Official Report
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DRAFT

Rural Affairs Committee

Comataidh nan Cùisean Dùthchail

Wednesday 30 September 2026

Session 7

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RURAL AFFAIRS COMMITTEE
6th Meeting 2026, Session 7

CONVENER

*Mark Ruskell (Mid Scotland and Fife) (Green)

DEPUTY CONVENER

*Andrew Baxter (Skye, Lochaber and Badenoch) (LD)

COMMITTEE MEMBERS

*Dawn Black (Angus North and Mearns) (SNP)
*Finlay Carson (Galloway and West Dumfries) (Con)
*Jamie Langan (South Scotland) (Reform)
*Laura Mitchell (Moray) (SNP)
*Emma Roddick (Inverness and Nairn) (SNP)

*attended

THE FOLLOWING ALSO PARTICIPATED:

Calum Duncan (Marine Conservation Society)
Jessica Jones (Scottish Environment LINK)
Annabel Lawrence (Community Association of Lochs and Sounds)
Elspeth Macdonald (Scottish Fishermen's Federation)
Heather McFarlane (Fidra)
Bally Philp (Scottish Creel Fishermen's Federation)
Phil Taylor (Open Seas)
Elaine Whyte (Communities Inshore Fisheries Alliance)

LOCATION

The Mary Fairfax Somerville Room (CR2)

Scottish Parliament

Rural Affairs Committee

Wednesday 30 September 2026

[The Convener opened the meeting at 09:01]

Decision on Taking Business in Private

The Convener (Mark Ruskell): Good morning, and welcome to the sixth meeting in session 7 of the Rural Affairs Committee. Please ensure that all electronic devices are switched to silent. We have received no apologies, but our deputy convener, Andrew Baxter, is joining us remotely.

Our first item of business is a decision on taking business in private. Item 3 is consideration of the evidence that we will hear from our witnesses this morning on the topics of marine and fisheries, and item 4 is consideration of our work programme. Does the committee agree to take items 3 and 4 in private?

Members *indicated agreement*.

Marine and Fisheries

09:01

The Convener: Agenda item 2 is evidence on marine and fisheries. We have scheduled around one hour and 15 minutes for our first panel of witnesses. We will then take a short break, which will be followed by a further discussion with our second panel of witnesses. To keep us to time, I ask members and witnesses to keep questions and answers as concise as possible. Members agreed to hold evidence sessions on various topics that come under our remit, and we hope that these will set the scene for the development of the committee's work programme over the next five years. They will also help with the committee's evidence session next week, with the cabinet secretary and the minister, when we expect to discuss announcements in the programme for government and in relation to the upcoming budget as part of our pre-budget scrutiny.

I welcome our witnesses: Alistair—Bally—Philp, national co-ordinator, Scottish Creel Fishermen's Federation; Elspeth Macdonald, chief executive, Scottish Fishermen's Federation; and Elaine Whyte, executive secretary, Communities Inshore Fisheries Alliance. I remind you that you do not need to operate your microphones, as our broadcasting team will do that for you.

What is your vision of an effective regional model of inshore fisheries management, and what do you expect to see from the Scottish Government's inshore fisheries management improvement programme over the next four years?

Bally Philp (Scottish Creel Fishermen's Federation): What we would like to see and what we expect to see are probably two different things. The process of developing the inshore fisheries groups was launched about 10 years ago, although the branding of IFMI is relatively recent, and our experience is that the process so far has been quite disappointing.

The inshore fisheries groups were launched about 10 years ago, at which time there was an attempt to develop inshore fisheries management plans, but those have never been progressed. Our ambition is for the inshore fisheries management plans to be addressed, but we have relatively low expectations because, to date, the Government has not made a commitment to that. We would like to see creel limits introduced, which we pushed for more than a decade ago and which was consulted on a decade ago but has never been progressed further. There is talk, at least, of that happening, but we are not sure how competently or comprehensively those limits will be introduced.

We would love to see spatial management introduced, but we do not have high hopes for that. The key to sustainable inshore fisheries management and optimising the social, economic and environmental outcomes is the introduction of the spatial management of different fishing gears. However, again, the Government has made no commitment to that. Therefore, there is quite a disparity between what we would like to see and what we expect to see.

Elaine Whyte (Communities Inshore Fisheries Alliance): I take a slightly different slant on the situation. For something to work, it must be well resourced. The marine directorate probably does the very best job that it can with the resources that it has, but there are challenges because we have a lot of other commitments. For instance, the team has to deal with an extensive number of freedom of information requests and environmental information regulations requests, and those types of activities slow down core work. I would like the capacity to work on inshore plans regionally, because what a good management system looks like will be different for each community. Some areas have mixed gears—there are all different types of fisheries—and any good inshore system should reflect that.

Creel limits have been mentioned. We have asked for creel limits, and, in my region and in other regions, we have a selection of inshore measures that have worked. For instance, the Western Isles piloted creel limits through the IFG a number of years ago and we followed them in Clyde. There are things that we can do through the IFG; it is just a case of resourcing and prioritising those above crisis management. We need to ensure that every sector can get round the table and feel that it has a say, rather than things going into the ether and not getting developed due to a lack of capacity. On the whole, the objectives that we have seen up to now are positive, but the issue is getting them in place practically.

On inshore management, we have seen movements towards more localised management that have been quite effective. For instance, scallop restrictions came into place in 2026 and those have been very good for some areas. There are things that we can do, but the issue is capacity and ensuring that we treat each region separately.

Elspeth Macdonald (Scottish Fishermen's Federation): I agree with a lot of what Elaine Whyte said. It is important that we see the outcomes of the work that the marine directorate did—at the beginning of this year, I think—on evidence gathering to inform the IFMI programme. Elaine is absolutely right about the volume of work and activities that the marine directorate is wrestling with. We and, I am sure, other organisations asked the directorate whether it could bring forward the next stage of IFMI at the same time as the consultation on marine protected areas and priority marine features is running, simply because of the capacity that organisations need to respond to consultations.

The resourcing point is key. Regional management might sound like a marvellous thing, but any type of management, whether regional or national, must be properly resourced. That is not just about having management resources to do whatever needs to be done; it is also important to think about the resources that are needed to have the scientific and evidence base to underpin the management. That is the challenge that we spoke about in front of your predecessor committee in the previous session of Parliament. There are a lot of challenges, and resourcing will be a key part of addressing those. There is no point in the Government coming forward with hugely ambitious plans if they cannot be adequately resourced, because it will simply set them up to fail.

The Convener: I am interested in the extent to which the sectors that you represent have an agreed model. I am not saying that you agree on absolutely everything, but I am interested in where there is consensus among all the fishing sectors as to what an inshore governance model would look like. Where is there agreement? Elaine, you mentioned funding, and planning is another area. I am interested in what the foundation for the future might be. I am sure that there are lots of areas that you do not agree on, but which areas do you think you agree on?

Bally Philp: I certainly agree with Elaine and Elspeth about the need for any regional management to be localised or region specific, rather than a blanket approach being taken that then devolves a template to each area. The actual management that comes into place must be localised, and there must be a lot of stakeholder input. I hope that we could all agree on that, because that sounds like the basic principles of stakeholder engagement. It is complicated because you have to understand how to weigh the different viewpoints.

I agree with Elaine and Elspeth that any measures that we take must be evidence based, but I might diverge slightly from what they have said because we already have quite a lot of compelling evidence on how we should be doing things differently. The precautionary principle demands that we act on the evidence that we already have. Therefore, I agree that we need the resourcing and that there should be regional management forums, but we have enough knowledge to make a good go of it now, and it should not be delayed any longer. The Government attempted to do that 10 years ago,

and staff at the marine directorate tell me that the reason for the delay is that there is such divergence on what a fisheries management plan would look like. I think that it is incumbent on the marine directorate to come up with a base template that we can all work to.

Personally, my ambition would be to see groups trying to deliver on their local priorities, whether there is gear conflict, too many creels or whatever else. However, equally, any small-scale regional fisheries management group must try to help the Government to deliver on its legal and policy commitments. That is my vision—the ability to have a group of fishers or representatives in a room, so that you can say to them, "Here's what the Government must achieve. How are we going to deliver that?" I hope that we can all agree on that, but I will allow the others to speak for themselves.

Elaine Whyte: One of the most important things for a localised regional management system is the inclusion of fishermen in the collation of data, because we need sensible and reflexive data. Adaptive management is something that we are all living with, because we know that water temperatures are getting higher in certain areas and that that is changing the stock composition. Often, when we do not know how to handle that, quite restrictive measures are brought in without knowledge of what is going on on the ground. The more that we can involve fishermen, not only around the policy table but in the collation of data, the better the system we will have.

I am glad that Bally said that we need localised plans. I agree with that, and that is also why I do not agree with measures such as 3 nautical mile limits, because different fisheries have different compositions. I represent creel fishermen, static gear fishermen, mobile fishermen and everyone in between, including line fishermen. It is that collage of different fishermen and different fishing gear types that makes the inshore sector sustainable, so I want to see a system that ensures that we are not penalising anybody in relation to a gear type, for example, and that we are balancing things properly, so that there is enough of everything and it is all well managed.

In addition to the need for the system to be well resourced, Bally mentioned planning, and I would like to see a distinction drawn between marine planning and the IFG, although there should be a connection between them, as there is currently, because the IFG chair sits on regional marine planning partnerships. My area is one of the pilot areas, and that feed is completely sensible, but, whatever it looks like, marine planning is one thing and fisheries development and inshore management are another. They should connect, but they are separate and I would not like to see them being mixed up, because that would blur the lines.

On legal commitments, I would like to look at what Norway does, although not to benchmark, because we do a lot of things right in Scotland, too, with little resource at times. Norway has a marine resources act, and the objective is sustainable management of marine resources and employment and settlement in coastal communities—which is the main distinction that I would like to see. When we talk about legislative commitments, we are often talking about environmental commitments, but we need to get the structural balance right. The Scottish Government talks a lot about having a sustainable inshore fleet and being economically viable, but we do not have the structural legislative support in the way that they do in Norway, which has tied the support in. Any sensible IFG or inshore fisheries management policy should look at coastal resettlement, employability and environmental targets, hand in hand and on an equal footing.

Elspeth Macdonald: I agree with a lot of what Elaine said, and I agree with her in disagreeing with Bally on the spatial management of different gear types, which is not something that our membership supports. We do not think that it is the right way to manage our inshore fisheries. Indeed, I was talking to an MSP here yesterday and they were concerned that, should such a model go ahead, it would have very significant detrimental impacts not just on the fishing industry in their community but on a lot of the shore-based jobs and on processing.

09:15

I would like to think that we would all agree on the need to learn from good examples. Elaine Whyte has just given an example from Norway, but we have a good example closer to home—the system for the management of inshore fisheries in Shetland, which involves a regulating order. I am sure that not everyone in Shetland thinks that that is a perfect model, but it has been operated successfully there. It is clear from comparing how the system works in Shetland with how it works in the rest of Scotland that that is a good model that can be learned from.

There are certainly areas that we will agree on, but there are some fundamental ones that we will disagree on, too.

Jamie Langan (South Scotland) (Reform): I have two questions. Elaine, you mentioned the legislative support that is in place in Norway. Without adequate resourcing, the need for which all of you have talked about extensively, would that not be just a bit of window dressing, as it were?

Secondly, with regard to other models, what, if anything, do our witnesses think that we can learn from the inshore fisheries and conservation authorities model that is used in England?

Elaine Whyte: I do not think that such legislative support would be window dressing. We have environmental targets to reach—I stress that I am all for good, sustainable environmental management—but it is often the case that fishing has to be mitigated so that a target can be reached, whether that is through displacement, decommissioning or diversification. I do not think that fishing should be mitigated away. I think that we should be treated like every other stakeholder or sector in the marine environment.

Support for the socioeconomic element of fishing and coastal resettlement is not enshrined in legislation. We have key targets to work towards, but there is not a proportionate balance between those targets and the environmental targets that we have. I do not think that fishing should be an afterthought. I do not think that such a form of legislative support would be window dressing. If we had actual targets for resettlement and employability, we would be in a very different place and it would be a more balanced debate.

You asked about the IFCAs in England, and there is divergence between how the various IFCAs operate. I have heard some people say that they really like their IFCA, whereas others say that it is different for them and that their IFCA does not work very well for them. That comes down to the regionality of management. However, IFCAs could be important from the point of view of resourcing. For instance, we had the pilots on creels, but they were voluntary—there was no legislative underpinning—and I think that IFCAs could go a step further in implementing things that the local fishermen want. It would certainly be good if there was a higher level of resourcing, but fishing would have to be at the heart of the process. An IFCA should not be made up mainly of stakeholders from different areas. I find that that happens in a lot of the forums that I go to, on which there is very little representation of fishing. Given that many of the decisions that are taken on fishing will have a direct impact on families' economic and social lives, the people who will be most impacted by them in real terms should always be involved in the process.

Jamie Langan: Absolutely.

