OFFICIAL REPORT
AITHISG OIFIGEIL

# Rural Affairs, Islands and Natural Environment Committee

**Wednesday 26 October 2022**

Session 6

The Scottish Parliament
Pàrlamaid na h-Alba

# Wednesday 26 October 2022

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## RURAL AFFAIRS, ISLANDS AND NATURAL ENVIRONMENT COMMITTEE
**27th Meeting 2022, Session 6**

**CONVENER**

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

**DEPUTY CONVENER**

*Beatrice Wishart (Shetland Islands) (LD)

**COMMITTEE MEMBERS**

*Karen Adam (Banffshire and Buchan Coast) (SNP)
*Alasdair Allan (Na h-Eileanan an Iar) (SNP)
*Ariane Burgess (Highlands and Islands) (Green)
*Jim Fairlie (Perthshire South and Kinross-shire) (SNP)
*Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con)
*Jenni Minto (Argyll and Bute) (SNP)
*Mercedes Villalba (North East Scotland) (Lab)

*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Bally Philp (Scottish Creel Fishermen's Federation)
Calum Duncan (Marine Conservation Society)
Hannah Fennell (Scottish Fishermen's Federation)
Lucy Kay (Coastal Communities Network)
Sheila Keith (Shetland Fishermen's Association)
Simon MacDonald (West Coast Inshore Fisheries Group)
Charles Millar (Sustainable Inshore Fisheries Trust)
Dr Fiona Read (Whale and Dolphin Conservation)
Phil Taylor (Open Seas Trust)
Elaine Whyte (Communities Inshore Fisheries Alliance)

**CLERK TO THE COMMITTEE**

Emma Johnston

**LOCATION**

The Mary Fairfax Somerville Room (CR2)

# Scottish Parliament

## Rural Affairs, Islands and Natural Environment Committee

*Wednesday 26 October 2022*

*[The Convener opened the meeting at 09:04]*

## Inshore Fisheries

**The Convener (Finlay Carson):** Good morning, everyone, and welcome to the 27th meeting in 2022 of the Rural Affairs, Islands and Natural Environment Committee. Before we begin, I ask all members present who are using electronic devices to please switch them to silent.

Our first item of business is a round-table session on inshore fisheries. As you will have seen from the briefing that was circulated for the meeting, we intend to cover four broad themes. Each theme will take about 30 minutes to cover, and we are due to finish around 11 o'clock. I know that we will not get everything covered today, but it will certainly give us a taster of the issues. At some point over the current parliamentary session, we will, no doubt, explore some of the issues in greater depth. Please keep questions and answers as succinct as possible to allow everybody the maximum opportunity to contribute.

Before we get started, it would be a good idea to go around the table so that everybody can introduce themselves. If you just give your name and the organisation that you are representing, that would be helpful.

I am Finlay Carson, the convener of the committee.

**Lucy Kay (Coastal Communities Network):** I am Lucy Kay. I am the marine protected area project officer with the Community of Arran Seabed Trust, and I am here representing the Coastal Communities Network.

**Beatrice Wishart (Shetland Islands) (LD):** I am Beatrice Wishart, MSP for the Shetland Islands and the deputy convener of the committee.

**Sheila Keith (Shetland Fishermen's Association):** Good morning. I am Sheila Keith from the Shetland Fishermen's Association.

**Jim Fairlie (Perthshire South and Kinross-shire) (SNP):** Good morning. I am Jim Fairlie, MSP for Perthshire South and Kinross-shire.

**Charles Millar (Sustainable Inshore Fisheries Trust):** Good morning. I am Charles Millar, executive director of the Sustainable Inshore Fisheries Trust.

**Rachael Hamilton (Ettrick, Roxburgh and Berwickshire) (Con):** Good morning. I am Rachael Hamilton, MSP for Ettrick, Roxburgh and Berwickshire.

**Jenni Minto (Argyll and Bute) (SNP):** Good morning. I am Jenni Minto, MSP for Argyll and Bute.

**Bally Philp (Scottish Creel Fishermen's Federation):** Good morning. I am Alistair—Bally—Philp from the Scottish Creel Fishermen's Federation.

**Hannah Fennell (Scottish Fishermen's Federation):** Good morning. I am Hannah Fennell, head of Orkney Fisheries Association and vice-president of the Scottish Fishermen's Federation.

**Phil Taylor (Open Seas Trust):** Good morning. I am Phil Taylor from the Open Seas Trust.

**Mercedes Villalba (North East Scotland) (Lab):** Good morning. I am Mercedes Villalba and I represent the North East Scotland region.

**Elaine Whyte (Communities Inshore Fisheries Alliance):** Good morning. I am Elaine Whyte. I work with the Clyde Fishermen's Association and I am here representing the Communities Inshore Fisheries Alliance.

**Karen Adam (Banffshire and Buchan Coast) (SNP):** Good morning. I am Karen Adam, MSP for Banffshire and Buchan Coast.

**Simon MacDonald (West Coast Inshore Fisheries Group):** Good morning. I am Simon MacDonald, chairman of the West Coast Regional Inshore Fisheries Group.

**Alasdair Allan (Na h-Eileanan an Iar) (SNP):** I am Alasdair Allan, MSP for Na h-Eileanan an Iar.

**Calum Duncan (Marine Conservation Society):** Good morning. I am Calum Duncan, head of conservation Scotland for the Marine Conservation Society.

