



OFFICIAL REPORT
AITHISG OIFIGEIL

Rural Affairs and Islands Committee

Wednesday 5 February 2025

Session 6



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Pàrlamaid na h-Alba

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Wednesday 5 February 2025

CONTENTS

	Col.
DECISION ON TAKING BUSINESS IN PRIVATE	1
INSHORE FISHERIES MANAGEMENT IMPROVEMENT PROGRAMME	2

RURAL AFFAIRS AND ISLANDS COMMITTEE

5th Meeting 2025, Session 6

CONVENER

*Finlay Carson (Galloway and West Dumfries) (Con)

DEPUTY CONVENER

*Beatrice Wishart (Shetland Islands) (LD)

COMMITTEE MEMBERS

*Ariane Burgess (Highlands and Islands) (Green)

*Tim Eagle (Highlands and Islands) (Con)

*Rhoda Grant (Highlands and Islands) (Lab)

*Emma Harper (South Scotland) (SNP)

*Emma Roddick (Highlands and Islands) (SNP)

Evelyn Tweed (Stirling) (SNP)

*Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Stuart Bell (Scottish Government)

Helen Downie (Scottish Government)

Dr Coby Needle (Scottish Government)

Jim Watson (Scottish Government)

CLERK TO THE COMMITTEE

Emma Johnston

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Rural Affairs and Islands Committee

Wednesday 5 February 2025

[The Convener opened the meeting at 09:11]

Decision on Taking Business in Private

The Convener (Finlay Carson): Good morning, and welcome to the fifth meeting in 2024 of the Rural Affairs and Islands Committee. Before we begin, I remind those who are participating to switch all electronic devices to silent. The first item on the agenda is to decide whether to take item 3 in private. Do we agree to do so?

Members *indicated agreement.*

Inshore Fisheries Management Improvement Programme

09:12

The Convener: The second item on the agenda is an evidence session with officials from the Scottish Government's marine directorate on the inshore fisheries management improvement programme. I welcome to the meeting Stuart Bell, who is a senior policy adviser; Helen Downie, who is a senior policy manager; Dr Coby Needle, who is chief fisheries adviser for Scotland; and Jim Watson, who is head of domestic fisheries management.

We have until approximately 10.30 this morning for questions, and I will kick off with an easy one.

Can you give us an overview of the inshore fisheries management improvement programme, with an indication of expected timescales for its completion, and say what we should expect the next steps to be?

Jim Watson (Scottish Government): Thank you for the opportunity to speak to the committee today. The work on the IFMI—another acronym for you—is in its early stages. We have the call for evidence out at the moment, but we will look to provide as much information as we can to the committee today.

My colleague Helen Downie will get into a bit more detail about the programme itself, but I will give a bit of background and fill in some of the context to inshore fisheries and the programme, if that is okay.

The Convener: Absolutely.

Jim Watson: Probably the best word to describe fisheries management, and inshore fisheries management in particular, is “complex”. Many of the challenges that we have in managing our inshore fisheries and the potential impediments to improving inshore fisheries are not unique to Scotland—far from it—but are common throughout the world. In managing inshore fisheries, we could put in place a raft of policy initiatives but, if they are not built on the solid foundations of science and enforcement, they are built on sand.

I will give you a couple of examples. This might be stating the obvious but, with regard to our enforcement capability, we have a large area of sea with a large number of vessels—up to 1,700—that work our inshore fisheries regularly. You can see the challenges in enforcement if we are using a traditional set of assets.

09:15

With regard to the science, the stocks that are most important to our inshore fleet, typically shellfish, crab and lobsters, are intrinsically more difficult to assess; the modelling and the assessments that are undertaken are certainly more challenging, and even the actual sampling around the coast is more difficult because the product does not go through a market in the way that fish do. That is where we will have to work quite closely and in partnership with the industry.

Our management is typically undertaken at a national level rather than at a local or regional level. That means that management measures are perhaps not as tailored to the local fishing industry or the local fishery as we would like.

On stakeholders, it is fair to say that our stakeholder landscape is difficult. There are entrenched polarised views in the environmental non-governmental organisation community and the fishing industry. That makes development of policy very difficult. There is certainly a lot of passion, but there are clearly issues of trust, as well. As I said, that makes development of policy quite difficult.

A lot of those issues are, of course, not unique to fisheries. However, we have to take into account the challenges that are facing the fishing industry when we are developing policy. We have heard a lot lately about the shared space. There is only so much sea out there, and there are multiple users looking to use the same area of sea—we have the expansion of offshore renewables, marine environmental protection and so on. We have to build that into our thinking when we are developing policy.

From a “glass half full” perspective, I think that we have a lot to be optimistic about. Overall, the sustainability of our stocks is improving. I have been involved in fisheries management for quite some time. In the mid-1990s, around 38 per cent of our key stocks were being fished at sustainable levels and, by 2022-23, that had risen to 70 per cent. Of course, we still have some problem areas—some of my colleagues will talk about the challenges around our shellfish stocks, and crabs in particular.

We also have an exciting programme of work. As, I am sure, the committee is aware, we have a 10-year fisheries strategy, and we are delivering a number of key transformational projects as part of that, one of which is IFMI.

Before we go on to talk about IFMI a bit more, I want to reflect on the process that we have been through over the past year. We started discussing the IFMI programme and the improvements to inshore fisheries with our stakeholders as far back as January last year. We had five or six key set-

piece meetings with what we call our co-management fisheries management and conservation group, and a number of bilateral discussions, as well.

In those early discussions, what shone through more than anything else was that some of the stakeholders were clearly struggling to grasp what it was that we were trying to achieve in relation to some of the challenges through the new framework that we were looking to put in place and some of the proposals that we had. Indeed, one stakeholder at the table noted that they were there to listen and to learn, which was not going to do me much good in developing policy. Essentially, the discussions that we have had to date highlight the complexity of inshore fisheries management, in particular, and the challenges that we face.

Essentially, if I am looking to say one thing here today, it is that the period of transition that we are going through at the moment is genuinely significant. Some of us at the table today have been involved in fisheries management for a long time and we can say that we are embarking on a genuinely exciting period and have the potential to transform inshore fisheries management in Scotland.

I hope that I have not gone on too much and that that provides a bit of context to the IFMI programme.

The Convener: Thank you—that was helpful. On the back of the lobster and crab restrictions that were brought in last year and concerns that were expressed by the industry, the committee considered undertaking a piece of work to look at inshore fisheries. We are pleased, therefore, to see that the marine directorate will do what you are saying, but we are concerned that changes might not be made or implemented as soon as we would like. Can you set out your expected timescales?

I understand that there is a 10-week period for the call for evidence, but what are we looking at after that? What are the timescales for completing the work and what will set the scope of what you can do after that work has been done? Of course, we should bear it in mind that, as is clear from the work that we did as part of our budget process, the resources and capacity of the marine directorate are not what they might have been in the past. Can you give us an indication of timescales and when the committee and stakeholders can expect the work to be reported on and, ultimately, the changes implemented?

Jim Watson: Helen Downie can come in on some of that detail.

Helen Downie (Scottish Government): Jim Watson has covered a few things about the IFMI

programme, as we have been calling it. I am happy to tell you about the timescales, but I will tell you a little bit more about what the programme itself is.

As you said, there are concerns about crab and lobster stocks. The programme was driven by those concerns, which came partially from our stakeholders and partially from the updated stock assessments that we received. When we took a step back and looked at what management tools were available to us to improve the stocks and provide some relief, we realised that a number of them were available only on a national basis and that it is difficult for us to use them to take a regional approach.

Stuart Bell will be able to tell you more about the interim measures, but you should be aware that the IFMI programme has a few different branches. At its heart is the development of this new agile and responsive framework that is intended to enable us to use our management tools in more agile and potentially more regional ways so that we can deliver fisheries management that suits the changing needs of our fishers and the changing needs of our marine environment, using the best scientific data that is available at the time.

The call for evidence—which we just recently extended to 12 weeks, closing on 18 February—is at the heart of our approach. It will help us build a new framework for how we manage inshore fisheries. We are taking a step back, taking a blank sheet of paper approach and trying to figure out what needs to be done and what suits the different needs of our different stakeholders, trying to understand different views and different risks that come with different mechanisms and trying to work together to have a collaborative co-management approach to better manage the fisheries.

The programme also has a branch that involves the interim fisheries management measures, which Stuart Bell has been working on. That will provide some interim relief and support for stocks while we are working on the framework. Another branch is looking at data improvements to make sure that we are always working with the best available evidence for informing fisheries management decisions.

As I said, the call for evidence will close on 18 February. Initially, we said that we would consult at the end of this year, but that could get pushed into early 2026, due to that extension, and implementation would likely be in the next parliamentary session.