Bally Philp: I would like to respond on the issue of models. The IFCA model is an interesting one. It requires a lot of resources, but I think that we can learn from it. It involves a broad stakeholder base. The IFCAs have certainly empowered fishers to undertake a lot of activity in the waters out to 6 miles that they regulate and they have squeezed almost all mobile gear activity out of that 6-mile zone. Those waters are far better managed than most of Scotland's inshore fisheries. The IFCAs generally have creel limits, although not all of them do.

The parts of the IFCA model that we could aspire to replicate are its wider stakeholder base and the improved management of inshore waters, which prioritises the use of lower-impact and higher-value, higher-employment gears. The IFCAs have done that quite well.

We do a lot of work with the IFCAs in England. One of the biggest concerns of the fishers who work with the IFCAs is that they cover only the waters out to 6 miles; they want them to be extended to the waters out to 12 miles. It is interesting that Elaine Whyte brought up the Norwegian model, because there is a similar regime in Norway, where smaller inshore fishers are empowered to drive the management out to 12 nautical miles. To all intents and purposes, they have restricted the use of mobile gear for the vast majority of that 12-mile zone, and I think that that is the natural direction of travel.

I also agree with Elaine's point that we must not undertake such activity without thinking about the livelihoods of the people who are affected by it. One of the bottlenecks that we have in Scotland is that, when we or conservation groups talk about restrictions on mobile gear, making our fisheries fit for purpose, prioritising low-impact methods and so on, what often gets forgotten in that conversation is how we do that in a just and fair way. I absolutely agree with Elaine that we need to find a way to make such decisions fair for everybody. One big problem that we have had because of the lack of progress is that, often, somebody has to take a hit, and we do not have a structural basis for a just transition or fairness. That is one of the big bottlenecks.

Elspeth Macdonald: My understanding of IFCAs in England is that they are a bit of a mixed bag. You hear good and not-so-good feedback, so it is probably dependent on who is involved in different places and what issues they are wrestling with. There does not seem to be a universal view that IFCAs are fantastic or not; the experiences tend to be mixed.

Bally Philp mentioned a wider stakeholder base. Whatever the models are for fisheries management, whether that be inshore or offshore, it is important that there is a clear understanding of who is a stakeholder and who might be an opinion holder. Those can be quite different things, and it is important that that is taken into account when management is being designed.

Already this morning, we are perhaps going a bit down the rabbit hole of thinking only about fishing

in the discussion of inshore waters that we have been having thus far when, in practice, you cannot separate fishing from all the other things that are going on in our seas. We have to think about aquaculture developments, which are all in inshore waters. What impacts are they having on fishing? What are the consequences for our inshore fisheries? In some areas, we are seeing extensive changes to inshore habitats as cables are laid, for example, for offshore wind farms.

We very easily fall into the trap of thinking that we must do something about fishing when a lot of the other things that are going on in our inshore waters also have to be taken into account in thinking about how we manage our fisheries. Many of those other factors cannot even necessarily be controlled, because they will be related to natural processes and changes in our environment. We have to keep that in mind, too.

Finlay Carson (Galloway and West Dumfries) (Con): It is lovely to see you all again, but there is a bit of déjà vu. I have been an MSP for 10 years, and reform of inshore fisheries has been on the agenda for every one of those years but we still have not seen any progress. We have had agriculture stakeholders around the table who were incredibly frustrated about the lack of progress in agriculture, and it feels the same with fisheries. We have repeatedly heard about the need for more local decision making and co-management, but nothing is happening. Does it not make a huge dent in the confidence of the industry that, despite consultation after consultation and a review of the regional inshore fisheries groups and so on, nothing is happening?

The elephant in the room is that we also have a delay in producing the fisheries management plans. Where are those? They are fundamental to setting some of the parameters for inshore fisheries management and local decision making. Is there confidence that the Government has the desire to do this? We know that the marine directorate does not have the capacity, but does the Government have the desire to make the changes and reform inshore fisheries in the way that environmentalists and the fishing industry would like?

The Convener: Can we have brief comments on that, please?

Bally Philp: The short version is no, I do not think that the Government is willing to take the actions that match the ambition. The fisheries management plans were meant to be part of what the Government calls a three-pronged approach to delivering our wider marine policy and ambitions to achieve good environmental status. They are all meant to be delivered by a combination of the ongoing marine protected areas and protected marine features work, which was stalled for 10 years.

On the fisheries management plans and regional management, we are completely in the dark about regional management. As you can tell, we are still scoping what that might be. From what we have seen of the draft fisheries management plans, there is no ambition in them to deliver spatial management. We will not get spatial management through the fisheries management plans, if they are made. We are getting it, to an extent, through the MPA process, but that process is very ad hoc and not part of a strategy to deliver fit-for-purpose fisheries management; it is designed to deliver protections for the few remaining bits of pristine or healthy ecosystem, which are vital and ring fenced.

The short answer to your question is no, the Government is not matching action with ambition. Nothing that we have seen in that three-pronged approach looks as if it is capable of delivering what the Government is committed to delivering, legally and in policy.

Elspeth Macdonald: The Government is in a bit of a bind because of the extensive number of commitments that it has made. Part of the legal work that it had to do as a result of the United Kingdom leaving the European Union was quite a wake-up call for lots of bits of Government when they realised how many legal obligations and international commitments they had. Those came through membership of the EU, and all the commitments were then taken on to the UK statute book and largely remained there.

I do not think that there is a lack of ambition or a lack of recognition that things need to improve, but I do think that there is a real issue with how the Government sequences and resources the priorities that it needs to meet. It is spread very thinly when it comes to a number of issues that we might touch on today—the MPA consultation, the future catching policy and all the things that it must do around annual negotiations and so on. I do not think that there is a lack of willingness or ambition, but there is a real capacity issue.

Elaine Whyte: I agree that there is a capacity issue. I also agree that it is not that people do not have an ambition to deliver; they are just not resourced at the level that they should be. It goes back to the point that we are not wrapping socioeconomic, employability and resettlement issues in legislation in the way that we are environmental issues. At the moment, they feel like two competing priorities rather than two important objectives that should work together. Our key concern is that one issue will take priority because it is in legislation and the other is not.

Our inshore teams and the Government at large face a lot of objectives that they have to go ahead with because, if they do not, they might face legal challenge. That has happened—we have seen judicial reviews and so on. We cannot do the same thing as fishers if we feel that we are socioeconomically disadvantaged by some of the decisions, because socioeconomic issues are not wrapped in legislation in the same way. That is why we have a top-heavy situation. To be honest, if you know that one sector might be able to take you to court if you do not deliver on objectives while another sector cannot, it will certainly influence what you prioritise. That is a shame, and it is an issue that we need to address.

You asked whether people are disillusioned because of what is being delivered. It is fair to say that they are at times, but that disillusionment is not necessarily directed at the civil servants or the teams that they work with. They know that those teams want to make progress but are in the bind that Elspeth Macdonald talked about. I guess that we do not pose as much of a challenge to the Government.

Emma Roddick (Inverness and Nairn) (SNP): I want to pick up on what has been said about the scale of the commitments and responsibilities that the Government faces. Are there any that you feel should not be on the Government, or is this a matter of more resourcing being needed to cover everything that is on the desk? Do you see any opportunities within public service reform to look at how to do that better?

Elspeth Macdonald: That is a very good question. The scale of the obligations and the commitments is vast. The Government has thousands of obligations, many of which will have quite a long history, while some are perhaps more recent. The Government has done something that I expected it to do, which is to really look across the whole raft of commitments, because sometimes there are probably things that conflict with each other. You have to achieve B, but you also have to achieve A, but A and B cannot both be achieved at the same time, so how do you sort that out? There has to be a bit of boldness and some risk taking, because we have signed up to however many thousand things over many years but we cannot achieve them all. Some bits of legislation were perhaps passed more for political reasons than for practical reasons and will be almost impossible to achieve because they are not practical.

We need to be bold in considering which parts of EU law we have on our statute book simply because we inherited them. Are they still fit for purpose for Scotland? That needs to be part of public sector reform, because that provides an opportunity to look long and hard at the Government's obligations and commitments and to consider whether they are fit for purpose and appropriate. If they are not, we should think about what to do with them. Once we have determined the right things to progress with, part of public sector reform is about how we should deliver them.

09:30

The Convener: Does anyone else want to come in on that question?

Bally Philp: I do, because my views diverge quite significantly from a lot of what Elspeth Macdonald said. I agree that there is a sentiment that it will be hard to balance all the policies, but I do not think that it is as hard as it is sometimes made out to be. It is not just about the stuff that we have inherited from the EU. The overarching policies that should drive fisheries management come from the marine strategy framework EU directives, but we incorporated them into UK law through the marine strategy framework, the Marine (Scotland) Act 2010 and the UK Fisheries Act 2020. Almost all of that legislation replicates, word for word, the same sentiments, policies and ambitions.

I do not think that the Government has been blindsided by the issue; it just has not been rolling up its sleeves and putting in enough effort. A lack of resources might be driving that, but I do not think that what we are talking about is impossible to achieve or is unique in blindsiding the Government. We have just not committed enough energy and resources to delivering it.

Elaine Whyte: I was just having a quick look at what the Scottish Government is currently proposing or working on. The list includes MPAs, PMFs, seasonal closures, gear restrictions, technical measures, electrical monitoring, reporting requirements, spatial restrictions and the displacement of fishing due to other sectors. Those are just some of the key issues.

We have talked quite a bit about the different things that we are working on. About 76 protected areas have been proposed, with conservation obligations, through the new PMFs and MPAs. The origins of 65 of them are in EU nature directives that have now been embedded in domestic law. Eleven MPAs arise from Scottish legislation and 90 proposed PMFs are driven principally by Scottish marine policy through the national marine plan. Therefore, a lot of the work that we are doing is domestically driven, with targets that we have set ourselves.

What I hear from inshore fishermen all the time is that there is so much coming at them that they cannot reach stability. There must be a practical understanding that consultations come at us continually, so there is no stability. We are now

having to deal with a food security crisis and fuel issues. A number of my boats are tied up today because, even if they caught prawns, they would not make money, given the lack of profit margin at the moment.

We need to look at things slightly differently and start to think about the continued existence and stability of our supply chains, our coastal resilience and our employability, as well as the environmental targets that we are setting for ourselves. As I said, a lot of what we are talking about is domestically driven. We have a lot of ideas, but we are throwing them out there at a time of crisis. We must consider how many of them we will be able to deliver without jeopardising our inshore fleet.

Emma Roddick: Bally Philp, do you feel that there is the conflict that others have described in relation to the policies and targets that exist?

Bally Philp: I do not think so. I get frustrated because, although some of them appear to be at cross-purposes, the way in which we go about things makes it appear that we cannot balance all the variables.

One example relates to marine protected areas. That is a heck of a project—160-odd sites are being consulted on. The 3-mile limit was mentioned earlier, so I would like to correct the record: our policy is not that there should be a 3-mile limit, but we provided that as an example of spatial management that the Government could implement. We can compare consulting on 160 sites with consulting on one simple policy, albeit a simple blanket policy that might not be ideal. We can see that a range of options are available. We gave that option as an example, but we think that the key is spatial management.

Spatial management can come in many forms, such as low-impact priority zones, 3-mile limits or 1-mile limits, or you can do it on an ad hoc basis. At the moment, we are doing it on a benthic feature-by-feature basis, which is at cross-purposes with all those other things. Therefore, I agree to an extent with Elspeth Macdonald and Elaine Whyte that it appears as if all those things are at cross-purposes, but I think that that is only because of the approach that the Scottish Government has taken.

Dawn Black (Angus North and Mearns) (SNP): My question is about Bally Philp's and Elsbeth Macdonald's points about competition in the marine space. Given the Scottish Government's ambitions in the blue economy strategy, does the planning that has been going on and the planning that will, we hope, come in the national marine plan adequately consider the cumulative impacts on fishing communities, given offshore wind, cabling and other competition in the area?

Bally Philp: The short answer is no. I hope that Elspeth Macdonald and Elaine Whyte will agree that spatial squeeze is a huge problem for the fishing industry and the Government does not appear to have a strategy or policy to address it. Our approach would be to introduce spatial management and try to facilitate a just transition. If there is overcapacity in the fleet, we might need to decommission, and, if there is not overcapacity in the fleet, we could maybe transition to lower-impact, higher-employment gear, to offset some of the squeezes.

We do not think that the issue is insurmountable, but it is definitely a big problem. We might disagree on how we go about addressing it, but I do not think that the Government has a strategy, plan or policy in place that adequately addresses it.

Elspeth Macdonald: Spatial pressures are, absolutely, a main concern that our industry faces. However, I think that the spatial management of fisheries, which Bally Philp is enthusiastic about, would simply exacerbate the pressures rather than make things better. We have not yet seen enough on the national marine plan, work on which has been ongoing for some time. There has not been an update to stakeholders or much visibility since the planning position statement—I think that that is what it was called—that was consulted on last year. We have not seen how that work has progressed since then.

