, licence entitlements and quota. Such alterations have been widely viewed as significant barriers to fisheries reform. But it is vital to note that licences, licence entitlements and quota can be altered if done in accordance with both property and human rights requirements. Note 1 (below) briefly expands on this issue.

SIFT believes that much of the cost of such a package of compensation could be met by philanthropic foundations dedicated to just transitions and modernised marine management – as has been the case in other jurisdictions.

Sanctions for non-compliance

The corollary of a transitional support mechanism is that there should be enhanced sanctions for subsequent non-compliance. Skippers and owners who do not accept compensation for the costs of transition, and subsequently impose costs on society and the environment, should be subject to more costs and penalties. These could include financial measures such as additional levies on fuel use - so that those who fail to reduce fuel consumption (and hence emissions) have to bear a greater operating costs. Equally, there should be meaningful penalties on fishers who continue to use the wrong gears or operate in the wrong place. To be effective, there will need to be better enforcement - otherwise the minority of the industry who fail to reform will free-ride on the changes made by the majority. See SIFT paper on [Management cost recovery](#) .

Conclusion

SIFT believes that reform of Scotland's inshore fisheries is long overdue. Measures to resolve the inherent unsustainability of many of its sub-sectors are widely accepted and internationally proven. These now need to be implemented in Scotland. Transitional compensation for the most affected sectors will be a key component of this process. We believe that a full inquiry into this issue will provide the necessary impetus and route map to reform and help inshore fisheries transition to a more sustainable and profitable future.

Note 1 – Compensation for loss of licences, licence entitlements and quota.

1. Under the <https://www.legislation.gov.uk/ukpga/2020/22/contents/enacted> Fisheries Act 2020, Scottish Ministers may modify or remove licences for the purposes of sea fishing regulation. Indeed, the use of licensing functions to *'limit the number of fishing boats, or any class of fishing boats, engaged in fishing in any area'* is explicitly foreseen by the legislation. Such a deprivation of property rights (e.g. the revocation of a licence) is not prohibited per se under Article 1 of Protocol 1 of the European Convention on Human Rights, but there would be restrictions on the manner of such deprivation, i.e. it must be carried out in accordance with a fair procedure and it may require fair and adequate compensation.
2. Previous efforts at reducing the size of the fishing fleet focussed on the offer of compensation through voluntary decommissioning schemes. A key element of The Fishing Vessel Decommissioning (Scotland) Scheme, 2009 was that the applicant must both *'surrender the licence(s) ... in respect of the vessel granted ... and any claims to any new licences arising from such licences.'* In other words, vessel owners can be required to not only give up their licence but also their entitlement, meaning that the licence is permanently removed from the system.
3. With regard to quota: UK fisheries administrations expressly recognize that Fixed Quota Allocations are not an absolute entitlement when they state that *'FQAs do not provide any right to a share of UK quota'*¹ and the [Scottish Quota Rules](#) expressly provide that *'Marine Scotland ... reserves the right, after consultation and having regard to an assessment of economic and biological impact, to recover quota from Scottish licensees and re-distribute quota where it appears unlikely that Marine Scotland's quota distribution to those licensees will be caught in full.'* The main purpose of this power is to ensure that the full quota is being used in practice. The result, however, is that the continued grant of quota cannot be taken for granted. It is worth noting in this regard that the Scottish courts have expressly held that there is *'no legal right to any particular future quota in a licence'*² and the court rejected the argument that Article 1 of Protocol 1 (of the EHCR) was engaged when a proportion of a quota was removed from a vessel.

¹ UK Fisheries Concordat 2016, para. 9

² [1] *Christina S FR 224 A Partnership at Will and others for a Judicial Review of a decision by the Scottish Ministers to amend landing details of the Christina S FR 224* [2013] CSOH 85, para. 34.