The committee might be looking for urgent action, but it will take a bit of time for us to not only develop the framework but to make sure that it works, because it is a very big beast and there are

a lot of things that we need to consider. That is why we have in place the interim measures, which will be reviewed shortly—I will let Stuart Bell talk more about that—which will ensure that we are not just doing nothing for the time being.

The Convener: I remind the witnesses that they do not need to operate their microphones. I should have said that at the start of the meeting.

Ariane Burgess (Highlands and Islands) (Green): It is good to see you all—and to see some of you again. Jim Watson has provided helpful context.

I want to touch on exploitation. You have described where the work has come from, but I am concerned that other pieces of work were going on. Has this work superseded that work? I want to get to the bottom of that. For example, at one point, there was a commitment to consult on a cap on fishing activity in inshore waters up to 3 nautical miles, but that seems to have disappeared in a puff of smoke—I cannot think of a marine metaphor at the moment.

Marine Scotland's 12-point future fisheries management strategy committed to a consultation on marine protected areas and priority marine features by summer 2023. I am interested in why the marine directorate failed to deliver that. Will that consultation be carried out in the current parliamentary session, following that commitment?

We now have the IFMI programme, but it concerns me that we have not followed through on things that have come forward—we said that there would be a cap on inshore activity, and we made commitments on MPAs and PMFs—so how can the committee have certainty that the IFMI programme will be delivered? Why did you fail to deliver in relation to MPAs? How can we have confidence that the other things that are being brought forward will be delivered, given that the situation is urgent?

Jim Watson: There are a couple of points to make. The work on marine environment protection and MPAs is being led by another team in the marine environment portfolio. Perhaps I can split the issue of offshore MPAs from that of inshore MPAs. Offshore MPAs have been consulted on and will be implemented this year. Inshore MPAs are very complex—as, I am sure, the committee has heard. We were looking at 160-plus different sites, so the issue is clearly complex, but a lot of work has already been undertaken. I cannot give the committee a date today. My colleagues recently said that it will be as soon as possible, and I cannot say any more than that, at this stage.

In relation to having confidence in developing inshore fisheries management improvements, you alluded to some of the commitments in the Bute house agreement, which included a cap on

inshore fishing activity within 3 nautical miles, a commitment on latent scallop fishing entitlements and a commitment on vessel tracking.

We are committed to progressing work on the third element. We consulted on inshore vessel tracking in relation to all vessels under 12m. A procurement exercise is being done at the moment, and a lot of work will take place this year, following a number of trials that we did over the past couple of years. We have committed to putting in place vessel tracking arrangements for up to 1,700 under-12m inshore vessels by 2026, and that work is well advanced. The kit will start to go on those vessels this year. We will have to respond to the consultation, but we clearly need to complete the procurement exercise, so that we know the type of kit that will go on the vessels, before we proceed with the response to the consultation in relation to costings and so on.

On the other two elements, a lot of work went into the cap on inshore fishing activity, but that work was subsequently put on ice because it was overtaken by the work on the IFMI programme. There are a number of management tools that we could use. We need to put the framework in place first, and restricting or capping inshore fishing effort is just one of the management tools that could be used as part of that framework. That would be one input control, but we could put in place a number of other management measures. Clearly, we need to have the framework before we put in place management measures.

Ariane Burgess: I appreciate that, and it has been helpful to hear about the broader context and the other strands of work apart from the IFMI programme. However, as part of our budget work, the committee committed a session to the marine directorate's financing. We are trying to help you. It seems to me that there are problems, because pieces of work start, then seem to stop. I want to frame the conversation in that context.

You are starting something new with the IFMI programme, but you did not even acknowledge the other pieces of work, which I had to tease out. I loved what Helen Downie said about the branches—I could visualise them—but let us include the other pieces of work, too, so that we understand everything that is going on. I know that things are complex, but we are smart thinkers and it is helpful if we can see the full picture so that we can help with the challenging situation in inshore waters.

09:30

Jim Watson: I will ask my colleague Stuart Bell to come in in a moment, but I will make a general comment about the pace of change. Sometimes, we are also frustrated with the pace of change. It

is not for me to get into a discussion about the marine directorate's wider budget—I am aware that you took evidence on that from the Cabinet Secretary for Rural Affairs, Land Reform and Islands and Iain Wallace, our director—but we have a 10-year strategy and have made a number of commitments. Over the past four or five years, we had to pivot our resources following the exit from the European Union, divert resources to deal with Covid—we lost a number of people when hardship schemes were being put in place—and redeploy resources to develop and deliver policies under the Bute house agreement. Therefore, we have had a number of things to do and we have only a set number of people.

You asked about delays. My frustration is in this regard. We want to use our limited resources to develop policy and deliver strategy and key transformational projects. The Government, of course, needs to be held to account, but I looked yesterday at figures on the volume of freedom of information requests and requests under the Environmental Information (Scotland) Regulations 2004 in recent months. Over 18 months, the marine directorate responded to 313 FOI and EIR requests, and we responded to 60 requests about domestic fisheries and inshore fisheries. That might not seem like a lot, but we have to divert resources to respond to them. Responding to even a simple request might take a morning, and responding to a more complex one might take between 60 and 80 hours.

I will give an example. Over the past couple of years, we have had 40 EIR requests about our small razorfish trial, which was a real success. Responding to those requests ate up 2,700 hours and engaged about 30 staff. That is okay, but my team has also had four or five judicial reviews to deal with over the past couple of years.

My point is that, when staff are diverted to deal with such requests—of course, we have to be held to account and there has to be scrutiny—they are not developing policy. Although I am confident that we will deliver vessel tracking by 2026, for example, if I have to divert people to deal with a couple of judicial reviews, you can see why some commitments and timescales might well slip.

The Convener: Does the fact that there have been 313 FOI requests not suggest that there is not enough transparency and that you are getting things wrong? If you continue in the same manner, the information that you publish will be wrong. It almost sounds as though you are blaming the directorate's lack of capacity to make changes on people asking questions. We found that through our budget talks. The fact that you have received 313 FOI requests suggests that people believe that you are hiding stuff and not being transparent enough. Surely time would be better spent trying

to give the public confidence that the information that they get is accurate and correct. Surely you should be addressing that. With all due respect, it sounds as though you are blaming the public for doing what they have every right to do, which is to hold the Government to account.

Jim Watson: Certainly not. I do not want to come over as defensive, and I am certainly not blaming the public. As I said, it is right and proper that we are scrutinised.

There have been improvements to the information that is published, whether it is our annual sea fisheries statistics, the information that our compliance arm publishes or the information that is held on our website. Could we do more to improve transparency? I am sure that we could, but we certainly provide significantly more information than we have in the past.

If I may, I will ask Stuart Bell to come in on the specific question about the Bute house agreement.

Stuart Bell (Scottish Government): On the previous point, I understand why you might feel that the IFMI programme has just manifested suddenly and represents a changing of horses in midstream, but I point out that these things are clearly visible in the fisheries management strategy. The pillars on which we develop such projects are primarily about improving sustainability and accountability for our fisheries. We will develop a robust evidence base and use appropriate technologies to improve that position, and we will make decisions based on that information. In addition, we have said in the fisheries management strategy that we want to improve our co-management approach, so we want to empower the relevant parts of fisheries to be involved in decision making.

The IFMI programme has not suddenly come out of thin air; there has been evolution in the process. That is what it is badged as, principally because of discussions in the fisheries management and conservation group, which has helped to shape the programme. The programme has not just suddenly manifested.

Ariane Burgess: It was not triggered by the crab and lobster stock issues that came to light.

Stuart Bell: At the beginning of 2024, we reconvened our FMAC group, which had those discussions. A lot of the anecdotes that we heard involved concerns about the conditions of crab and lobster stocks. As managers of the marine environment, we must have such issues foremost in our thinking, so we responded by putting in place interim measures, which are the first step in the IFMI programme.

Emma Harper (South Scotland) (SNP): Good morning. In relation to the 313 FOI requests, as a member of the Health, Social Care and Sport Committee, I hear about FOI requests for the health service, which are frustrating for staff, because answering them diverts them from providing patient care and clinical care. I understand that.

Do you categorise FOI requests? Are they put into groups to make it easier to respond to them? Is it individuals who ask for information? How do you manage the resources that are needed to respond to freedom of information requests?

Jim Watson: As I said, I do not want to come over as being too frustrated or defensive about FOI requests. The requests come from a mix of individuals and organisations, and we often find that the requests cluster around particular issues. We track them and the organisations and individuals who submit the requests. The razorfish example that I gave centred on one individual.