We are extremely concerned about cumulative impacts. Offshore wind has a big impact for many of my members, in both the offshore and inshore areas. Aquaculture is certainly another one in the inshore area. We also have other policy-driven restrictions, such as conservation measures et cetera, and we are seeing an increasing focus on subsea infrastructure, national security and the protection of subsea cables. There are a lot of drivers of the cumulative impact.

Four or five years ago, the SFF, working with our counterparts in England, did a piece of work on that, which showed what future scenarios might look like, and they were concerning. The concern is that it was the industry that had to do that work on what the cumulative impacts might be. I know that the marine directorate intends to commission a piece of work on that, but it appears to be going fairly slowly. My concern is that, by the time that the work has reported and drawn conclusions, the stable door will be open and the horse will be halfway down the road. It is about sequencing and looking at the consequences of decisions too late, rather than doing that early on.

Elaine Whyte: When we talk about the blue or marine economy position, I keep going back to the

statement that we have a lot of great aspirational words about growth, sustainability and the development of sectors, but if one priority—the socioeconomics of fishing—is not protected or is not legislatively within the framework, the approach will always be that it would be nice to protect fishing but not essential. That is the issue. We can be pushed aside, and we often are.

The committee's briefing paper says that MPAs cover about 37 per cent of Scottish waters. However, that is not the total area that is unavailable to fishermen. As others have mentioned, there are cables, renewables, aquaculture sites, Royal Navy closures and areas that are not suitable to fish. All of those things are cumulative, and we have to understand that the areas that are actually available to fishermen are getting smaller and smaller all the time. It is not just that 30 per cent of their areas have gone through the establishment of MPAs.

There must be some kind of cumulative assessment, because we are already in a position whereby many people have given up or are feeling very pushed, and that definitely needs to be addressed if we want to have a viable fleet.

Dawn Black: On that very point, should some areas be protected for fishing within the space? If they are not and those areas are being used for other things, would you want compensation or mitigation to be considered?

Elaine Whyte: It is difficult to just fence off somewhere for fishermen to go. In some sectors, that approach might be possible, but, by and large, we are talking about adaptive management and we must bear in mind the fact that fish swim around and change locations and that conditions alter. The issue is more about monitoring where people are fishing and how that changes, and our having a legal right to say, "You can't just come in and remove us." We often find that, if we are up against a sector that has a high export value and just one or two of our boats are using an area, people will challenge the amount of money that those boats bring in. However, one boat might employ five local people and, if it cannot fish, there is also an ongoing cost to the processing facilities and the export and domestic markets. The salmon industry counts all of that, but it is not counted in relation to our boats, so it can be challenging to argue our economic case. Of course, in Argyll and the Western Isles we have recently won a couple of cases against the salmon industry on appeal, but that is the first time that that has ever happened. I hope that that signals a direction of change.

I spend about 75 per cent of my time not on developing fisheries policy and developing fisheries markets and fishing infrastructure but on responding to other sectors. We have to be aware that that is where we are: we are very much a responding sector. At a consultation, somebody said to me, "Fishermen don't often respond, but we're all around the table because responding to consultations is our job." However, continually responding to consultations is not my job; I am there to support fishing communities' resilience.

Bally Philp: It is worth acknowledging that many of the areas that we are discussing are still open to fishing. Significant areas are still open to dredging and trawling, which is a contentious issue, but almost all of it is open to lower-impact keels. That is slightly problematic, because we are creating de facto creel-only zones without any creel management, which is slightly concerning to us. We are doing it in an ad hoc way by allocating creel-only zones on the basis of what biogenic features are there, which means we are doing it by accident as opposed to by design. We would much rather see a design, so we are very much in favour of allocating fishing zones.

However, I agree with what has been said: the approach works well for some sectors and not for others. If you have a static gear boat, having a dedicated static-gear area, which we very much advocate for, is advantageous and pragmatic. However, if you have a large nomadic trawler, for example, you will be ideologically opposed to those areas, because they restrict the footprint that you can fish in. There is a huge divergence between what works for some sectors and what works for others. That is worth noting, but I think that it is an approach that could be used, if that makes sense.

Elspeth Macdonald: There are real and significant risks to the idea of allocating areas for fishing. The most significant of those is that our seas are changing faster than they ever have. We see significant changes in the distribution of stocks. There would always have been some inter-annual variability, but we are now seeing significant change in the distribution of some of our species—for example, many of you might have read about the incursion of octopuses into the south-western English Channel last year. Therefore, there is a real, practical danger in going down the road of allocating areas for fishing or fisheries. It might look reasonably sensible now, but it might not look so sensible five, 10 or however many years down the track, and, if other areas have been allocated for other things, how do you then redistribute your fishing activity?

Elaine Whyte made a point about all the things that we spend our time doing. In the context of spatial constraints and the incursion of other activities and sectors, I often describe it as feeling like a lot of our work is about damage limitation. It is not about positive, forward thinking about what

we can do and how we can advance our industry. How can we be innovative? How can we do many new things? We are spending so much of our time trying to keep our heads above water, if you will pardon the pun.

09:45

Laura Moodie (South Scotland) (Green): I wanted to come in on workforce, which is raised quite a lot with me in my constituency in relation to the challenges of getting people to work in the sector and the big number of vacancies, particularly in processing. What are the key challenges in ensuring that we have a sustainable workforce, and what more can the Scottish and UK Governments do to support the sector in that area?

Elspeth Macdonald: That is an excellent question. It is a real challenge, ashore and at sea, and many factors influence the issue. There is more and more competition for maritime jobs, there are many jobs coming forward in the wind sector, and there are jobs in aquaculture. In essence, there is competition in the marketplace for people who might want to work at sea, and fishing might not be seen as the most attractive of those. It is hard work, and it is not the sort of job in which you have a guaranteed salary and six weeks of paid holiday. Being a share fisherman is very different from being an employee of, say, a big energy company or a big salmon farming company.

There is also a perception problem that is very worrying. Many people talk our industry down. NGOs publish reports on almost a weekly basis, saying fishing is this or fishing is that, but they are never positive. If you were a young person thinking about a career in fishing, you might think, “Oh gosh, this doesn’t sound very good,” or, “There’s no future in the industry, because it’s all going to be managed out of existence.” We all have a responsibility for talking our industry up. There are too many people talking our industry down.

Another challenge that we have is that, in many of the areas where our fishing fleets are, unemployment is actually pretty low, so there are not huge volumes of people looking for work. We are increasingly trying to do work with young people and run programmes with schools to showcase our industry as a viable career path. It is clear that, in processing and in parts of the fishing fleet, there is a high reliance on workers from outside the UK, but there are real obstacles and constraints in terms of how the immigration system works. If you are unable to find workers from the domestic workforce, it can be extremely difficult to secure them from elsewhere. There are many different factors, and the Scottish Government has limited levers in relation to immigration, so we engage with the UK Government on that issue.

I would very much like to see the Scottish Government showcasing our fishing and seafood processing industries as important and a critical part of our national food security, promoting them as positive places to work. I would also like it to back that up with policies and initiatives that encourage our industry to thrive and be successful, and not, as I say, to micromanage it into ever-decreasing circles.

Elaine Whyte: That relates to the point that I have made throughout the meeting that there needs to be an overarching legislative framework that covers socioeconomic aspects, such as resettlement and employability, as well as the environmental ones. Those two aspects need to be in balance.

We are different in that we cover inshore areas around the coast, not all of which have high levels of employment. Some of them are quite deprived and there are not many jobs available. In some cases, fishing and aquaculture are the only viable options that people have for secure jobs. Depopulation is an issue for many of our areas, especially in Argyll and the Western Isles.

However, in my region—the Clyde—we have bucked that trend a little. We have been training up young people—and others; their age depends on the conditions—as part of the no one left behind strategy. We have been working with Inverclyde Council and Argyll and Bute Council, and we hope to work with South Ayrshire Council, to get young people into fishing. It is almost like a short apprenticeship. It has a very good retention rate—young people are staying on the boats. We talk about it wherever we can, including down at Westminster. We are starting to see a real change. At the start, people said to us, “You won’t get young people to work,” but we do. The notion that people do not want to go into fishing can be turned around. It is really hard work, but we are demonstrating that it can be turned around.

Going back to the issue of stability, it is not simply a matter of training young people about working on a boat. There must be an option for them to go further. For instance, some years ago, there was a very good loan guarantee scheme in operation in the Western Isles, which made it possible for the fleet to be upgraded. That scheme, which was operated through the Highlands and Islands Development Board, meant that young people coming into the industry had a viable way of getting a loan to buy a boat. We no longer have such a scheme. I would certainly advocate having something like that, which would provide a pathway, so that young people could know exactly

were they were going and what their options were. We need to take a holistic approach.

That is true even of things such as the policy framework. Some young people have come to our policy events in order to understand what conservation policy is, what fishing policy is and how they can engage with it. That type of thing is a full sector in itself.

In relation to Bally Philp's point and the fact that, while the MPAs cover 37 per cent of Scottish waters, 70 per cent of sites have only partially implemented management measures, I think that that is an area that we can get young people productively involved in, because they are very technologically minded.

We have things such as Anchor Lab's depth sensor technology that mean that fishing can co-exist with protection measures. People can fish and we can protect protected features at the same time, without having to close a number of football park-sized areas. Young people who come into the industry, many of whom are very conservation minded, could develop their understanding of that technology. There is an opportunity to get them involved in the use of tech that might result not in blanket closures but in management that allows co-existence.

Finally, I highlight the fact that the Kunming-Montreal global biodiversity framework is where the 30 by 30 target comes from. It is not just about closing areas; it is about protecting features. If there is a way for such measures to co-exist with fishing, we should speak about that with the new generation.

Bally Philp: I will try to be succinct. The average age of a fisherman in Scotland is 55. It is arguable that there is a generational renewal crisis in our fishing industry and that, if we do not do something about the fishing industry, much of it—this is true of the inshore fishing industry, for sure—will die on its knees as a result of a lack of people coming into it.

The situation is different in different sectors, as the committee has heard. There is already a divergence. When it comes to the creel sector, I am afraid that I cannot help with regard to processing, because one of the reasons why we get a premium price is that there is almost no post-capture processing. That is the same in the scallop diving sector and the hook and line sector. All those premium live, fresh products are subject to very little post-capture processing, so I do not have an informed opinion on processing.

I would diverge, to some extent, from what was said about how we can attract people into the fishing industry. I do not think that we should lower the bar and bring in immigrant labour. It is probably a good idea to train up young people—I am certainly with Elaine Whyte on that. We need to invest a lot more in training and making fishing attractive to young people.

The problem is that the fishing industry is not attractive because it is in decline. It is clear that there is only a tiny fraction of the number of trawlers that there were in my port 10 or 15 years ago. There are very few parts of the fishing sector that are buoyant. There are some really big boats—I am sure that members will have seen some of the multimillionaire fishermen's boats. Although they look quite attractive, they have a very small employment potential. There are about 20 of those very large boats in Scotland, which capture 50 per cent of our seafood. That sector offers very nominal amounts of employment.

The main employment is coming in the small-scale artisanal inshore fishing sectors such as creel, hook and line, and scallop diving. There is a huge opportunity to increase employment there, and those are sustainable fisheries. Especially if we introduce good fisheries management and good spatial management, we could have a lot more creel fishermen in Scotland. We could have a lot more reliability in the wages that we get, the markets that we are accessing, and the kind of people who would want to come and work in the sector. However, it has to be buoyant. If all everybody sees is an uphill struggle and a declining fleet, why would they want to work in the sector?

The real challenge for us, certainly in the small-scale inshore fleet, is to get the fisheries management correct; the recruitment will then happen on its own. However, we also very much support Elaine Whyte's point that we have to invest in our young people, because the age demographic is a huge problem.

The Convener: Okay, time is marching on. It has been a great session so far, but I ask for questions and answers to be a little more succinct, please.

Emma Roddick has a brief supplementary on this.

Emma Roddick: Thank you, convener. On the workforce issues, there has been discussion about the Scottish Government pushing for tailored migration approaches for this sector. Should that be pursued with the UK Government—that we could have tailored solutions that would bring in more people to work in the sector?

Bally Philp: I am sorry, but I am going to drop out of answering this one, because in the small-scale inshore creel, hook and line, and dive sectors, we have almost zero immigrant labour. It

is almost all local labour, so we have not got an informed opinion.

Elspeth Macdonald: Certainly, UK Government policy thus far, in the cases of both the current Government and the previous one, has been that this is not something that it is willing to entertain. The UK Government has been very clear with the Scottish Government on that, so I do not know how fruitful such calls would be, to be honest. The UK Government has made its position very clear that it intends to retain control of the rules on immigration.

Emma Roddick: Should they?

Elspeth Macdonald: Should who?

Emma Roddick: Should the powers be devolved, or should the Scottish Government be listened to on the calls for that to happen?

Elspeth Macdonald: I am sure that the Scottish Government will make many representations to the UK Government on that. In fact, I attended a round-table meeting with—sorry, convener, I have just remembered your point about being brief.

The Convener: I am letting the discussion run on briefly.

Elspeth Macdonald: The Scottish Government may wish to do that, but I do not know that it would be fruitful.