We follow up and check things, and it is frustrating that, sometimes, information is provided but is not downloaded and accessed. Despite the work that has gone into gathering information, the individual or organisation might not even bother to use the information that we have provided, which is frustrating.

The Convener: Before we move on from the first steps that you have set out, I note that there will be quite a long period from the consultation opening until we see responses. Are there any plans to publish anything once the call for evidence closes on 18 February, or will we see the submissions only once the analysis has been done? When is that likely to be?

Helen Downie: We will look to publish within 12 weeks of the call for evidence closing, once the analysis has been undertaken.

The Convener: The marine directorate's budget is being cut by 4.1 per cent, and that follows cuts in previous years, so is the Government serious about addressing such issues? We know that there are capacity issues, and you need the space, capacity, people and resources to be able to explore new methods of working. Given that it looks as though the directorate is already under huge pressure to carry out its work, does the budget cut show that the Government is serious about addressing the issues with inshore fisheries? Given that the directorate is already stretched, a 4.1 per cent cut does not seem like the ideal environment in which to have space to consider what changes need to be made.

Jim Watson: It is probably not for me, as head of domestic fisheries, to get into details about the marine directorate's overall budget. As I said, I am

aware that evidence has already been provided on that.

We are looking to make the best use of our available resources. We have a clear programme of work on fisheries, which is guided by our strategy. We are in the process of producing quite detailed draft plans for 2025-26, which will be discussed with the cabinet secretary in the coming weeks.

I go back to what I said earlier. We are genuinely excited by the programme of work that we are putting forward. I cannot pre-empt what the cabinet secretary will say—she has to sign off the work—but a lot of the work is focused on national transformational projects that, in our opinion, will make a lasting difference.

Elena Whitham (Carrick, Cumnock and Doon Valley) (SNP): Some of the issues that I am going to ask about have already been covered a little bit, but I would like to explore them further.

There are on-going internal reviews of the fisheries management and conservation group and the regional inshore fisheries groups network, and I would like to understand what triggered the reviews. As a committee, we have heard evidence about possible operational difficulties, how the group and network feed into each other and how those have set policy and strategic direction. How were the reviews triggered? Have they been completed? What was their scope? How will those two pieces of work feed into the IFMI programme? It is quite important that they are completed and feed into the IFMI programme as much as possible. It would be good for us to understand a bit about that.

Jim Watson: I can split that question into two. I will talk a bit about the FMAC, and I will ask my colleague Stuart Bell to come in on IFGs, which he leads on.

We take great pride in how we engage with stakeholders in the FMAC. We talk a lot about co-management and what that means and about trying to bring together different stakeholders. You will recall that I talked in my opening remarks about the quite diverse—if I can put it that way—views that exist across our wide stakeholder group.

The FMAC group that we refreshed a couple of years ago brings together a range of stakeholders, representing different fishing interests and fishing associations at national and local levels, as well as a range of ENGO groups. We have all those voices in the room. We have an overall national group and a number of sub-groups that hang off that—for instance, an inshore group and a scallop group. I chair a couple of those groups.

Discussions around the table have been frustrating. It has been difficult to develop policy when there is such a broad range of stakeholders. I am not saying that it is impossible, but there are challenges.

Last year, we undertook a survey of all the stakeholders and participants in the FMAC group. We invited comment. The survey is currently being reviewed. We are looking to make an announcement in the next few weeks about what we plan to do with that co-management group—the FMAC group. I cannot divulge anything to the committee, because the matter is still being discussed.

I will pass to Stuart Bell to talk about the regional inshore fisheries groups.

Stuart Bell: I will try to hit the points of Elena Whitham's question; if I skip over anything, please take me to task.

On the RIFG network and what triggered the review, I note first that our requirement for the network is that we have the best people in the optimum place and that we can make the widest possible contact with the fishing industry, specifically accepting how complicated the inshore fishing sector is and the fact that a significant number of businesses in the sector do not have any form of formal representation, association or whatever else.

In the first instance, as the world was getting back to normal following Covid, we carried out specific hand-in-hand work with the RIFG to try to understand how it was doing and how it was managing to achieve its principal remit of stakeholder mapping and stakeholder reach.

During the few years that I have been working with the RIFG network, ensuring that it is on task and providing optimum value has been a work in progress. There are always lessons to be learned. We are absolutely alive to the criticism that it receives on occasion. Equally, we verify and are proud of the things that it has done well and achieved and delivered for the greater benefit, such as the Outer Hebrides pilot.

What triggered the review? It was the period of analysis when we looked at how well it was doing. Off the back of that, we identified a few things that we could do better, a lot of which revolved around communication and assuring ourselves that individuals were having the correct conversations and bringing the correct views to the table.

09:45

That has been particularly important because, right now, our main requirement for the network and the main thing we want to use it for is direct support of our key priorities, which are interim

measures as the first step of IFMI, IFMI itself and other key things such as inshore vessel tracking. It is extremely important that we have the conduit of RIFG to reach hard-to-reach fisher stakeholders. That is our core intent for the network right now. The review itself is in draft. We will share it soon, but the date is to be confirmed.

Elena Whitham: To clarify, do you mean that the reviews have been undertaken and are in draft form and they will actively feed into the IFMI programme?

Stuart Bell: Yes, absolutely. On what we have done so far, over the past year, the first step in IFMI is what I referred to as interim measures. Very broadly speaking, we put two licence conditions in place for immediate short-term protection of our under-pressure crab and lobster stocks. Without getting into too much technical detail, one of those is a prohibition on landing berried shellfish hens. The other is controls on very large crab-catching vessels in inshore waters. When we put the measures together, we had to accelerate the RIFG responsibility; we put the group in the driving seat to carry out engagement ahead of our implementing the measures last May. That was how we initiated that change of pace. There have been lessons from that. We have taken a lot away on how to enable the RIFG to do that work even better, which we will carry into the IFMI programme.

Elena Whitham: My final question is about the consultation that you have out. People might not be able to digest the findings from the two reviews and respond to the consultation effectively if they do not understand what the reviews have brought to the table.

Helen Downie: The call for evidence is open right now, and we will look to consult later in the year. We will announce the outcome of the reviews in the coming weeks, so people will know what is coming from them.

That said, IFMI will not be developed in isolation. Any development of the framework will be done in considering how the FMAC group and the RIFG group feed into that.

The call for evidence includes questions on governance, asking experts and our stakeholders who should be involved in the co-management model and how the various stakeholders should feed into it.

A lot is still to be thought out, and we cannot yet say what it will look like. We will certainly consider the FMAC and RIFG networks that we already have in place, how they fit into the FMAC model, whether the FMAC model needs to shape around them and whether there should be further little tweaks down the line.

The IFMI work will certainly not be done in isolation; it will be considered as a whole.

The Convener: Is it correct that a report on the future of potential fisheries groups will be published in draft form over the next few weeks?

Stuart Bell: It is with us in draft form. We will come back to you on the date when it will be made public, which will be soon.

The Convener: Grand. Thanks.

Tim Eagle (Highlands and Islands) (Con): Good morning, everybody. I understand that you have been doing a desktop review of other models of inshore fisheries management from around the world. It would be interesting to know what you have found out from it initially, and what key findings you have picked up.

The inshore fisheries and conservation authorities—IFCAs—in England have come up in conversation with constituents, along with their perceived benefits due to their statutory footing. Will you touch on what you have learned from your desktop review about IFCAs and what you think about them?

Helen Downie: As you said, we have undertaken a review of international models. It is quite a limited review, so I should manage expectations. An intern did it over 12 weeks, so it has not had great scope to look at lots of different models. It has ended up focusing on three countries, one of which is England and its IFCA model.

The report is very much still in draft form, so it is too early for me to pull out what the key lessons and recommendations will be. Looking at the draft results, it is quite interesting to see the level of variation between the countries that we have looked at and, unfortunately, to note that no one else has managed to get it right, either. There is no one golden thing that we can take from it, but there are certainly a number of titbits and key points that will come out from it that we will look to learn from. As I said, it is very much in draft form now.

Jim Watson: You might get three of us answering your question, Mr Eagle. I will be quick. There are lots of examples from which we could pull. Helen Downie has just referred to one piece of work, but we could also look closer to home. For instance, in Shetland, we have the regulating order that is run by the Shetland Shellfish Management Organisation. There is lots of experience there that we could learn from—for instance, the resources that go into it, the success of the management and any shortcomings.