The Convener: Okay. I think that that is as much of an answer as you are able to give.

I will bring in Finlay Carson next.

Finlay Carson: To go back to the point about competition for space, with the lack of a national marine plan, the ScotWind seabed leases appear to have been done in complete isolation from the impact on fishing, so in some sense the horse has bolted in regard to that.

I imagine that the knock-on effect is that we will lose that critical mass that Elaine Whyte was talking about earlier, which could lead to reductions in improvements to harbour infrastructure—the sort of concerns that we have had over highly protected marine areas and so on.

We are where we are, but, if you are in agriculture, you get paid for what might be a reduction of effort, if you like—less ploughing and so on—and you get compensation for that, or you get payments. Given that the ScotWind leases are a good example of a reduction in fishing grounds, has the Government been quick enough to look at a compensation framework for fishing? Does it need to do that as a matter of urgency, so that we do not lose that critical mass of the industry? How might that framework look?

Elspeth Macdonald: We are very concerned about the expansion of offshore wind developments. We understand why the Government sees them as a priority, but we have been very much the afterthought as regards looking at the impact.

Our position has been that the Scottish Government should not consent to any more wind farms until there is proper and full assessment of the short and long-term impacts on fishing and compensation is in place for those impacts where they are determined.

However, as I alluded to earlier in relation to the work on cumulative impacts, everything has been done back to front. Not all of these sites are at the lease stage, but they are all in the development stage. People have exclusivity rights on them. They are at various stages of applying for consent, which is not a quick process.

The impacts on fishing are an afterthought. I firmly believe that the Scottish Government has not acted quickly enough to address the impacts on fishing.

Bally Philp: There should be a framework for compensation, which should be put in place urgently.

10:00

Elaine Whyte: Through CIFA, we work with the inshore fleet in Dunbar, on the east coast. It has been dramatically reduced, at least in part, because of the situation with renewables. Do I think that people are compensated fairly for the rest of their year's work that might never happen? No, I do not—not at all. There has been a lot of ad hoc picking off of some people and settling with them, for instance. It has been suggested that mobile fishing is nomadic and can go somewhere else, but it cannot when more fuel boats are moving. That goes back to the principle that I keep talking about: if we had the socioeconomics of fishing in legislation as a consideration, that would not be so much of a problem, because every developer would have to think about it.

Bally Philp: I agree with Elaine Whyte. The national marine plan 2 effectively scopes out fisheries, whereas they should be scoped in. That could square that circle.

The Convener: Can you point to anywhere in the world where such a compensation payment or transition for declining sectors is working well? Elaine Whyte mentioned the balancing legislation in Norway. What does either compensation or such a transition look like elsewhere in terms of funding?

Elaine Whyte: I cannot tell you what the compensation scheme in Norway looks like, but I know that it has committees on which the fishermen decide whether, for example, an aquaculture site should go ahead on a regional basis. Fishermen are much more included from the very beginning, and such a model has to result in better policy decisions.

To pick up on what Bally Philp said about there not being much inshore mobile fishing in Norway, I have been there and eaten the prawns from the inshore fishing. That industry has not been pushed out. It is important to mention that, in Norway, they think about what fishing goes on in an area. We should look to Norway as a benchmark. I will be happy to discuss that further.

Elspeth Macdonald: Quite a lot of visiting delegations come to talk to us at SFF about how we manage or do not manage the problems that the offshore wind sector presents for our own. We have had one or two international delegations, the most recent of which was from South Korea. I was incredulous when I heard that no compensation scheme was in place there for impacts on fishing and that a country that presents itself as a global leader in floating offshore wind had not addressed that aspect.

Bally Philp: I do not have any specific cases for you, but I would say that two approaches can be taken. One is the direct impacts approach, by which you compensate someone you can identify as having directly lost out; the other is providing wider structural support for transition for the fishing industry, from areas that are being squeezed into others that are being less squeezed. We do not take either approach, so we can definitely do a lot better.

The Convener: Andrew Baxter, who is online, is next.

Andrew Baxter (Skye, Lochaber and Badenoch) (LD): I apologise that I cannot be with you in person today.

One of the striking things to have come out of this morning's discussion so far is the lack of governmental capacity and available resources. When Elspeth Macdonald tells us that our seas are changing, that leads to concerns that the Government might be incapable of assessing such changes.

I am interested in your views on the impact of marine directorate changes and budget reductions in recent years on organisations' abilities and scientific capabilities, and how that feeds through to the Government's own capacity to consider scientific evidence when making policy decisions.

Elspeth Macdonald: There are some real concerns about that. Resources have become increasingly thinly spread as the demand for science and evidence has expanded. We see a significant reduction in the amount of effort that goes towards actual fisheries science. There are so many other demands on available resources, so spreading them thinly—salami slicing, or whichever other metaphor you care to use—is a real problem.

Thinking about the slightly longer term, another area that we are concerned about is research vessels. Our main research vessel, the MRV Scotia, is very elderly and increasingly prone to breaking down. We need a Government commitment on providing a replacement vessel that is fit for purpose for the modern day. We feel that particularly in relation to science and evidence, because you cannot make good decisions unless you have a good scientific and evidential base to underpin them. In essence, that is where our concerns lie. If you do not have such a base to underpin things, you might not make the right policy decisions.

Bally Philp: I will argue both cases. There is always a need for more resource and more data. For example, our shellfish assessments date from 2019, yet we are trying to use them to inform the IFMI process. I agree with Elspeth Macdonald that we need far better investment in resources and that the more data there is, the merrier—there is no doubt about that.

However, equally, in relation to a lot of the big fisheries management decisions that we need to make, such as on how we allocate fishing opportunity and how we do spatial management and marine planning, especially for inshore fisheries, we are not short of data. It might be different for the large offshore sectors, which need up-to-date information to do their quota management and so on. It is not a resource problem that is causing the bottleneck—it is just a failure to act.

Elaine Whyte: Yes, there are ways to work round about this. The Scottish Government is underresourced in relation to these issues. However, as I have mentioned, I feel that fishermen should be involved a lot more. We should also ensure that we are able to collect data for them. For instance, the MRV Alba na Mara is currently not able to go into certain inshore areas where we catch herring.

I do not see the adaptive management principle as a concern. We are seeing some stocks reduce and others increase, and we must respond to that. Given the lack of resource and the time that it takes to change legislation, quota allocations and so on, it can be difficult for the inshore sector to respond to those changes. We need a bit more support to go to the marine directorate to allow

these things to happen, because, from the inshore perspective, it can be difficult to get extra quota, to diversify and to try new fisheries. We have international negotiations for the larger fisheries, and I understand that those take priority in many situations, but that can mean that, for example, somebody in Campbeltown who wants to try fishing pollock might have to wait for about a year before they can go out in a small boat. However, those opportunities are important because they are the things that keep people in communities.

We definitely need more resource, but there is a positive aspect to this if we can involve fishermen and be a little bit more adaptive to opportunities.

Andrew Baxter: I want to follow up the point that Elaine has now made twice, about involving fishermen in the collection of data. Would they require additional funding and resources to do that? Would it be a pointless exercise if organisations such as the marine directorate do not have the capacity to interpret the data once it is collected?

Elaine Whyte: No, not necessarily. The Communities Inshore Fisheries Alliance is currently involved in the cod science project, and a number of our members are taking iPads and small cameras out with them so that they can report back, which is a fantastic development. That sort of thing can be done fairly easily and cheaply, and it can make a massive difference to the policies that we go ahead with.

Elspeth Macdonald: One of the challenges that we face on using fishermen's data more is that there are some really bureaucratic hurdles to get over. The Government could sometimes be quicker and more fleet of foot. However, it is also important to understand that we need proper data collection frameworks and to be very clear about data quality—it is not just a case of asking fishermen to collect data and send things in. It would take quite a lot of work to design something like that and do it properly. We would be very enthusiastic about having such conversations with the Government and designing something that could work and help everybody.

Bally Philp: A lot of the process could be automated, given that there are 101 examples of where fishermen's data could be used better to inform management. A case in point is the ability for fishing vessels to have tracking. Often, we are arguing about who is fishing where, gear conflict, whether renewables are really displacing fishermen and so on. The small-scale fleet in Scotland does not have any kind of vessel tracking, and we could automate much of that to some extent, so we are making things difficult for ourselves by not having a modern, fit-for-purpose vessel tracking system across the fleet. The Scottish Government promised that that would be in place by 2016, so that is another example of there having been a decade of delay. Most of our inshore fisheries management is literally a decade behind what was promised and committed to, and it is now a decade behind what we are seeing in places such as England. We would not go wrong by looking at what is being done elsewhere.

Jamie Langan: Do the witnesses share my worry that the implementation of remote electronic monitoring shows a lack of trust in the already hard-pressed industry from the Scottish Government? Do you agree that the onerous requirements that are being put on the industry are somewhat undermined by European fleets' access to and presence in Scottish waters?

The Convener: I will go back to you, Alistair, because you started to talk about remote monitoring.

Bally Philp: There is always nervousness about that, because nobody wants a camera staring at them the whole time. However, the counter-argument is that, if you are doing nothing wrong, you have nothing to hide. The reality is that nobody is actually processing most of the data. It is retrospective, and it is accessible if somebody says that there might have been an issue.

For the most part, monitoring is not onerous for the fishermen, because they do not have to do anything other than get the units fitted. There was a terrible case study in England in which loads of units were fitted but then the contractor failed and the units had to be refitted. Monitoring can be onerous in those circumstances, but the whole process is meant to be automated. It is more onerous on the marine directorate. If it has to use the data in a meaningful way, it will have to find ways to process that data. If anyone should be arguing that monitoring is onerous, it is the regulator.

Elaine Whyte: It is all scalable. Fishermen should not be penalised financially for taking part in monitoring. We have had a number of members who were being sustainable and wanted to take the kit on board so that they could be monitored but found that they had a big annual bill because they had a monthly transmission fee on the kit and those kinds of things. We have to make it cheap for people to get involved. However, it is scalable.

There is an element of privacy. We have some small boats where people are concerned about going to the toilet, because of the cameras. However, they find ways to work round that. There is a discussion to be had about the scalability.

On the data that is collected, we have certainly found that the directorate is monitoring the stuff that is on our gentlemen's iPads. We are

monitoring it—it is not the case that it is not being analysed—so we cannot complain about that.

Elspeth Macdonald: Remote electronic monitoring is currently a legal requirement for the pelagic sectors and the scallop fleet in Scotland. Its roll-out in the pelagic fleet started only in March this year, when it became a legal requirement. Our pelagic members were at pains to stress to Government the importance of the level playing field and that it could not be only the Scottish fleet fishing in Scottish waters that was subject to the requirements; it had to be the same for European Union, Norwegian and other pelagic vessels fishing in our waters. That is certainly what we understand the situation to be.

In the previous session of Parliament, the committee's predecessor looked at the issue, and you might want to look at it a little more. For example, the business and regulatory impact assessment came with estimated costs for the installation of the REM equipment in pelagic vessels but, in reality, the costs have been significantly greater. It is still very early days. It would probably only have been the summer herring fishery where the kit was first used.

We are keen to know what the Scottish Government is doing with the data and what it is using it for. The system will be collecting vast quantities of data. Again, it comes back to our point about resources. What can you actually do with the data?

The Convener: I will ask a final question. Comments have been made about how you do not want to see your sector talked down and that we need to talk up what the sector is doing. I will give each of you an opportunity to say where you think the industry has a good story to tell on protecting the environment but also building an economic base for the industry. When it comes to MPA or PMF management, what is a good story from each of your sectors about where you have been able to help meet environmental objectives while providing a stable economic base for the industry to grow?

Elaine Whyte: What I am most proud of over the past few years is the training of young people. That is a very good news story, because it gives us a bit of a public or social narrative that we are actually doing something that can help people to stay in the area that they come from. That is fantastic and has given them hope. Some of those young people have come from different backgrounds. It has been nice to see them feel that they have something steady.

The Convener: Sorry, but, in terms of protecting the environment—protecting MPAs and PMFs—but also providing stability for the sector, do you have an example from your sector of where you have been able to meet those twin objectives?

10:15

Elaine Whyte: Yes. In the inshore areas, we had significant closures in MPAs about a decade ago. Many of our inshore fleets have almost halved. It has been sad for me to see it, but there is a reduction in effort. That should show that we are protecting the environment and have taken the issue seriously enough that many people have decided to change careers or have downscaled. We are now probably in a place that is sustainable, and there is probably an opportunity to grow in some areas through diversification. If we can keep moving on diversification, I will be happy.

On protecting the environment, we have introduced things such as no-take zones and our own seasonal closures—there are various things all around the coast. Those types of things can come from fishermen, too. There are too many to state, but we are proud of those, too.

Elspeth Macdonald: The Scottish Fishermen's Federation is positive that our members and constituent associations have been proactively engaged in the MPA discussions from the onset, which was back in 2012 or so. We recognise that there are features that need to be protected and things that need to be conserved. It is about working with Government and other stakeholders to find the balance between protecting the things that are in need of protection and allowing sustainable use. We have worked constructively with Government over more than a decade to help it to get to the stage of having issued the consultation and having measures in place in the offshore MPAs.

I can give a specific example. Four or five years ago, there was a need for emergency measures at a site on the west coast called Red Rocks and Longay to protect flapper skate. We were quick to engage proactively in that, to work with other stakeholders on the measures that had to be put in place and to take our membership with us and say, "We have to do this."

My final point is that, too often, we talk about fishing as just an activity. It is of course an activity, but it is also a means to an end, which is food production. We always have to remember that this is not something that people do to pass the time of day; it is an activity that should be recognised as a critical part of our national food infrastructure.

Bally Philp: I diverge significantly from Elspeth Macdonald and Elaine Whyte in that we feel that our industry is quite buoyant. We think that there is far more opportunity for employment and expansion, especially with spatial management. We have a few examples of where the MPAs have

been put in place and have management measures. Generally, those are de facto spatial management, even if they are not intended to be.

We are seeing increases in stabilisation in employment in our sector, and we advocate a wholesale expansion of the lower-impact hand-dived scallop in the creel sectors. A potential negative consequence of that is the bycatch and entanglement that can happen in creel ropes. We have been proactive over the past few years in working with an organisation called the Scottish entanglement alliance. Through that, we currently have 120 boats that are trialling negatively buoyant rope, which can reduce bycatch and entanglement by up to 80 per cent. We think that that is a brilliant good news story.

To follow up on what Elspeth Macdonald said about Red Rocks and Longay MPA, it was scallop divers in the Scottish Scallop Divers Association, which is a member of the Scottish Creel Fishermen's Federation, who initially identified the site. Our members took scientists out to the site free of charge, to document it until we could eventually get NatureScot to commission a full survey. We are very proud of our track record.

The Convener: I thank our witnesses for attending. We will pause for a changeover of witnesses. There will be a brief comfort break and we will resume a little after 10:25.

10:18

Meeting suspended.

10:27

On resuming—

The Convener: Welcome back. Our second panel of witnesses is comprised of environmental non-governmental organisation stakeholders. We have around one hour and 20 minutes for the discussion, so, as always, I will be grateful if questions and answers can be kept as concise as possible.

Before moving to questions, I will introduce the witnesses: Calum Duncan, principal policy specialist with the Marine Conservation Society; Jessica Jones, convener of the marine group, Scottish Environment LINK; Annabel Lawrence, member of the Community Association of Lochs and Sounds, which is a member group of the Coastal Communities Network; Heather McFarlane, senior project manager at Fidra; and Phil Taylor, director of Open Seas. I remind everyone that they do not need to operate their microphones, as our broadcasting team will do that.

I will ask the first question, which is about the state of the marine environment. I am interested in your assessment of that and, in particular, how we achieve good environmental status on the back of the report that was produced by Environmental Standards Scotland on seafloor integrity. Who would like to go first?

Calum Duncan (Marine Conservation Society): Thank you for having me here. We know from Scotland's marine assessment that there are many concerns about the health of the marine ecosystem in Scotland. As we have put on the record before, there are particular issues around the health of the seabed, seabird populations and so on. The chief executive of Environmental Standards Scotland has described its report as

"a wake-up call for Scottish Ministers"

and has said that,

"without swift, decisive action, achieving GES for seafloor integrity will remain out of reach."

We could not agree more. We have been flagging the issue of the health of the seabed for many years. As part of LINK, we commissioned a report on seafloor integrity 10 years ago that was published in 2018. So, we have been bringing this issue to the attention of Parliament and the Government for a long time.

10:30

We very much welcomed the initial tranche of MPA measures that were put in place in 2016 and we welcome the current consultation. That network was designed to avoid impacting on fishing. In fact, the very first layer of identifying where MPAs should be established used the least damaged/most natural approach, with the MPAs being sited in areas where there was minimal fishing pressure.

The conclusions of the Environmental Standards Scotland report are no surprise. The report calls on the Scottish Government to undertake an assessment of how the programme of measures will contribute to seafloor integrity, ensure that gaps in data no longer hinder robust assessment of seafloor status, and explain how it will improve co-ordination to achieve that. We absolutely support the conclusions of the report.

I concur with some of the evidence that you heard earlier to the effect that, in fact, the MPAs and the PMFs identified themselves. With the greatest respect to the huge amount of work that was done on identifying them, they are the places that have been left undamaged or are in places where certain kinds of fishing gear are unable to reach. In order to deliver good environmental status for the seafloor, there needs to be a wider look at how we manage the seafloor. We should

not just look at it through the lens of the MPAs and the PMFs. We need to think about how not just fishing but all activities that impact the seafloor can contribute. As I said, we support the report's recommendations in full.

Annabel Lawrence (Community Association of Lochs and Sounds): I represent CAOLAS, which some of you met last month in Lochaline. It was formed in response to the designation of the Loch Sunart to the Sound of Jura MPA. In that area, there are 20 active salmon farms, and a third of it is open to dredging and trawling. In response to your question about good environmental status, as a community group, we cannot understand how we can reach good environmental status when we have that level of activity in the MPA area. We think that the issue is a huge concern because we know that, if we had effective fisheries management measures in the MPAs, that would benefit everybody. However, what we have in our MPA is a lost opportunity. We could do much more for our communities and our environment if we could address the pressures that are restricting the ability of communities to restore their environment and pursue other opportunities.

Phil Taylor (Open Seas): We operate a fleet of underwater drones, so we get to see some of this stuff at first hand. We are seeing a sea that is in poor health and, in some places, in decline. We have documented damage within marine protected areas, which Annabel Lawrence just spoke about. We do that against the backdrop of challenging scientific advice about the health of the fish stocks and abundance in our sea. For example, you will be aware that, last year, the scientific advice was that zero cod should be caught in the North Sea.

That is not to say that there is not hope. Other parts of Loch Sunart that are protected and places elsewhere around our coast are seeing real opportunities to revive the health of the sea and the abundance that sits on top of that. Wester Ross is an MPA around the Ullapool area, and it has a palpable sense of being an entity in itself within the communities that live around that area. Low-impact fishermen and marine tourism businesses there are benefiting from the MPA. Anyone who spends time in, on or under the water in that area will tell you about how, since its designation in 2016, abundance has come back and the opportunities that flow through that are coming back.

I just want to make a further point, if I may—I will not take up too much time. I was really pleased to hear the new minister acknowledging that the fishing industry's success rises and falls with the health of the marine environment, because we see it as a sort of root system for a tree that gives us the abundance that we all want in the sea. If we look at the joint metrics, we see that not only have there been declines in the marine environment since 2010, with losses of very significant percentages of key habitats and only 30 per cent of the MPAs now moving towards their conservation objectives, but 1,483 fishing jobs were lost between 2010 and 2024. That is a real illustration that we are not at a business-as-usual standstill setting; we are on a decline trajectory unless action is taken to bring both aspects back up.

I am really pleased to be here, and I hope that I can help you make progress in that respect.

The Convener: Do you have any specific thoughts on the ESS report?

Phil Taylor: The ESS report continues to raise a concern that Calum Duncan, in particular, has been raising for many years. Scallop dredging and bottom trawling on the seabed have had a sort of foundational impact on the rest of the ecosystem. The seabed is a really important place; it is where herring spawn their eggs, but it is also where juvenile cod, which are spawned out in the deep sea, come in as very small fish and where mackerel come in during the summer to feed. It is a really important functioning part of the ecosystem—basically, it is, as I have said, the root system that underpins this abundant tree.

Because there has been very little or poor spatial management—a point that was made by, I think, all of the colleagues in the previous session, albeit in their own ways—these damaging fisheries have a very large footprint, and it has taken away much of the habitat. Some in the fishing industry will tell you that it is just like ploughing a field, and in many ways it is; however, ploughing a field is not done for food production. This committee spends a lot of time thinking about agriculture, so you will know that ploughing a field is done to destroy root structure and turf over a field that once had stuff growing in it, for subsequent seeding.

We do not plough fields all over the place. On land, we have hedgerow and coppice systems, and we have habitats and other areas not used for farming that we do not touch with ploughs. They are protected, and that is what is lacking in the sea at this point in time. That, ultimately, is what the ESS is pointing to: an impact that is way too large and that is driving down the functioning of the entire ecosystem. That said, I am really optimistic that there are things that we can do about that.

Jessica Jones (Scottish Environment LINK): It is clear from "Scotland's Marine Assessment 2020" that our seas are not in a great state, and that view is supported by the "UK Marine Strategy Part One" assessment for 2025-26, which highlights that 13 of the 15 indicators are not achieving good environmental status, despite a

programme of measures to address the situation. Therefore, Scottish Environment LINK welcomes the recommendations from Environmental Standards Scotland's report, and we would like the committee to scrutinise both it and the Scottish Government's response to it, and to consider the policy gaps that have led to the deficiencies in achieving good environmental status and the monitoring gaps that have resulted in the framework directive assessment not being able to assess good environmental status for multiple seafloor integrity indicators.

Heather McFarlane (Fidra): I echo what colleagues on the panel have been saying. The previous work that Fidra has done on this issue has been mostly through our project on Scottish salmon farming. That project looked at the impacts on the benthic environment, and it would certainly back up what others have been saying about the impact on that environment of the feed and chemical treatments used in, and the waste from, Scottish salmon farming. The benthic environment plays a critical underpinning role in the rest of the ecosystem, and we need to protect and preserve that habitat as much as we possibly can. We also need to think about the decisions that are being made on where aquaculture is being sited and, indeed, what kind of aquaculture is going on, as well as some of the issues that have already been raised.

The Convener: The ESS report was on the environmental condition of our seabed, but many of you have also highlighted the economic impact of degradation. Is enough work being carried out on the economic basis of fisheries and how this environment can help sustain and recover fish stocks? Jessica, did you want to come in on that?

Jessica Jones: No.

The Convener: Okay. Calum?

Calum Duncan: I do not think that enough work is being carried out. We recognise that a lot of work is being done in certain areas; indeed, officials, supported by NatureScot, have done a huge amount of work in putting together the package of 160-plus sites that is the subject of the consultation that we are in the middle of just now. However, I have not seen enough work to look at, and make the case for, the benefits of protecting the seabed and nursery areas for commercial fish and shellfish, and that, as Phil Taylor has alluded to and as we heard earlier, is creating conflict within the sector, with certain types of mobile gear damaging herring spawning grounds and cod grounds.

Therefore, it would be really beneficial to look at how we plan the sea spatially. Again, it is a point that we have heard being made to the committee for a long time now. Regional marine planning has taken a long time to come to fruition, but we need those kinds of plans, and we think—and have long said—that fishing should be part of that planning. We need to look at our management of our sea, starting with the seabed, the mosaic of habitats on it and the ecosystem services that those habitats deliver, including providing important fish and shellfish nursery areas, and then put activities in the right place, including the types of fishing that are suitable and that the different types of seabed can take.

That applies equally, as we have heard, to aquaculture but to offshore wind, too. For example, we are very concerned about Berwick Bank and the huge impact of that project on seabirds, and we do not think that it should go ahead. This is not about singling out particular sectors. An ecosystem-based system of spatial management of our sea is what we, and many others, have been calling for decades, and I do not think that enough work has been done on that.

Moreover, where really good work has been done, do we know whether it is being followed through? I am thinking of, for example, the Scottish inshore fisheries integrated data system, or SIFIDS, which is the sort of really groundbreaking stuff that we want to see. We want fishing and other activities being allocated to and operating in areas where they are able to operate sustainably, we want to know where the different activities are happening, and we want all that to create a feedback loop for sustainable fishing. That would also provide a market advantage, because you would be able to talk about the provenance of your seafood. However, all of that has to start with a look at the areas that are important in the different life history stages of our fish and shellfish—that is what we would really like to see.

Phil Taylor: I believe that enough work has been done to assess the difference in the economic opportunities to allow decisions to be made now, but much more has to be done.

Perhaps I can highlight a couple of points in that respect. The Scottish Government commissioned some economic research on spatial management and what the opportunities might be, and it found:

> "The modelling also suggests that a trawling ban within 3 nautical miles of the coast"—

an issue that came up earlier—

> "may result in an increase in gross value added of around £6 million. This is lower than the £14 million that could potentially be achieved through a more targeted reallocation of access … between … the creel and trawl fleets."

That sort of smarter management regime is akin to what Bally Philp was talking about earlier. The Government—in other words, taxpayer money—paid for that research; however, it has largely been

ignored and put on a shelf, and it has not been manifested in the assessments that have come through in the MPA and PMF consultation that Calum Duncan just mentioned.

We have undertaken a piece of work on this. A colleague of mine did a fantastic job visiting businesses and looking at some of their finances. It was not some desk-based study—it very much involved talking directly to fishermen and fishing processing businesses—and we found that dive-caught scallops, for example, return about £3,000 of gross value added per tonne, whereas the figure for dredged scallops was about £850 per tonne. The return to local economies from the diving sector from the same asset is four times better than that from the dredging sector. It is all about how you catch it. That work has given us enough evidence to start moving on this and enough evidence to make better decisions that will be better for local economies as well as the environment.