Again, we can look to the IFCAs. Stuart Bell is an expert and has direct dealings on that. I am sure that he is itching to answer. However, there is

also work being done further afield. Just last week, I was at an event on the Clyde that was run by Fishing into the Future, which is a charity that was set up by what is now the King's Trust. It brought together scientists, Government and the fishing industry in a fantastic event. It pulled on experiences from elsewhere, including outreach work in North America and the council that has been set up in the States. We can pull on experiences from elsewhere, and the process that we are taking in the call for evidence through to consultation gives us a bit of time to do so.

Stuart Bell is an expert on IFCAs, so I will stop and hand over to him.

Stuart Bell: "Expert" is a strong term, but I have worked with IFCAs a lot throughout my career. The intention that is made plain in our fisheries management strategy is for us to continue the type of model that we have, which means not switching the RIFGs to a statutory footing. There is no intention to do anything like that.

Given that the committee has concerns about the level of our resources in the context of some of these projects, I will be very clear that it is not currently realistic for us to switch to a model such as the IFCAs; we are not currently considering that. That is not to say that we are not learning lessons and that we do not have a joined-up working approach with the IFCAs—we do. The marine directorate works closely with the IFCAs and engages with them regularly. We can learn a lot from them. That is particularly visible in things to which Jim Watson has already alluded, such as the regulating order for Shetland and how that is managed, as well as the Outer Hebrides pilot. Those are good models of our taking an approach that has been inspired by the IFCAs but in the context of what we have committed to do.

Tim Eagle: I want to clarify something. I am quite interested in national and/or localised management and what you might have learned from your desktop study about what the better approach is. I was slightly worried by what you said about the IFCAs, although I might have picked you up wrong. The scope of your review or what we are talking about surely should not be constrained by the resource allocation to the marine directorate as a whole, because what we want is the best approach. If more money is required for a different approach, we as a committee and as a Parliament can debate that later on with the cabinet secretary. If IFCAs were the perfect model for Scotland, we should use that model, even if it means that the marine directorate needs more money. Does that make sense?

Stuart Bell: It does. When the report is shared, perhaps there can be a meaningful discussion about that. I am really only referring to what we

have committed to deliver just now and what is in our business plan at the moment.

The Convener: That blows of the water the whole session that we are having out. You are going out for consultation and calling for views, but you are already stating that you are ruling out anything that resembles an IFCA. It does not say in your consultation call for evidence that you will consider only X, Y and Z because of the resource capacity in the marine directorate. Are we all wasting our time here? Do you know the parameters that you are working within? Have you already ruled out some of the other operating models in your desktop exercise that we have heard about?

Stuart Bell: I do not think that we have ruled anything out. I disagree with that.

The Convener: You just said that you had ruled out considering IFCA.

Stuart Bell: My view is that the Government's approach will be to stick with what we have set out in the fisheries management strategy, which is that there is no intent to move the RIFGs to a statutory footing. That is all that I am saying.

The Convener: That is concerning, too. Why is that? Is it a resource issue of finance or capacity? Why are you ruling out looking at IFCAs, if they are, as Tim Eagle said, the best way forward for Scotland's inshore fisheries?

Jim Watson: A call for evidence is a call for evidence, and we are inviting opinion from across the board. We have to be open to whatever those responses are, which is why we are taking a step-by-step approach.

Of course we have to factor in Stuart Bell's point about the financing and sustainability of models. To bring it close to home, I note that the regulating order that is run by the SSMO up in Shetland is viewed as a success locally, although not by those who are not involved in it who perhaps want to be involved in the SSMO but are excluded from it. It is very—I do not want to say "expensive"—resource hungry. The reason why that model has worked is that it has had the backing of the fishing industry and, importantly, of Shetland Islands Council, which has part-funded it over the past 10 to 15 years. It is working in close partnership with what was North Atlantic Fisheries College and is now part of the University of the Highlands and Islands.

The financial sustainability of the model is questionable, but it is using the technology that we have at the moment. It is costly, particularly around the science, the collection of data from the fleet, turning that data into useful management information and making changes to management. However, we have to look at what is possible and, as we have mentioned already, we have the roll-

out of vessel tracking and remote electronic monitoring. That will be revolutionary and will mean a step change in the data that comes in that can be turned into useful management information to manage our inshore fisheries. It will give us confidence to put in place more sophisticated management measures at a much more local level, which is not possible at the moment, and the ability to enforce. I am confident that we will be able to deliver the model in a much more efficient and valuable way than is currently possible, simply because of the technology.

We have to be open-minded about all the different models, while accepting the fact that some of the models that are in place elsewhere in the world are very costly and might not be appropriate for Scotland, given our geography, for example.

The Convener: What I am hearing is that the scope of the work is about being within the budget that you have at the moment instead of being about what is best for Scottish fisheries.

Jim Watson: No, I disagree with that. We can look at the short term and at what we think is doable within existing budgets, but we have to be open minded, particularly to whatever responses we get back. We are genuinely open minded. We are inviting expert opinion, hence our call for evidence. If that were not the case, we would have gone straight to a quite constrained consultation.

Rhoda Grant (Highlands and Islands) (Lab): There has been a lot of chat about co-management. Given what you have said, I am keen to learn what co-management means in practice and how—or whether—it will lead to decentralised decision making.

Jim Watson: Co-management means different things to different people, and the term is bandied about.

We have some good examples of joint working from the past, such as the cod recovery plan in which we worked closely with the fishing industry to develop a range of specific management measures. We are certainly committed to the principle of co-management—hence our fisheries management and conservation group and the regional inshore fisheries groups that Stuart Bell has talked about. Even the event that I was at last week is a great example of the different stakeholders being brought together.

For me, co-management is about bringing together the scientific community, the fishing industry and wider community interests with the Government, while respecting the role that ministers have. That can take different forms. For example, we could have a regional organisation that develops local fisheries management based on the best available science at a regional level. It

could put together proposals for changes to management, whether that be through what we call an input control—limiting the amount of effort or introducing creel limits—through introducing quotas or through other technical fisheries management measures.

In my view, those measures would have to come back to the Government, so that we could make sure that they are consistent with, for instance, delivering our national strategy. There would need to be some due diligence and some checks and balances.

However, we do not want to get ahead of ourselves: we are in the middle of the call for evidence, and that is just one possible model.

10:00

Rhoda Grant: I was hosting the “Coastal Testimonies” exhibition this week in the Parliament, and I will quote from it because I think that it makes the point better than I could.

One of those who gave a testimony was Bailey Dacker, who is a creel fisher. He says:

“I don’t feel like I have a say in the decisions made about the sea, but I’d like to. A lot of the decisions by the government aren’t taking into consideration the fishermen’s thoughts at the moment. If I were to make one request of political decision-makers, it would be to come and ask us younger fishermen.”

He goes on to say:

“Whatever you manage right now, the likes of myself or my mates don’t ever hear about anything or get asked any questions about what we think about this. We just see it happening and have to adapt to it.”

That does not sound like co-management to me. For someone like Bailey, how will the situation change under the review?

Jim Watson: I will start and I am sure that my colleagues might want to come in, too.

I have worked with the fishing industry for a long time—25-plus years—and inshore fishers in particular are hard to reach. We cannot go out and speak to the 4,800-odd fishers in Scotland. Even with the best will in the world, we cannot go out and speak to all of them individually.

We have a strong network of fishing associations, and we have the regional inshore fisheries groups that Stuart Bell referred to. The door is very much open but—if I could offer a challenge—the fishers need to walk through that door. They have ample opportunity to engage with fishing associations. Many individual fishers are not members of associations, for instance, and that is a possible platform for them. The inshore fishing groups also provide a route for fishers to put forward their own proposals and ideas, but it is a hard-to-reach sector.

I do not know whether my colleagues want to add to that.

Stuart Bell: I will add to that quickly, as this question speaks to some of what I was saying about the review of the RIFGs and the continual process of learning.

Jim Watson is absolutely correct. There are three levels at which fishers can engage. The first is to go and see their local fishery officer through the door of their relevant coastal office, of which there are 18 around the coast. Secondly, we have the associations themselves, and those associations feed into the regional inshore fisheries group network, which is the third level.

We appreciate that it is an ongoing task to do that work better and more effectively, but that is something that is captured by the recent work that we have done, in both the review of the RIFG network and how we have worked with the groups on interim measures to improve reach and engagement.

Rhoda Grant: It seems to me that there is a source of free information that is being totally ignored. The fishers want to be part of decision making, but they also have a huge amount of information that would be useful to you. How do you capture that? People who are working for themselves do not often have time to go to association meetings or join associations. Your job must be to make it easier for them to engage, and I wonder how that can happen.

Helen Downie: This is where the call for evidence will hold a lot of value. The call for evidence seeks evidence and expertise, and the expertise does not need to come from someone who has a doctorate, but can be from someone who has experience in the sector. I would be really keen to hear from those fishers. It is unfortunate that they do not feel as if they have been heard or had a voice in fisheries management decisions so far.

The call for evidence asks two questions. One is what works well with the current national model of fisheries management and what does not work well. That is in addition to the governance questions that I mentioned earlier. We are keen to understand if people feel that they are not involved. If they feel that there is a reason why they have not been captured yet through fisheries associations or the RIFGs, we want to hear more about it so that we can try to improve our co-management model.

You mentioned the young fishers. Part of the fisheries management strategy looks to support new entrants and young fishers in the industry. It is impossible to say what the new framework could end up looking like but, whatever it looks like, it will be a valuable tool in helping us to deliver all sorts

of commitments across not just the fisheries management strategy but fisheries legislation more generally. I will not list them just now, but there are lots of different commitments that the framework will help us to deliver, and one could be supporting new entrants and young fishers in the industry.

We will be very keen to hear the voices in the call for evidence because everyone who has any experience in the industry will have something valuable for us to hear.

Ariane Burgess: I have a question before I ask my main question. We have talked a lot about the RIFGs and also FMAC—you set a lot of store by that process of engagement. When did you last meet the full FMAC group?

Jim Watson: If you are talking about inshore fisheries and the inshore FMAC group, we had five meetings last year. I think that the last one was in September.

Ariane Burgess: I am talking about FMAC as a whole, not just in groups.

Jim Watson: I would need to check—I think that it was autumn last year.

Ariane Burgess: That would be helpful to understand. It would also be helpful if you could provide the committee with all the dates of meetings. We hear that the meetings happen, but it would be helpful for us to understand the regularity of engagement, given that they seem to be such an important part of your process.

I will pick up on Rhoda Grant's question about the decentralisation of fisheries management powers. I want to get a sense of whether the inshore fisheries management improvement—IFMI—process will help us get to a place where we understand how a level of decentralised spatial management could be adopted and implemented. The international evidence is that spatial management, guided by science—for example, the characteristics of the seabed in any area—is essential for the recovery and resilience of fish stocks.

We hear about the need for spatial management over and over again. Will IFMI move us in that direction, or is it again off the table because, as the convener has unearthed, the scope of the current process is quite tightly prescribed?

Jim Watson: There are two points: the decentralisation of power and the actual management measure that is used. As we have already discussed, it is too early to say anything about the decentralisation of powers and the governance arrangements that we put in place. We have the call for evidence, and—again—we are genuinely open to ideas and suggestions.

That means that we will have a new framework in place. We cannot predict exactly what it will look like, but within it there will be a range of management tools. As a fisheries manager, once you are working to your strategy, you have the aims and objectives that you are seeking to meet, but you also have a range of management tools at your disposal. One of them is spatial management—separating fishing from other types of activity, or different types of fishing activity from each other, in the sea.

We have a range of permanent and temporal closures around the coast of Scotland. They could be used alongside and complemented by other management measures. The most obvious ones are the licence—a limit on the input, which is the amount of effort going into a fishery—and the use of quota, which covers the output and what is actually landed. There is also a raft of technical measures.

To answer your question, spatial management is a tool that can be used. It is currently used, and it would definitely be on the table for future use, whether at a local, regional or national level.

Ariane Burgess: Where is it currently used?

Jim Watson: For example, we have temporal closures in place in the Inner Sound of Skye and in—

Ariane Burgess: Spatial management.

Jim Watson: Yes, that is spatial management.

Ariane Burgess: You described the list of tools: spatial management, temporal management, licence and quota—

Jim Watson: Yes, so for spatial management a temporal would be—

Ariane Burgess: Like the cod box.

Jim Watson: Yes, like the Clyde cod box, for instance. That is a temporal spatial management restriction that is in place.

Ariane Burgess: So it is temporal and spatial.

Jim Watson: Yes, but there could be permanently closed areas as well. We can think about the developing marine protected area network: there will be certain areas, depending on the priority marine features and the habitats that we are looking to protect, where we may want to restrict the use of certain types of fishing gear. That is already the case in some areas.

The Convener: I will take a supplementary from Tim Eagle, then we will move on to a question from Emma Harper.

Tim Eagle: My question has been covered.

Emma Harper: I am hearing all these acronyms, which I am still trying to get my head around—RIFGs, IFMI and SSMOs. I am interested to know, as we are developing the processes of inshore fisheries management, whether new primary legislation will have to be created or we will manage the new inshore fisheries programme with existing legislation.

Helen Downie: It depends on what the model ends up looking like. It is too early to say exactly. We will put a range of options to the Cabinet Secretary for Rural Affairs, Land Reform and Islands once we have looked at the responses to the call for evidence, considered models elsewhere and have had a shot at developing the options. Right now, it is too early to say what the framework will look like and, therefore, what legislative requirements it may or may not have.

Emma Harper: If primary legislation was needed, that would need to be in the next parliamentary session.

Helen Downie: Yes.

The Convener: Do you have a further question on spatial measures, Ariane?

Ariane Burgess: Yes, but it is on different spatial measures. I want to get a sense of the relationship between the IFMI programme and the marine spatial planning process. The Marine (Scotland) Act 2010 set out how the regional marine plans would integrate with the national marine plan process, but 15 years later they have not been adopted. I would like to understand whether, through the IFMI process, we will get to a date when all of Scotland's waters will be covered by such regional marine plans, and whether those plans will include fisheries management.

Jim Watson: At the moment, we have three regional plans at different stages. At the national level, the framework for the national marine plan is being reviewed and will become NMP2. Committee members may already be aware of that.

The nuts and bolts of fisheries management, if I could describe them as that, are not part of regional marine plans. I know that there are fishing interests around the table on discussions on the current regional marine plans, and rightly so, because they are part of a range of marine users. I do not want to go through all the various management tools at our disposal here, but the detail around how we manage fisheries is not part of regional marine planning. Clearly the overall fisheries management strategy—and IFMI—needs to fit in with wider marine planning.

Ariane Burgess: Did you just say that fisheries are not included in the regional marine plans? Why is that?

Jim Watson: What I mean is that the specifics of how we manage fisheries—the nuts and bolts of fisheries management—are not included, but clearly the fishing sector, if I can describe it as that, is one of a range of users that need to be encompassed by a plan.

Ariane Burgess: Thank you for clarifying that. We are 15 years on from the 2010 act. When are we going to see all the regional marine plans? I know that we have three, but people are saying that there should be more. Those three have stalled, and there is quite a degree of frustration around the fact that they are not being taken forward.

Jim Watson: That is not my policy area, but if it is something that the committee is interested in, we could commit to going to colleagues and writing to the committee with some further details on that.

Ariane Burgess: Thank you.

Tim Eagle: I have a question about interim measures. My understanding was that interim measures were going to be introduced on a short-term basis and would be consulted on, but we are not now consulting on them. Can you explain a bit more about what we are doing with interim measures, how long are they going to be in place and so on?

Stuart Bell: That is fairly straightforward. As you will be aware, they were introduced in May last year. We explicitly said that they were short-term measures that were designed to apply protections ahead of the 2024 peak fishing season. We are in the review process right now, and we expect to decide how they should be used and how they will ultimately dovetail into IFMI by the one-year anniversary mark, this coming May. We are reviewing them right now. We are collating evidence on things such as the impact on fishing and updated stock assessment advice and we expect in March to share with stakeholders what we learn.

10:15

The Convener: We move to our next theme—fisheries science—with a question from Beatrice Wishart.

Beatrice Wishart (Shetland Islands) (LD): At the beginning of the session we spoke about the importance of science and said that we need better monitoring and robust data collection for decision making. You have touched on REM and new technologies. Could you expand a bit more on how the IFMI programme can improve science data collection and stock assessments for inshore fisheries?

Dr Coby Needle (Scottish Government): Thanks for the question. I was starting to feel optional at this end of the table.

There are on-going issues with inshore fisheries science data collection, and there are several difficulties that we have to try to overcome. We have a lot of information on the wider stocks—the more seagoing stocks for which we have long time series and that have been historically important to commercial fisheries. We can provide a lot of advice for those particular stocks. It is more difficult for the inshore stocks, and there are several reasons why.

First—Tim Eagle has mentioned this already—the biology of the species that we are looking at makes the assessments intrinsically more difficult. You can take a fish—a cod or a haddock—and know the age of that fish by looking at its ear bones. If a fish is aged two this year, next year it will be either aged three or dead. There is no other option. You can use that regularity as an accounting tool within your assessment model to track the development of that population. That is relatively straightforward.