10:45

Annabel Lawrence: Further to your question about whether a seabed with good environmental status supports the economic growth of fisheries, I would say that it also supports coastal communities more broadly. Coastal communities are about more than just fishing and aquaculture. There are a lot of marine tourism businesses—more than 30,000 people are employed in the marine tourism sector across Scotland, often in the most remote and rural communities. They rely on a healthy, functioning marine environment as well. When we decide to use the seabed for the extractive and damaging activities that we are doing right now, those business opportunities are lost to coastal communities.

The Convener: Heather, do you want to come in?

Heather McFarlane: I think that most of it has been covered. The only other aspect that we have not touched on is pollution, which also has an impact on the seabed. When it comes to some of the pollutants that are coming off the land, whether that is microplastics or some of the metals that can also be found in sediments, marine protected areas are definitely a part of the answer. However, it is very hard to protect a marine protected area from pollution, so we need to think about the wider picture and make sure that there are proper source controls in place and proper monitoring of the pollution.

Some of that requires more monitoring—we need to have more information to keep a track of it—but it must be accompanied by follow-up actions. If we see spikes in a pollutant, which you have noticed in some of the areas in and around your area, Annabel, you then trace them back to the sources and deal with those sources, whether through environmental authorisations or identifying the clean-up actions that must be taken. That approach should apply to microplastics as well as to other sources of pollution, including chemical pollutants, which is another aspect on which we require more information. However, we know enough to know that there are pollutants out there that require further action to be taken.

Jessica Jones: I agree with Phil that there is potentially enough to move along with what we are doing, but we can always have more analysis. That needs to be paired with a more quantitative analysis of the environmental benefits. It was clear in the Environmental Standards Scotland report that analysis of some of the environmental benefits was more qualitative in nature, and some of the documents in current the marine protected areas consultation could be more quantitative in nature.

I would also say that strengthening community leadership leads to better ecological outcomes and more resilient coastal economies. I direct the committee towards a policy briefing by the Coastal Communities Network, Fauna and Flora and the Esmée Fairbairn Foundation, which focuses on increasing community leadership in marine management in Scotland and how that can unlock economic benefits.

Dawn Black: I want to move on to marine planning and offshore wind, which have been mentioned. Looking at the spatial aspect, how does the tension between fisheries and offshore wind impact our biodiversity? Are environmental considerations and consequences adequately addressed in the offshore wind planning and consenting processes? How should strategic compensation for offshore wind and the proposed marine recovery fund operate, and how should all of that be incorporated in the impending national marine plan 2?

Phil Taylor: I think that we have failed to properly deliver marine planning in a national context in Scotland. I am a bit of a legislation and policy nerd. I came to Scotland to work in marine conservation in 2013, after the Marine (Scotland) Act 2010 was passed. When the Marine (Scotland) Bill was being considered, committees akin to yours spoke about the exact problems that we are now experiencing and the desire to use marine planning to resolve them. Those included the spatial squeeze of fishing, competition over space and the marine environment being used in a way that was toppling it—it was not being used within its means.

A national marine plan was established in 2015 but, outwith individual licensing decisions that the Marine Scotland licensing team makes on a case-

by-case basis, the plan has not really been implemented properly. A sectoral plan was developed for offshore wind, and it defined a whole pile of zones where offshore wind sites would go. However, when it came to leasing, the zones that were used for the ScotWind system, which is the big one at the moment, were different. Why, then, did we go through all of that process, with impact assessments and so on?

The committee will probably be aware that we took the Scottish ministers to court because they were explicitly ignoring the national marine plan in fishing decisions, and they told us that they did not even have to consider it. It took a long time, but the courts were fairly dismissive of that position, because it was illogical and did not reflect what this democratic Parliament had required ministers to do. We need to find a way to get back on track. I appreciate that the national marine plan 2 is a system for trying to do that. However, it is important to point to some of the frailties that have come through in the proposals to date.

I think that, in the previous parliamentary session, one of our colleagues referred to the consultation on the planning statement that was held last year, which said that, in line with recommendations from the First Minister's environmental council, national marine plan 2 would not include any sectoral objectives. That seems superficial, but, as I said, I am a bit of a nerd, and I know that that meant that an entire section from the fisheries policies and all the other industrial policies would be removed; objectives relating to how those activities operate in our seas would be wiped out.

I asked to see those recommendations. That had to be done through an FOI request, and I got them a day before the consultation ended. I found that the recommendation was the exact opposite. Mr Carson and the previous committee wrote to the minister at the time to ask why the statement, which would fundamentally change the meaning of marine planning in this setting, was made. It was founded on a flawed principle, and those who responded to the consultation on it have been somewhat misguided, or mistold what the advice was.

I am sorry, convener—I will stop in a moment. The key here is that marine planning is the solution to all of this, I think, and I am excited to see that the committee seems to be interested in it. It provides a way for us all to sit down at the table, look at the map of Scotland and say, "This needs to happen here. We agree. That could happen there. We agree. There is a big bit in the middle that we do not agree on. Let's figure out what the regime should be to manage disagreement and the need for balance."

That is what planning on land does. National planning framework 4 works—that might be variable but it is working in some ways, and we need the same for the sea.

The Convener: Thanks. There is a lot to unpack there.

Annabel Lawrence: Failed marine planning has consequences for coastal communities. Most coastal community groups have been formed in response to an issue that we are dealing with at a local level. Those groups have become locally trusted on marine issues, and they reflect the policy landscape, with the growth of aquaculture, often in inappropriate locations; an increase in marine litter and impacts from pollution from land and sea; limited and ineffective or non-existent fisheries management measures in inshore waters; and a lack of enforcement and compliance in the inshore MPA network. We feel the consequences of a failed system, and community groups within the Coastal Communities Network are trying to find the solutions.

We recognise the need for improved marine management that is place based and community led, with meaningful avenues for community leadership, because the existing approach is failing communities and is taking away opportunities to build resilient economies for the future.

The vision that the Coastal Community Network has for our seas recognises the need for a holistic future that includes biodiversity restoration, climate change resilience planning, sustainable economies, regenerative tourism, lower-impact fishing opportunities, and people living and working locally within a thriving marine environment. That is what we want.

The Coastal Community Network wants to work with the Government to achieve that ambition, and we want a seat at the table alongside other marine stakeholders to ensure that the diverse voices of CCN are represented. We have local legitimacy, and we want recognition from the Scottish Government. Communities must have a strong say in how their local waters are managed and must be supported to do so.

Calum Duncan: It is important to endorse everything that we have just heard expressed so eloquently. National marine plan 2 needs to deliver holistic, strategic marine planning that accounts for cumulative impacts and properly helps to direct the right activities to the right place.

There is an irony in saying that national marine plan 2 should have sectoral objectives in it, although I completely agree with that, because I am not sure that the planning that has taken place since the first plan was produced has delivered

against the objectives in it at all. However, the fact that the roll-out of NMP1 was not as effective as we would have liked does not mean that we should lose those sectoral objectives. We absolutely must have them in national marine plan 2.

My experience has been that some decisions have been made about where activities should happen offshore, despite national marine plan 1. I alluded to the Berwick Bank wind farm, for example. It seems to me that the process of deciding where offshore wind goes has been driven by the sectoral plans, without enough cognisance of the national marine plan.

I brought an example to committee a few years ago of something that did not come to fruition but that I do not think should even have reached the scoping stage: a major proposal for an array off south-west Tiree, the world's most important hotspot for basking sharks. That is where not to put a wind farm.

If you get planning right and are doing it properly from the ecosystem upwards, you save a lot of money and have a much more efficient planning system. There is another irony: the only policy that I could see being triggered by national marine plan 1 was general policy 9b, which was intended to deliver the workstream to protect priority marine feature areas outside the marine protected area network. We have been waiting 10 years for that. We want to see that delivered; it is a welcome policy. We want the good general and sectoral policies to remain.

We need marine planning at both regional and national levels. We agree with the point made in the earlier session that we must have all stakeholders around the table. We have long said—I am sorry if I am repeating myself, but it is an important point—that we need to have fisheries management integrated into marine planning for transparent discussions that all stakeholders are part of in order to reach agreed outcomes that benefit local communities.

Jessica Jones: The Scottish Government's report that triggered the need for national marine plan 2 in the first place highlighted several issues with the original national marine plan, which related to the global economic environment, emerging industries, Covid and things like that. However, the pace is not slowing down, so there is an urgency to bringing forward the national marine plan 2.

Also, the pace at which offshore renewables infrastructure is being developed is unprecedented, so we need to ensure that spatial management is in place so that development takes place within environmental limits.

The Convener: Heather McFarlane, do you wish to comment?

Heather McFarlane: No.

The Convener: Dawn, do you have any follow-up questions?

Dawn Black: No.

The Convener: I think that Emma Roddick has a follow-up question.

Emma Roddick (Inverness and Nairn) (SNP): I want to pick up on the point that we often talk about marine planning but it does not seem to happen at any great scale. What are the reasons for that? Is it because, unlike with land, we do not have somebody who has to drive it forward to specific timescales, or is something else going on?

11:00

Phil Taylor: There are two foundational problems. First, there is a culture that planning sits in a silo somewhere else and does not actually dictate how all the other departmental bits of Marine Scotland operate. I am afraid that the response, "I'm in fisheries management; I don't deal with the national marine plan," is basically where we got to ahead of going to court. There is a failure to understand the legislative framework in which all of this happens, and, as I said, the parliamentary decisions that were made back in 2009-10.

The second problem is resourcing. This committee has a real opportunity to make progress against that. Shetland Islands Council, Orkney Islands Council and a group around the Clyde that includes some of the councils have, and are working on, regional marine plans, which are largely led by those groups. Orkney Islands Council has appointed some marine planners, and Shetland Islands Council is appointing some marine planners. Council budgets will be one of the biggest issues for Parliament in this parliamentary session, outwith this room.

However, we have a relatively large marine budget, within which is the £14.7 million in marine fund Scotland, which is supposedly for progressing marine priorities. There is an opportunity to give some money, however that sits in the £100 million, to councils to help them do that. In particular, as Annabel Lawrence said, they could convene meetings and put in place a marine planner who can take the plan forward.

I might be getting a bit more challenging, but there is a problem in that there is an unwillingness to let go of planning fisheries, in particular. I cannot remember it verbatim, but the Orcadian regional marine plan has had to say something along the lines of, "This plan doesn't relate to fisheries,"

because the marine directorate is not willing to give that up. Again, I believe that that is inconsistent with the legislation that Parliament passed, and it is one of the foundational, root problems that sits underneath all this.

So, there are two normal problems and one that is slightly spikier.

Jessica Jones: I agree that there is a siloed approach in relation to the cohesiveness of how we are implementing policies, and I agree with Phil Taylor on the regional marine plans. Section 1.8 of the Orkney Islands regional marine plan says:

> "As fisheries management is taken forward through other dedicated processes, the development of new management measures falls outside the scope of this Plan."

Fishing should be better integrated into regional marine plans.

Calum Duncan: There are two main legislative reasons for that. The 2010 act gives ministers powers, but not duties, for planning partnerships to be established, so there is not a legislative driver in the same way that there is for a national marine plan. There must be a national marine plan, but there does not have to be regional marine plans, although we think that there should be, in order to better manage all the competing interests for mutual long-term benefit. If we get better regional marine planning, we get better outcomes for all sectors and parts of the community.

We would like to see regional marine planning for all of Scotland's marine regions. That brings in the second question about what resources are available to do that. I do not have the figures here, but perhaps that is something that the committee could explore, because there is appetite for regional marine planning. It is important for regional marine planning to be set up in a way that local communities, such as the ones that we have heard about, have a chance to input into it and feel engaged in it, and it is really important for regional marine planning to integrate with fisheries management.

I declare an interest in that I have represented Scottish Environment LINK on the Clyde Marine Planning Partnership for a number of years. We have been working behind the scenes as a collective to develop a draft plan to go to consultation, and there has been a lot of to and fro in relation to that. We have a long way to go to better integrate management and decision making in order to hear all voices in Scotland's marine regions.

Annabel Lawrence: Scotland's marine and coastal restoration plan advocates for communities to be involved in active restoration; we are working with oysters, but it could be seagrass or anything else. However, the pressures created by fishing or aquaculture are considered in another policy that sits within fisheries management. If we want to remove those pressures so that communities can be involved in active restoration, we have to engage with another policy area. That makes it difficult for us to plan where we would like to do restoration work, because another set of policies will impact whether we can do that work. We are not in the driving seat; we are at the receiving end of policy decisions and do not lead on them.

Calum Duncan: As part of Scottish Environment LINK, in its "Living with the seas" report, we made exactly that point a number of years ago, which I underline: the planning system should proactively be identifying areas that are suitable for restoration. We suggest—as we have suggested be done in Wales—that the Scottish Government could create what we describe as regulatory sandbox zones for restoration. The planning system can identify and scope in the areas that would be suitable for restoration proactively without waiting for communities to come forward and say that they would like to do restoration work in a specific area. It would then be easier for suitably accredited groups to lodge proposals. That is another idea for the committee.