There is no easy way, or indeed any way, to determine the age of a crab or a lobster. You can know their size, but not their age. A fish or a shellfish that is 20cm long this year will be one year older next year, but it is more difficult to determine what the size of that fish or shellfish will be. Tracking growth can be quite difficult and that is an intrinsic problem with some of the inshore stock assessments that we have to do.

Another issue is with the attraction of the gear that is used. Generally in inshore fisheries, we are using static gear that brings fish or shellfish towards it. If you are trawling with a survey, you generally have an idea of the area that is swept by that survey. You can use that to work out the density of fish caught in that particular area and you can work that up to an indication of the density of fish in the wider area. Static gear such as a creel or a pot attracts fish and shellfish from an indeterminate area, so it can be quite hard to work out what the density of those animals is in that particular location. That is a further difficulty.

Another problem that we encounter is that inshore populations tend to be much more discrete. For example, haddock in the west of the North Sea and haddock in the east of the North Sea are most likely to be the same stock, so you can assess them as one big stock and provide advice on that basis. With many inshore species, however, if you go from one bay to the next, the stocks might be distinct. You require a higher level of sampling and a higher level of data to provide sensible advice for all those discrete population units. That is an intrinsic difficulty, as well.

Despite all that, we have long commercial time series for crab, lobster and scallop stocks that we are looking at. We do not do assessments quite as regularly as we would like, but there are good reasons for that. For example, it does not make a lot of sense to use our length cohort analysis method every year for crabs and lobsters, because we are averaging the length frequency distributions. Those averages change quite slowly, so that is another problem. As I mentioned already, the spatial scale is problematic for some species.

Given those particular difficulties, what we can do currently is appropriate. We can provide the appropriate assessments and advice for the more historical stocks that we are looking at. The newer ones that come in—wrasse or other species that are new to the science that we are trying to deal with—are more difficult. There are issues that we are trying to address.

Beatrice Wishart: Are you involving those who are fishing our seas in the collection of data and science?

Dr Needle: Certainly. There was a question earlier about fishermen not feeling that they can input to the process. I was going to come in on that particular aspect of science data collection.

We find that working with the industry is absolutely essential for the science that we need to do. We have only two major research vessels. They are at sea pretty much all the time, but they can do only so much, so we need to rely on the fishing industry, which is at sea the whole time, to generate a lot of our information.

I have a few examples. We have weekly interactions with fishers in our current razor clam trial. Fishers are collecting data and contributing to sample work. We also have fishers taking part in the Solway lobster derogation work. The fishers have a tablet—I believe that we are using three electronic monitoring tablets—attached to a particular part of their vessel, filming what they are doing so that we can see the lobsters coming on board. If the fishers find any berried lobsters—females with eggs, as we mentioned earlier—they hold them up to the camera so that we can determine that they are berried, their sex and so on, and we can see that those lobsters are returned to the sea. We are also establishing a cod-in-creels project to determine the extent to which cod are being caught in creels and pots—which is more than you would imagine—and we have fishers involved in that.

More widely, we now have a very successful pelagic co-sampling scheme. It is not inshore specifically, but we have herring and mackerel fishers taking samples for us, which we are finding extremely useful.

We have run an observer programme since 1975, through which observers are put on vessels to determine the extent to which fish are being discarded, and to determine the species, sizes and compositions of the fish that are being put back in the sea for whatever reason. That programme is now supplemented to a huge extent by observers from the Scottish Fishermen's Federation, with whom we work very closely.

The fishing industry has a huge input to our science data collection and feedback from the industry indicates that it finds it extremely useful to have scientists on board. It is an opportunity for them to ask questions, such as “Why are you doing this?” “Where does this data go?”. We can give that feedback.

Jim Watson mentioned the Fishing into the Future workshop on the Clyde. I was meant to be there, but I was taken away to the on-going sand eels arbitration tribunal process, so I could not attend. I have been to previous workshops and they are extremely useful. A lot of the younger skippers and fishermen get involved in that process, and they find it extremely useful as well.

Elena Whitham: We know that the Scottish Government has a commitment to championing science-based approaches that are tailored to the needs of specific regions and ecosystems. How can that be incorporated into the regional model of inshore fisheries management that we are looking to achieve? The Clyde cod box and the closure issues there have already been mentioned, so we can see that ad hoc statutory instruments are being used in that way. How can we make sure that we have neutral and robust science, so that those local areas can have as much input into those decisions as possible?

Dr Needle mentioned wrasse, which is an emerging fishery. I am also thinking of the issue from the perspective of the ecosystem in that region. How can we make sure that the issues around the ecosystem in that space are reflected in the decisions that are being made? My question is about the fishers and the ecosystems that we need to protect. How can we ensure that there is a commitment to ensuring that local voices can feed into the decisions that are made in the process?

Helen Downie: It is something for us to consider as we develop the framework and the governance or co-management—whatever you want to call it. We are mindful of the issue. We have a range of stakeholders with interests in many different levels. I do not want to pre-empt what the framework will look like, but we are keen to consider how the different stakeholders should feed into the management at a regional level or a nationwide level, or, indeed, how stakeholders can be more involved in the science and have greater oversight of that.

The Convener: Do you have the resources to champion science-based approaches? Getting the baseline right is absolutely critical. If you are working within the budget constraints that you have at the moment, is there a realistic chance of science being championed in a way that ensures that future policies are fit for purpose?

Dr Needle: I can answer part of that and then Jim Watson can probably give the actual answer.

As I have said, I think that we are appropriately funded for what you might say are the bigger more historical stocks that we are asked to provide advice on. With the newer inshore stocks, I think that we have to admit that the situation is more difficult.

We also have less scope these days to conduct the research that we would like to do. That is undeniable. We have a focus on the statutory and advisory role that we have to fulfil—if we did not do that, we would be taken to task. We would not necessarily do any more some of the research that we used to do. However, we do a lot of collaboration work to enable the science to proceed. We collaborate very strongly with the Copenhagen-based International Council for the Exploration of the Sea and we do close work with the Scottish Association for Marine Science in Oban, the University of the Highlands and Islands in Shetland, the University of Aberdeen, Heriot-Watt University and so on—for example, we are involved in many of the surveys that are taking place as part of the razor-clam trial that SAMS is conducting.

We work closely with universities and other research institutes to try to progress some of the work that we are aware that we probably do not have the funding capacity to conduct ourselves. I think that that is how it should be; I do not think that the science part of the marine directorate needs to do everything. We must be able to work with others to achieve what needs to be done, and our role is then to translate the learnings—to use a civil service phrase—from that work into advice for the fisheries-management side.

The Convener: That brings me to my next question, which concerns the fact that that approach is not working in practice. I am sure that Stuart Bell's heart is going to sink, as he knew that this issue was going to come up at some point. With regard to diversifying opportunities around our inshore fisheries, that work with local fishers is not happening, and the trust is just not there. With regard to the squid fishery, Shetland fishermen have repeatedly said that there are opportunities there but they are finding it difficult to get anybody to sit around the table to discuss it. We have an on-going situation whereby we have scientific work being done in the Solway on cockles but there is a "Computer says no" attitude from the marine

directorate, with no indication of what work could be done to look at how those fisheries could be opened in order to allow fishermen to diversify. We have had cockle information for a couple of years now, and stakeholders from RSPB Scotland, NatureScot, South of Scotland Enterprise, the fishing industry and the scientific community are all working together on a plan, but there is no indication that the marine directorate is in any way able to sit down and look at it. I think that the same situation applies with squid and, perhaps, bluefin tuna.

If it is unlikely that the budget is going to increase, how on earth can we expect the marine directorate to do the work to look at diversifying inshore fisheries, which would take the pressure off lobster, brown crab, scallops and so on? How do we trigger that work, given that the directorate has a constrained budget and constrained resources?

10:30

Jim Watson: Good question. We can turn our hand to anything, but we cannot do everything, so choices have to be made, and it is up to ministers to direct us in that.

We have talked about the potential of technology, and I am optimistic that we can move from what is often opinion-led discussion and debate about managing fisheries to evidence-led discussion and debate. The roll-out of vessel tracking and remote electronic monitoring has real potential.

As Coby Needle said, the marine directorate does not have to shoulder the responsibility for everything. The science strategy says that we need to work with partners in the scientific community more, and there are some good examples of that happening already. Coby mentioned the electrofishery for razor-clams trial, on which we are working closely with SAMS in Oban, and we have worked closely with the UHI in Shetland as well. There are already good examples of partnering up.

The Convener: We know that the razor-clams initiative was in response to criminality; it was not in response to a sector that wanted a fishery to be opened. I do not know that the razor-clams project is a particularly good example, because there were lots of reasons for that project to go ahead—we will not revisit them today. Where is the trigger for the proposals around squid, bluefin tuna or cockles to be investigated?