Finlay Carson: I will jump back a little. We started by looking at Environmental Standard Scotland's criticism of ministers for failing to protect the seabed. We also heard from fishing industry stakeholders that there is no lack of policy ambition. To what extent do the shortcomings in the implementation and delivery land at the door of the marine directorate? I have no doubts about the calibre of the marine directorate's civil servants; however, is there a lack of capacity? A lot of the problems relate to the marine directorate's budget, which has flatlined or decreased throughout the past 10 years. Phil Taylor, are the problems solely due to the lack of progress with the NMP2 or regional fisheries management? Why are the safeguards not being implemented? Is the problem with the marine directorate?

Phil Taylor: Although I would prefer this not to be the case, I am afraid that we have to point to some of the Government's decision making. There has been a lack of timeliness in delivering on the actions and there is a lack of ambition. For example, the future fisheries management strategy was published in 2020 and set out a 10-year plan for how fisheries were going to balance environmental and social outcomes. It included a review of regional inshore fisheries groups, with a view to figuring out how they would better deliver spatial management, how to navigate some of the conflict that we have spoken about, and how they would deliver a happy environment and jobs.

In the end, I think that the review took place two years after the stated deadline. It concluded that there are massive problems with the RIFGs. Many members who were surveyed said that they were unsure of the role of RIFGs and how they can influence and deliver actions. Elaine Whyte made a point about things being done from the grass-roots up; there is a desire for active fishermen to have a role in making some of the decisions. The report is a real shocker and I do not think that any action has been taken to resolve those concerns.

We were promised the inshore fisheries management improvement, or IFMI, programme—that was the latest acronym that we had to handle—two years ago. Where is it? How are we progressing with that? The 2030 deadline is coming up pretty quickly, and we need action. At the same time, we have the backdrop of the post-Brexit fisheries management plans, which replaced the common fisheries policy. That is structural stuff—the roots that deliver the abundance on the branches. Those plans have already been pushed back by two years, as legislative consent was needed, and they must now be delivered by December.

I anticipate that the committee will want to have a look at those, and rightly so, as that is how democracy should work here. However, we have yet to see the final versions of those documents. I am concerned that they will not include anything that is actually actionable. They will say things such as “consider” or “explore thinking about”; as members, you know that language better than we do, and you know that it does not mean anything other than pushing the ball off the table and leaving it for more years. That is not appropriate in this setting. We have legislative deadlines, but we also have an environment that has suffered harm and coastal communities, such as those that Annabel Lawrence represents, that want benefits to be felt locally.

I am afraid that I have to point to an institutional bias against action and conflict. However, there is clearly conflict in this space. There are different businesses and we need to have challenging conversations, but there is a bias towards avoiding or shying away from that. I am buoyed by the fact that the new minister obviously understands the analogous conflicts from his time in agriculture. I am optimistic that he gets such challenges and can confront the issue, come at it and try to find a way through. As environmental stakeholders, we will persist in trying to engage, practically and pragmatically, to find a way through.

Jessica Jones: The Scottish Government sometimes works separately on discrete packages, and I am not sure how much crossover there is. For example, the blue economy vision was created, and then the team was disbanded, and the blue economy vision now has to be integrated across many work packages. However, I am not sure how that integration across the policy areas is being checked. For me, more integration between work packages would be of benefit.

Calum Duncan: It comes down to the proverbial gap between rhetoric and reality. Scottish Environment LINK has done an update report on that, following the first one, which it produced 10 years ago. There is a lot of good stuff on paper, such as the future fisheries management plan, as we have heard, and I acknowledge the acknowledgement in that of the importance of protecting fish and shellfish nursery habitat, for example. However, as Phil Taylor said, that was six years ago, so what progress has there been on that?

We await with interest the outcome of the inshore fisheries management improvement initiative consultation. The intention of that is to deliver an agile management framework for inshore fishing. We have heard about various iterations of inshore fisheries reform, we have had promises of a fisheries bill and we had welcome commitments in the Bute house agreement. We are post that now, but the need is ever greater for an agile management framework for the inshore area.

Resource is a big issue—we cannot hide away from that. We must grasp the nettle and be honest about what is necessary to deliver the environmental improvements that are needed. We need a planned approach to that, so that people are part of the conversation and, as part of that, we need to talk about compensation. There is maybe, shall we say, a political reticence there.

11:15

Heather McFarlane: As well as the issue of the capacity and budget of the marine directorate, there is the question of cross-Government thinking. Fidra looks at issues to do with plastic and chemical pollution getting into our marine environment, which ESS has picked up on in previous reports. Commitments have been made to maintain alignment with regulatory developments in the EU that are aimed at reducing the presence of microplastics in the marine environment, but we have not followed through on some of that. For example, artificial turf has an infill on it that easily leaches off the pitch and into the soil, into rivers and out to sea. The EU has regulated in that area, and the infill on artificial turf pitches is to be phased out over the next few years. That is a very simple measure that we could introduce.

Similarly, we have been working with the Environmental Rights Centre for Scotland on the

issue of sewage sludge, which concentrates the contaminants that are in our waste water. That concentrated mix of sewage sludge is then applied to land. Although it has some nutrients in it, it also contains microplastics, pathogens and chemicals. There are limits for toxic metals, but there are no limits for things such as perfluoroalkyl and polyfluoroalkyl substances—PFAS—which are the forever chemicals that we hear a lot about, and there are no limits for microplastics. When that sewage sludge is applied to the land as a fertiliser by farmers, the contaminants can get into the soil, out into the waterways and out to sea. Along with the ERCS, we have been calling for a moratorium on the application of that sludge to land as another way of protecting the marine environment from microplastics and some of the PFAS chemicals. That is really important for the marine environment.

I alluded to a lack of monitoring. Although SEPA released a huge amount of data on monitoring for PFAS, that monitoring was carried out in surface waters, and it did not look at coastal waters or estuaries. However, because lots of great academic studies have been done in Scotland, we know something about the PFAS that are out there. For example, as a result of the egg studies that have been done on the Bass Rock, we know about the PFAS and the flame retardants that have been found in gannets. That research shows that regulation works, because when a regulation bans one group of chemicals such as flame retardants or PFAS, the presence of that material in those eggs starts to go down. Unfortunately, it is then replaced by other similar chemicals, the presence of which starts to go up in those eggs.

We know that chemicals are finding their way into seabirds. Decisions that are taken on land and on regulation are one of the factors in that. It is a cross-Government issue that affects not only our wildlife, but our fisheries. Perfluorodecanoic acid—PFDA—is a PFAS. In the UK, we do not have a safe limit for PFDA, but it was found in fish off the west coast—plaice and Dover sole—at a level that was 450 times the US safe limit. That shows that such contaminants are an issue for fisheries and for wildlife.

The Convener: I want to bring you back to Finlay Carson's question about the role of the marine directorate and the other environment agencies. Are you saying that there is a lack of joined-upness in how the land and the seas are managed through environmental regulation?

Heather McFarlane: Yes. There are many different decisions that might not automatically be thought to have anything do with the marine environment, and the marine environment has not been put at the centre of those. When someone is considering the planning of an artificial turf pitch, the marine environment might not be at the front of their mind, but we need regulation to prevent the use of the microplastic infill that is put on such pitches, because it can get into the marine environment.

There is a similar issue with plastic pellets—the nurdles that wash up on beaches right around the coast of Scotland. There are particularly high accumulations of those in the Firth of Forth, near where I live. We have called for prevention measures to be introduced. The need for such measures has been set out, and there are commitments to introduce them, but they have yet to be implemented through regulation. Currently, 95 per cent of pellet loss is preventable but, to ensure that that happens, we need regulation right across the supply chain, including of the big businesses. In the Firth of Forth alone, more than 30 companies handle those plastic pellets; all of them need to put prevention measures in place to stop the pellets getting out into the environment.

It is not only at the national level that we need regulation. Local councils need to have preparedness plans in case there is a spill—like the two that have happened off the east coast of the UK in the past 18 months, one of which involved pellets coming from Scotland. Such a spill could easily happen here and there needs to be a preparedness plan so that, if those plastic pellets get out into the environment, the council can act within hours, not days. That is what has happened down south: it took days before the right equipment was on site, the community were allowed to help clean up and specialist clean-up crews got involved. Speeding that up would require the local council to have a preparedness plan in place. Similarly, the council would need support with cleaning that up.

There are huge legacy pollution sites in Scotland. The work does not fall within one directorate; there needs to be cross-Government thinking at national and local government level. Local government needs support to help with the clean-up of the huge accumulations from chronic and legacy pollution, as well as of the marine spills.

Annabel Lawrence: A lot of the groups in the Coastal Communities Network are very involved in beach cleans and picking up marine litter. The Coastal Communities Network would like responsibility for the costs associated with marine litter to be transferred to the polluters.

We also need to address the unique challenges faced by island and remote mainland communities in not only the picking up but the disposal of the litter. Measures should be taken to reduce waste from fishing, aquaculture and other human activities, to stop the issue at source.

For a lot of coastal community groups, this is where we started: responding to an issue involving beach or marine litter that we wanted to get removed. It is an ongoing issue that we deal with all the time.

Jamie Langan: Some of the witnesses have mentioned fishing as a part of marine planning. Given that the most immediate interaction with Scotland's marine environment is fishing, and given that the fishing industry and fishing communities are central stakeholders, how can we balance conservation ambitions with the acute short and medium-term needs of the fishing industry and the communities who earn their livelihood from it?

The Convener: Who would like to answer first? Can we mix up the order a bit?

Calum Duncan: It goes back to having a governance system that includes all stakeholders and all sections of the fishing industry and that gives guidance within a wider framework of planning. That way, there can be an informed and intentional plan for managing fishing in a zoned way, that gives people confidence and reduces conflict.

We have said on the record that we think that the inshore area should be a low-impact area, because that is really important for all the stages of life history of commercial fish and shellfish that we have heard about.

That could then be spatially managed so that there are areas for static gear only, which is capped, as it is important to manage the effort for that as well. There could be areas that are only for scallop diving, and areas only for mobile gear where there is confidence that that gear does not have an environmental impact.

A lot of work would need to be done to look at that, but that framework is needed to give local fisheries and communities confidence about where and when they can deploy their gear without being concerned about whether there will be conflict with other gear.

The MPA process has almost been like a microcosm of a discussion that should be happening for our wider seas. The process becomes a proxy for fisheries management. However, the MPA and priority marine features measures are intended to protect the last good examples of some of these seabed habitats. There is not an effective governance system in place to enable that wider, inclusive discussion with all stakeholders to happen.

We have referred several times to the inshore fisheries and conservation authorities in England. Resources will be an issue. I am not imagining that a whole range of IFCAs could be established in Scotland overnight, for example. However, perhaps we can look at the good examples that are on show over the border in the rest of the UK of how to manage inshore fisheries in a way that includes all parts of the fishing sector, as well as other interests, including recreation, local communities and environmental interests.

The Convener: Jessica Jones, do you want to add to those comments?

Jessica Jones: The marine fund Scotland has a place in this. If there is any potential displacement arising from policies such as putting in place the marine protected areas fisheries management measures, the fund should really be used to address that.

I also think that fisheries are part of communities as well, so some of the policy levers should be used to ensure that communities are empowered and involved in all of these conversations. The Community Empowerment (Scotland) Act 2015, the Marine and Coastal Access Act 2009 and the Marine (Scotland) Act 2010 are all relevant in that context.

The Convener: Phil Taylor, would you like to make any additional comments?

Phil Taylor: You asked what can be done for the fishing industry. We must recognise that the fishing industry does not really exist. There are a lot of different businesses in operation, some of which come together around common causes, whether that is geographic, based on their gear type or through the associations that were represented today. However, a fisherman might tell me that they would want no trawling anywhere near where he fishes. That is a very different message from the one that you heard from at least two of the representatives on the earlier panel. There a lot of diversity across the sector.

You asked about the short, medium and long-term needs. First, in the short term, use the Brexit bonus quota, which is the additional quota that was secured following Brexit, to incentivise best practice. Let those who catch the smallest amount of cod as bycatch have access to additional quota. Incentivise change in the same way that we incentivise change in agriculture. It is completely within the Government's gift right now. That no-cost, no-loss opportunity has huge potential.

Secondly, stop the environmental decline and the loss of abundance. Basically, we are asset managing a natural resource, and we are spending the interest in the form of catching fish. Why are we driving down the value of that asset? That is simply bad asset management. Get on top of it. Stop it.

Use the £14.7 million marine fund Scotland better. I have been before this committee

previously and have spoken about how, in previous years, about 15 bottom-trawl nets were bought using that money. In the previous session, you were talking about remote electronic monitoring. The SFF's commercial arm receives £823,000 to run an observer programme, but none of that data is made public. I have been trying to access it for a very long time. That is a problem. Can we use this money better? It is public money provided by taxpayers.