Jim Watson: I would say that the razor-clams fishery project is a success—it is one of the most successful projects that we have undertaken over the last few years—but I agree that we do not want to look back on the past to elaborate on that.

There is work under way on squid. Again, that is not going as fast as we would like—the people on our side who were leading on that were also leading in the negotiations, so, again, that work had to be paused. However, I think that there is a meeting tomorrow on squid, so we are looking to progress that and take that forward with the industry.

I will go back to talk about how we partner with other organisations. The issue concerns not just traditional science but social science. It involves our being able to tap into and use the wealth of experience that is out there. For example, we are working quite closely with Seafish on developing some of the fisheries management plans, and that is good: it is right that we tap into the knowledge and expertise of that body, as well as the knowledge and expertise of the traditional scientific community around the coast of Scotland.

As I said, we must respect the fact that budgets are tight. Technology can go part of the way, but we could do more to utilise the expertise around Scotland and work more closely with partners and, indeed, with the fishing industry.

Ariane Burgess: I have a question on compliance and enforcement. I would like to explore that and understand how it is being considered in the IFMI programme.

Various information has come to us. For example, we have seen that a 2017 investigation by the European Court of Auditors identified less-dissuasive fisheries sanctions and greater levels of reoffending in Scotland than exist in other European countries, and we have been given anecdotal information indicating that certain activities that adversely impact marine species and habitats have continued to occur with few repercussions because of a lack of enforcement. At our 26 October round-table discussion on inshore fisheries, concerns were raised around the lack of enforcement of management in the marine protected areas—I know that there are plans for that, but we need to get on with it. Concerns were also raised about the lack of sufficient information and data to ensure transparency and accountability, and about the need for more enhanced sanctions for non-compliance. There is quite a lot in there. Will the IFMI process help in that regard? It is a bit embarrassing that Scotland has a higher level of reoffending than other European countries, is it not?

Helen Downie: The simple answer is that we will have to consider those issues as we draw up the framework. We are conscious that the framework could have a number of complexities, particularly around enforcement. Not until we know what the framework will look like will we have a better understanding of those complexities, but we are working closely with our compliance

colleagues to ensure that we dovetail and can consider those things better.

Jim Watson mentioned inshore vessel monitoring. The procurement exercise for that is open now, and it will be a valuable tool in supporting enforcement in the future.

Jim Watson: Broadly, the level of compliance is high, which is good. We can look back a number of years to see when that was not the case. The fact that our stocks are recovering and are in relatively healthy shape compared with where they were several years ago points to the fact that compliance and the management measures that we have in place are robust.

Can we do better? Of course we can. In my opening remarks, I touched on the traditional assets that our compliance colleagues use—three ships and two aircraft—but I should also say that the capability of those assets is improving as well. For example, we have done a trial with our compliance colleagues on the use of drone technology, which improves the capability of the ships.

Similarly, without going back over old ground, I can say that the roll-out of inshore vessel monitoring and remote electronic monitoring will make a big difference. Further, the 21 or 22 vessels that are taking part in the electrofishery trial for razor clams have an REM system on board, which gives us more confidence that the vessels are fishing at the right level, at the right place and at the right time than we had when we were just using the traditional assets, which obviously cannot be everywhere at once and cannot, therefore, monitor the activity of 1,700-plus vessels in our inshore waters.

Ariane Burgess: This morning, we have been having a conversation to try to get a better understanding of this process and the framework that will emerge from it, but you have sometimes said, “Oh, that is dealt with by a different team or department.” I would find it helpful if you could provide us with more information on the IFMI process. You have described what triggered it, but what legislation and strategy does it link back to?

For example, the Fisheries Act 2020 requires an ecosystems-based approach, good environmental status of the sea bed and so on, and there is the Marine (Scotland) Act 2010 and the marine strategy. There are all those legal requirements that we are trying to help you to meet, but there is now yet another process, which seems to have started a long time ago but is now producing something that we can see—it is like mycelia, when the mushrooms have fruited.

The agriculture directorate provides us with good maps that show why processes are being done, when they are coming online and which

processes are parallel. It would be helpful to provide us with something similar so that we can ask better questions and know what we can ask you and what is the responsibility of other teams. That would mean that we could say, “Can you also bring the compliance team with you, because we want to know how this affects compliance and enforcement?”

Jim Watson: Sure—we can commit to doing that. You can, of course, ask the questions, although you might not get a completely full answer from me on some aspects. A raft of commitments are relevant to the development of the IFMI programme. You mentioned the Fisheries Act 2020, the Marine (Scotland) Act 2010 and our national strategy. We can provide signposting so that you can make those connections.

Ariane Burgess: That would be very helpful.

At the beginning, you said that the “stakeholder landscape is difficult” and that there is polarisation, but there is something that everyone around the table has in common: they want to ensure that fisheries can operate over the long term. I invite you to look for that common ground—the Scottish Government is doing great work in other areas on a common-ground approach—by working through the FMAC group, RIFGs and so on to move to facilitation that helps people to get out of polarisation, because what is happening is just retraumatising people. Fishers are just trying to make a living, and ENGOs are trying to secure a long-term future for the people of Scotland that serves the public interest. I invite the marine directorate to step into the space to help to make that happen. If we keep saying that there is polarisation and that things are very difficult, that is what we will get. If we can support people to see what we have in common—our shared interest—that will help us to move forward in, I hope, a better way.

Jim Watson: I agree. Our door is always open for engagement with any person or organisation. I did not mean to come over as negative; that is just the reality in the here and now, in our current forums. At the Fishing into the Future event—which we have name-checked simply because it was last week so it is fresh in our minds—my goodness, there was common ground. There was a good mix of young and older fishers, people from the scientific community and people from the Government. Everyone there was on an equal footing, which was really important.

Tim Eagle: Was that conference in Glasgow?

Jim Watson: Yes.

Tim Eagle: I had a telephone call on Monday about it. I think that there were quite a lot of questions about issues relating to compliance, but we will move on.

I have a quick question. You are undertaking a review of penalties for fishing offences. Where are we with that?

Jim Watson: That review is contained in our 10-year strategy and will take place. In the coming weeks—I cannot give a specific date—we will publish an update on delivery of the strategy. That delivery plan will detail the work that we have carried out over the first five years and, importantly, what will come next. The review of penalties has not started yet, but it will be programmed in and sequenced alongside our other work.

Beatrice Wishart: What assessment has the marine directorate made of bycatch from vessels using longlining or gillnetting? What enforcement is in place in that regard?

Jim Watson: I see that nobody wants to take that question, so I will have to come back to the committee on that.

We take an evidence and risk-based approach to enforcement, whether that is targeted at Scottish vessels, those from the rest of the UK or foreign vessels. I do not know whether that addresses part of your question, but we will need to come back to the committee in relation to stock assessment.

Beatrice Wishart: I just want to understand the impact.

Dr Needle: I can come in briefly. All our data on discards comes from our observer programme, which we run with the Scottish Fishermen's Federation. We would have estimates of discard rates from observers' trips on longline vessels, and we would then apply those to the entire fleet, but I do not think that such trips are very common. Most of our observers are on trawling vessels, so they would tend not to have discard or bycatch rates from longline vessels.

The Convener: Stock health is affected by numerous factors, including environmental factors and other marine users, and one of the industry's concerns relates to foreign vessels' bycatch. I think that Beatrice Wishart's question related to the impact of bycatch on the crab industry in Shetland, where there is anecdotal evidence that foreign vessels' compliance is not enforced, which could be having a direct impact on stock assessments in Shetland. Should we be concerned about that?

10:45

Jim Watson: On the bycatch issue, one of our key transformational projects is the development of a future catching policy. Over the past year, my colleagues have been working on that with a wide range of stakeholders across the fishing industry

and other stakeholder groups. A one-size-fits-all approach cannot work, so we are looking at changes to technical measures, such as changes in twine thickness or escape panels, for example. That work is on-going.

There has been some consultation already—a number of workshops have been held with the fishing industry and other stakeholders—and there will be further consultation this year. There will be a sector-by-sector approach, with the white-fish fleet being split from the inshore nephrops fleet, for example. That work is on-going, and I am sure that my colleagues will provide the committee with an update in due course.

The Convener: How does that work in practice with foreign registered vessels?

Jim Watson: Do you mean foreign vessels in the UK fleet or foreign vessels that are fishing in our waters?

The Convener: I am talking about foreign vessels that are fishing in Scottish fishing grounds.

Jim Watson: If they are fishing in Scottish grounds, their activity is monitored by our compliance officers.

The Convener: Do we have the resources to ensure that those vessels are compliant?