In the medium term, recover the abundance of fish. We talked about zero cod being caught. If we had more fish, there would be more jobs and more profit, and everyone would be better off. Also, create those forums that, I think, Jessica Jones spoke about, to ensure that communities have a role. You asked what we can do for fishing communities. In lots of place where fishing takes place, the community is no longer primarily a fishing community but a broader community in which fishing remains an important part. However, those other people also have a say in how the sea is used, and those forums need to be created.

Thirdly, in the long term, we need a vision. We have a 2020 to 2030 vision for fisheries management, but as I said, much of that has not really happened. It is not a real vision. I am really behind a lot of the statements that were made in the earlier session. People want opportunity; they want to talk up fishing. We have been hosting seafood events to create real positivity about low-impact fishing. We all want to have a positive vision and we all want Scotland to win, with our seas being a really important part of that.

11:30

One long-term opportunity could come from following a Norwegian example. There is a school in Norway that owns quota and earns something like £200,000 profit per year by fishing that quota with apprentices who go out on the boat. Quota is a public asset, the fish in the sea are a public asset and there is a real opportunity to use that quota in a way that delivers the progress and opportunities that were mentioned earlier in areas such as jobs. It will take a while to make some of those things happen, but some of the use of the marine fund Scotland to date has involved creating infrastructure to support new entrants. We support that, when it is appropriate, and, in the long term, we can build good and positive stories.

The Convener: Do you have any additional comments, Annabel?

Annabel Lawrence: The Coastal Communities Network minimum ask would be to have preferential access to low-impact fisheries within the MPA network. Many fishers are locally based: they live within our communities and have a clear incentive to be sustainable, so we would really like to see preferential access and the incentivisation of low-impact fisheries within the MPA network. There are benefits that come from that, because abundance and a well managed seabed create opportunity for other economic activities.

The Convener: We have about 15 minutes left and a few more questions still to go. The answers are fantastic but it would be good to ensure some brevity.

We move to questions from Andrew Baxter, who is joining us online.

Andrew Baxter: Fishing sector representatives on today's first panel spoke about a lack of governmental capacity and resources to implement marine policies and specific plans. I would appreciate knowing whether you share that concern, specifically in relation to the marine directorate, where we know there have been recent changes and budget reductions. What impact will that have on scientific capacity, particularly when that feeds through into the Government considering scientific evidence as part of making specific policy decisions?

Jessica Jones: It is evident that there has been a reduction in the resources available for monitoring and data collection, and I agree with what was said about that being a big issue. There is a general lack of governmental capacity at the moment.

Phil Taylor: I would definitely support having more money for science. Budgets could be more smartly allocated, and there is an opportunity to do more there. For example, I mentioned the use of £800,000 to pay a commercial entity to collect observer data. I do not really have a problem with that, but I have a problem with that data not then being made available to people who want to be involved in the management discussion. I presume that the Scottish Government has access to some of the data, but when I have asked for that data by using a freedom of information request I have never been able to get a coherent answer that would allow any decisions to be made.

There has been a kind of fire and forget approach to budgeting, so I entreat the committee to be clear in monitoring how money is spent. For example, a lot of money will be spent in the consultation on MPAs and the PMF and a lot of money has been spent in the preceding 10 years to develop assets that were then pulled back. If, as I am alleging, the Government keeps making commitments but failing to deliver on them, that creates a lot of spend that does not yield anything. As part of its budgetary oversight duties, this committee should be clear in saying that if money is being spent in 2025 to deliver an objective, you should be able to see what progress has been

achieved against the objective by 2026, prior to the next batch of money being released. That is where I am at. We need better scrutiny.

Annabel Lawrence: In response to that question, we should look at citizen science and the value that coastal community groups can bring to the table. Although it is quite localised, some really good work is being done around Scotland by community groups that are monitoring and identifying potential restoration sites for the future. We have solutions to some of the problems, so we just want to be part of the conversation.

Calum Duncan: It is a big concern that there is a real-terms decrease in the marine directorate budget—it is not even matching inflation. Addressing that is an obvious place to start. We have also been part of the chorus of voices expressing concern about the proposed merger of non-departmental public bodies—not the marine directorate, which is part of the Government—particularly in relation to the independent nature advisory role of NatureScot, which plays an invaluable role in providing advice, including on MPAs and PMFs. We already have concerns about whether capacity in the marine directorate is sufficient, and we are concerned that squeezes will be compounded by the proposed merger at a time when we need to be getting on with action and not changing too much.

I support what Annabel Lawrence said about marine citizen science. Our network of dedicated volunteers does beachwatch, which involves collecting litter data. In the past, we had citizen scientists collecting underwater data. We have citizen scientists helping with oyster cleaning for restoration and with deploying the oysters.

On fisheries, I will highlight a fantastic project that we are working on with the Scottish Islands Federation to look at the disproportionate amount of fishing gear found in the Highlands and Islands, which communities in those areas are concerned about. Our island surveys show that fishing and aquaculture gear makes up 34 per cent of the litter, compared with about 12 per cent on the mainland. I have digressed a little bit, but citizen science has huge value, and we would like the Government to invest in that as well.

We have volunteers doing nurdle hunts. Heather McFarlane has given a fantastic deputation about the impacts of pollution, which I entirely endorse. We are also deeply concerned about that, whether it is sewage-related debris, nurdles or other forms of plastic. Forgive me for shoehorning that in, but I wanted to get that in there.

The Convener: In the summer, the committee visited Lochaline and saw some of the on-the-ground impacts of citizen science. Heather, would you like to come in on that point?

Heather McFarlane: Yes. I run a citizen science programme and have scrubbed oysters for restoration projects as a volunteer. We also run nurdle hunts across Scotland, which involve looking for the plastic pellets that, as I mentioned, come straight from the industry. More than 2,000 people have taken part in more than 1,000 hunts, which means that we have more than 10 years' worth of data in Scotland alone. We have also surveyed across the world.

There is good science out there, but communities are feeding back to us that they have seen plastic pellet pollution coming straight from the plastics industry. It is what the industry uses to make all plastic products, and it has been on beaches, sometimes in really high accumulations, for decades. We have some good citizen science showing that that is a problem. What needs to happen is some follow-up action.

There are definitely science gaps. For example, SEPA has not looked at the perfluoroalkyl and polyfluoroalkyl substances in coastal areas and estuaries. The water framework directive in Scotland has not been updated with new priority substances, which are some of the most harmful chemicals in the water environment, and then there are the watchlist chemicals, which are not yet necessarily regulated but which go out to sea and which we need to keep an eye on.

We need more data and monitoring, but we also need follow-up action, whether it be from Government monitoring schemes or from citizen science. Similarly, we are seeing big problems with plastic pellets and other chemical pollution but we are not seeing any follow-up action on some of that, and I would like more of an effort to be put into that.

I should also say that you still have about a week to take part in the great global nurdle hunt, so if you have not been to the beach yet already, you should get out there. There is a fantastic app that you can download. Thank you to everyone who has already given input to that—I know that some of the committee have been on nurdle hunts, too.

The Convener: Great. I think that Finlay Carson has a supplementary question. Please make it brief, as we are tight for time.

Finlay Carson: I have no doubt that those in the commercial fishing sector, with no exceptions, recognise that healthy fish stocks are important and underpin the future of their industry, but do environmental NGOs such as yourselves do enough work with the fishing industry as partners to deliver sustainability, including in relation to those things that you might find unpalatable, such as scallop dredging or mobile gear? Do you do enough work to treat them as part of the solution

rather than primarily as pressure on the marine environment?

Jessica Jones: Scottish Environment LINK is currently leading a project called Scotland's marine futures, which was called the making waves project when RSPB Scotland was running it, and it focuses on facilitated dialogue through the Centre for Good Relations, primarily in the Shetland area. The national reference group has the Scottish Fishermen's Federation on board and it looks at enhancing mutual understanding between different marine interests and at how we can work together. We are making efforts to engage and come to shared agreements on how to move forward, and we look forward to showing progress in due course.

Heather McFarlane: I work mostly on pollution issues, and I see them as going hand in hand with protecting communities, wildlife and fisheries. When we get the sort of big marine spills of plastic pellets that there have been in Hong Kong and Sri Lanka, for example, the fisheries have to close. Therefore, preventing plastic pellet pollution is not just a benefit to wildlife or to local communities; it protects an industry, too.

When we had the spill in July in the north-east of England, I talked to the fishing community there and they were telling me about impacts that I had not picked up on. For example, they were worried that the plastic pellets, which were floating on the water, would get sucked up into the engines of their boats. These were small fishers and they were worried about the impact on mackerel, too. They were saying, "Oh, the mackerel are running at the moment. There's lots of mackerel out there. They eat anything that's white, and the plastic pellets are white." They were telling me about the impacts that they were concerned about, and I am, in turn, telling you about them and asking whether we can get some regulation on this issue.

I do not see a conflict here; instead, I see us trying to protect the marine environment from, in this case, plastic pellets and chemical pollutants. As I have mentioned, there are fish off the west coast of Scotland that are 450 times over the US safety limits for one particular kind of PFAS—that is, perfluorodecanoic acid, or PFDA. Removing that pressure, and removing those pollutants, will benefit the fishing community as well.

The Convener: If there are no additional points, I want to ask a final question. I see that Calum Duncan wants to come in—please be very brief.

Calum Duncan: Finlay Carson has asked a really important question. As I have said, we run the independent good fish guide, and we want as many green-rated fish and shellfish as possible. We are encouraging people to eat seafood and to make sustainable seafood choices. As part of that, we do consult the industry, because we want to ensure that we have all the insights, reports and data.

Of course, the process can lead to certain species and stocks getting a red rating, because of some of the environmental impacts that we are concerned about, and that highlights the importance of having effective stakeholder groups that you can be part of and that can help to initiate change. For example, we have always been concerned about the particular impact of scallop dredging on the seabed, so we would like to see a fisheries management plan for scallops in Scotland, but we have had no such commitment as yet.

I have represented LINK on fisheries improvement projects for scallops and nephrops, and we have engaged constructively in that work. It is about having the structures to enable that engagement, as well as the bilaterals, and we are hoping to talk to the industry about policies that would help to reduce its litter.

I will quickly correct what I said earlier: aquaculture and fisheries gear actually makes up 9 per cent of the litter on mainland beaches.

11:45

The Convener: I have a very brief question and I am looking for very brief answers. Lessons were learned—I hope—from the highly protected marine area consultation. Do you have faith that the current consultation on MPAs and priority marine features will be handled in a way that is informed by learning from the earlier experience on HPMAs?

Calum Duncan: Yes. We do not think that possible future use benefits are properly accounted for in the BRIAs. We will point out things to do with that. We have long said that in response to other consultations as well. There is a cost-benefit process that does not properly account for potential future benefits from a change of use or change of ground. That notwithstanding, the evidence base for the MPA sites, as they are calling them, in the PMF areas is very good, and we will support that as we respond to the consultation. We will be going for the measures that provide the greatest confidence that the sites can meet their conservation goals.

Phil Taylor: The current consultation is being handled in a much better way, but there is also somewhat of a pendulum that is swinging the other way. On where the drop-in events to talk about the sites will be hosted, there is a significant bias toward dredge and trawl ports. For example, although the islands of Rum and Canna sit within a marine protected area that is a part of the debate, there is no drop-in event on Rum or

Canna. There is one at Mallaig harbour, though; therefore, community members who live in those islands who want to have a say in person over the way that their sea is being managed will have to get on to a ferry and go en masse. However, there are some events online, so that was not entirely fair.

We were not supportive of HPMAs at the time, because of various associated considerations, but a lot of purposeful misinformation went on, and we are aware of and concerned about similar attempts now.

Some of the pre-baking ahead of the consultation may be narrowing the discussion in a way that will be problematic down the line. For example, an area of maerl that exists off Skye—one of the most important relevant habitats that we know about—has just been scoped out of the consultation on the basis that the Government had no evidence that was more recent than 1988, so it thought, "Well, it's probably been destroyed by a dredger, so we will not protect it." It has not surveyed it, but we have, and it is still there. That area is clearly deserving of protection but, because of the construction of the consultation, it is somewhat pre-baked away. That is where the concerns lie.

Annabel Lawrence: The focus of the consultation is on MPAs that do not have any fisheries management measures in place, and PMFs outside the MPA network. The situation that our community faces is that we have an MPA with fisheries management measures that still allow dredging and trawling. That is outwith the scope of the consultation. We will be putting evidence in about that. However, a review of whether the fisheries management measures that we have are appropriate is another question. I know that that does not fall into the remit of the consultation, but the fact that those measures exist does not mean that they are working.

Jessica Jones: Constant communication is key to avoiding what happened in the HPMA consultation. The number of drop-in events in this consultation is promising. The communication from the engagement team via newsletters has been good. It can go further, in ensuring that people are aware that those drop-in events are available to them in their local area. However, at the moment, I feel positive.

The Convener: I thank our witnesses for giving evidence. That concludes the committee's evidence taking in public this morning and we move into private session

11:50

Meeting continued in private until 12:18.

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