Jim Watson: Indeed. A risk-based approach is taken in that regard, too.

Emma Harper: You have touched on finance, funding and resources in relation to making improvements through the inshore fisheries management programme. Will part of that work involve exploring whether you need increased funding to implement the programme or even changes to regional governance?

Helen Downie: I feel that my answer to a lot of the questions is, “Yes, that is something that we will need to consider,” so I apologise for that. I envisage that we will give some options to the cabinet secretary as we develop the framework and consider different models, and there will be consideration of any additional costs to those options. That will be considered in due course.

Emma Harper: It is kind of a no-brainer—if there is a requirement to do more work, to expand work or to implement regional-based approaches, more resources will be required.

Helen Downie: Opportunities will also open up if we are able to improve our co-management approach. I know that there are different definitions of co-management, but if it improves how we work with people, it will, I hope, help to build relationships and pull in more resources that are available outside the Scottish Government, as Coby Needle said. For instance, we can work with different organisations to get more data, and we

can see what those organisations might be able to volunteer and bring to the table.

Emma Harper: You have already said that you are working with ICES in Copenhagen and SAMS to support data collection and data management.

Dr Needle: Yes. The International Council for the Exploration of the Sea is the main way in which advice is provided to the EU, the UK and other requesters of advice, and we have contributed to that process since ICES was founded in, I believe, 1905. That is a key part of what we do. As I mentioned, we also work closely with a lot of academic and research institutes in Scotland and England to try to boost the amount of science that we do.

Fisheries science is intrinsically expensive, because you generally have to go to sea to collect data, and seagoing vessels are not cheap. We are in the process of scoping out whether we can afford a new one. It is an expensive business.

Beatrice Wishart: I have a final question. Looking at the future fisheries management strategy, we see some nice fluffy words at the beginning that I do not think any of us could dispute. It says that we set

“our vision for Scotland to be a world class fishing nation delivering responsible and sustainable fisheries management.”

What is the direction of travel? Where will we be in 10 or 20 years? Where are we heading?

Jim Watson: With respect, I would not describe our strategy quite like that. I will go back to what I said at the start. We have a genuinely exciting programme of work that is set out in a 10-year strategy. Our projects include the roll-out of REM and vessel tracking—I would describe those as modernisation—the putting in place of a workable catching policy and reforms of inshore fisheries.

I am looking at the issue just through the lens of fisheries management. I come back to the signposting point and the question about how fisheries management connects with other policies that are being developed in the marine space, such as the roll-out of marine environmental protection, for instance, and the development of an offshore and inshore MPA network.

We are in a quite dynamic period. It is genuinely exciting, and I am enthused about delivering the strategy over the next five years.

Beatrice Wishart: Is there a future for new generations coming into inshore fisheries?

Jim Watson: Absolutely—100 per cent.

The Convener: I have one question to finish with, which we have touched on throughout the session. In the work that you are doing, is the

scope for change limited by the current financial settlement? The feeling that I get is that the scope of your work is constrained by the resource element that the marine directorate is receiving in the funding settlement. Is that correct? Are you working within the money that is allocated rather than designing a fishery that is fit for purpose and then seeking the budget to deliver it?

Jim Watson: We have a clear instruction from the cabinet secretary to explore a range of options, hence the approach that we are taking, which is to have wide call for evidence and not a constrained consultation. At the moment, that is the instruction that we have. I cannot predict what overall budgets are going to be for the marine directorate beyond three to four years, but certainly that is the instruction that we are operating under at the moment.

The Convener: This is what I struggle with. A call for evidence is all very well. People could ask for brand new boats for nothing, or whatever, but, ultimately, surely the marine directorate's job is to make sure that our fisheries policies are fit for the future, both economically and environmentally. We heard from Stuart Bell that you are ruling out certain aspects from our way forward, such as the approach of the regional inshore fisheries groups south of the border. You can get all the evidence in the world if you like, but surely, if you are already limiting your scope based on your budget, you will not actually be doing the job properly.

Jim Watson: We could split out what is doable in the short term from what is doable in the longer term. In the longer term, we are looking at a range of models. For example, the IFCA model down south is very much based on the traditional mix of assets, and that is very costly. I have also given the example of the regulating order in Shetland. However, with regard to the overall resource that is required for managing fisheries in the future, we have to be optimistic about the technology that can be utilised. That can move us towards a more evidence-based discussion.

We cannot pre-empt the outcome of the call for evidence. We do not know, for example, the whole area that is will be covered or the number of regional or locally based organisations that might be involved. Again, that will be determined by the outcome of the call for evidence.

We are following instructions from the cabinet secretary to leave nothing off the table and to look at all possible options when we think about the long term. That is what IFMI is. We are looking at the overall framework of how we are going to manage inshore fisheries in the future.

The Convener: You are saying two contradictory things. You have said that IFCAs will be off the table because of the cost but, on the

other hand, you are saying that the cabinet secretary said, "Do this piece of work with as wide a scope as possible." The two do not sit together. You are saying that we are constrained by the cost of some options, but that the cabinet secretary is saying that everything is on the table. Which is it? Is everything on the table, and we then have to decide whether we can attract the budget to deliver what is chosen, or are you constrained by the budget?

Jim Watson: Just to be clear, all options are on the table. I think that Stuart Bell wants to come in.

Stuart Bell: I have spoken a lot in the session today about what is in the fisheries management strategy. That is really what I was referring to with that comment on IFCAs. It is not for me to say what we do and do not do and, as Jim Watson says, the cabinet secretary has put us in a position to consider everything.

I should have prefaced that comment by saying that the call for evidence is just that and I cannot step ahead of what will come out of that. That statement referred more to what I see in the strategy and what our overarching direction is and my own assessment of how we work and how we are likely to work in the future. Bear in mind that, when you talk about the IFMI programme, you are talking about the next couple of years and changes that are likely in the next couple of years.

Ariane Burgess: The fisheries management strategy 2020 to 2030 says that fisheries will play a part

"to reduce emissions and help to create a low carbon economy".

I would like to get a sense of how the IFMI programme will help us achieve that.

Jim Watson: Okay. Again, I do not want to repeat what has been said already about getting ahead of the strategy but, for example, if we have a new framework in place and if we have a much better understanding of the health of the stocks and the available space, we could put in place much more sophisticated management tools. Without being too technical, that could mean, for instance, reducing the amount of fishing gear that is in the water or reducing the time that vessels are actually at sea, because vessels would be fishing against the available stock. You can see how there could be a potential environmental benefit from there being much greater wealth of data and from work taking place at a regional level. There is potential to look at that information and have an optimal number of vessels fishing and an optimal amount of gear.

There is also a range of research under way at the moment around the use of different types of

gear to improve selectivity, for example, and to reduce impact on the sea bed.

Ariane Burgess: I will ask about something else that has been coming out of this conversation. You have the call for evidence and consultation, and you talked about the challenge of engagement with fishers. The convener talked about the economic aspect, and I am talking now about the environmental aspect and creating a low-carbon economy, which is in the fisheries management strategy. To what extent do the people who you are trying engage understand that there is a fisheries management strategy, that there is certain legislation that we are all trying to do this work under, and that we have signed up to restoring 30 per cent of Scotland's seas by 2030, which is not that far away?

Do you see what I mean? You are inviting people to engage, and it is all broadly open, but do they understand that it the strategy sits within legal and statutory requirements when they respond to the call for evidence?

Helen Downie: You asked earlier for us to give you a list of the different commitments that the strategy delivers. A key part of the framework will be transparency, which we touched on earlier when we were talking about the FOIs and EIRs. It would be good if we could have that list of commitments made public, to ensure that everyone has sight of it and understands all the different points that we are looking to achieve, all the things we are trying to address and all our outstanding commitments under not just different pieces of legislation, but different ministerial commitments, the programme for government and what have you. It would be good to have them all pulled into one place to try to make it as clear as possible for everyone what we are trying to deliver together for our fisheries management.

Ariane Burgess: That is good to hear.

Stuart Bell: I will briefly add to that. There is a growing understanding among our fishers that there is a bigger picture that they are part of.

I will talk once again about the Fishing into The Future event the other day, and the overarching work that we are trying to do with such forums to bring our fishers with us and give them an understanding of the bigger picture. It was said earlier that the young fisherman sees policy coming but does not necessarily understand where it has come from. What you are speaking about is explicitly what we are trying to improve and build on with those kinds of discussions.

The Convener: Thank you very much for your contributions this morning. That concludes our proceedings in public.

10:59

Meeting continued in private until 11:57.

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Published in Edinburgh by the Scottish Parliamentary Corporate Body, the Scottish Parliament, Edinburgh, EH99 1SP

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