**Ariane Burgess (Highlands and Islands) (Green):** Good morning. I am Ariane Burgess, MSP for the Highlands and Islands region.

**The Convener:** You are all most welcome. We will get straight into the discussion. For our first theme, we will explore fishing industry pressures. I ask Alasdair Allan to kick off.

**Alasdair Allan:** I hesitate to list the pressures that the fishing industry might feel under. Obviously, some pressures are the result of deliberate policy around Brexit, but I am quite sure that others have been brought to us more recently. Those of us who represent fishing constituencies are well aware of fuel costs, labour shortages and issues with visas. Rather than put any more words

in your mouths, do people want to say something about the pressures that exist in the fishing industry during this time that we are living through?

**The Convener:** Before anyone answers, I give my sincere apologies to Fiona Read—despite the fact that I can see you right in front of me, I failed to bring you in. Would you like to introduce yourself?

**Dr Fiona Read (Whale and Dolphin Conservation):** No worries. I am Fiona Read from Whale and Dolphin Conservation.

**The Convener:** Thank you. Would anybody like to kick off on Alasdair Allan's question?

**Sheila Keith:** In the absence of anybody else putting their hand up, I will come in. Fisheries are facing increased pressures in many areas. The list is very lengthy. Pressures include those relating to new developments coming into the waters and a lack of science to back up arguments that come from environmental non-governmental organisations. Regulatory authorities are also causing pressures. We need to tackle that.

The Scottish Government needs to be very clear and transparent about the resources that it can deliver. If we cannot fight our case for our fisheries being sustainable, we will always be under attack. There needs to be transparency in relation to delivery, otherwise, given the Scottish Government's current pressures and the increased workload that has to be delivered, we will continue to be open to criticism through, for example, a lack of science.

**The Convener:** We will move on to the science theme a little bit later.

**Simon MacDonald:** I see two major factors affecting the fishing industry just now. The number 1 factor is probably spatial squeeze, but almost equal to that is the visa situation for crew.

On spatial squeeze, more and more offshore renewables projects are being developed, but there is a great lack of consultation with our industry. Valuable fishing ground is being taken up by the farms without consultation with fishermen. Fishermen would be quite willing to say, "There is a better space over here, which is fine, because it is not fishable or will not affect spawning grounds," because there are cases of projects and developments being put in important haddock spawning grounds. To my mind, that is a major issue that will have a long-term effect.

**Elaine Whyte:** The main issue facing fishing, particularly inshore fishing, relates to nuance and a lack of understanding. I saw a campaign the other week that said that we should ban industrial fishing, including all fishing that is mobile. There has to be an understanding that a Chinese industrial fishing boat is not similar to a 10m trawler.

I had a quick look over some of the briefings. I noticed that the Scottish Parliament information centre briefing said that some mobile boats could go offshore. Some of the mobile boats that we represent are quite small—under 14m or under 10m—so there is not the option to go offshore. It is not as simple as one and one. We represent all types of boats. I noticed in the statistics that it said that, from 2017 to 2021, we lost 12 over-10m mobile fishing boats. We have not; we have lost about 48 if you look at how the licences go—even more if you take that spell a bit higher.

On skilled workers, I noticed that the briefing said that it costs a few thousand pounds to bring people in. However, there was the example of a Welsh fisherman trying to bring in some skilled workers, and it cost him more than £40,000 and it took more than five months to get any labour. We are talking about areas where depopulation and local labour are major issues. We need to understand the nuances, because the figures might not be quite what you think they are.

There is a real issue with communication between people and with hyperbole, in a sense. We need to sit down and talk about things. It might be said that 95 per cent of an area is being fished but, when you look at it, you might find that fishing is possible in only 13 per cent or less of that area. We need to get down to the nuances, and that is, I think, what we are here to discuss today.

**Hannah Fennell:** Elaine Whyte is right. Inshore fisheries face a lot of issues, including economic issues, social issues and issues with our management. A lot of the issues that inshore fisheries face—those to do with labour, the cost of fuel and so on—might not be specific to fishing, but those pressures are acute because inshore fisheries often work in more remote areas. Inshore fisheries also struggle because we are talking about small businesses. They consist of one or two individuals or are sole traders or partnerships, so they do not have a lot of resources to fall back on. Over the years, that lack of resilience has corroded the industry.

The situation is exacerbated by the current management system for inshore fishing, which does not allow for much flexibility. For example, our fishers in Orkney struggle because we are, in essence, a mono-fishery—we can fish for only crab and lobster. When Covid came along and when Brexit affected the markets, we could not pivot to anything else, just because of how the management structure works. That exacerbates the pressures that we already face.

**Rachael Hamilton:** I have a supplementary question on Simon MacDonald's point about

spatial planning. The briefing says that a report stated that, by 2050, the pressures could result in a reduction of almost half in terms of the ability to fish. If you have seen it, do you believe that the spatial plan was sufficient or meaningful? What more would you like to see done in terms of the pressures that you are facing?

**Simon MacDonald:** It is very important that the fishing industry is brought in as a statutory consultee on the applications for renewable energy projects. As I said earlier, the fishermen know the ground—they know where the spawning areas are and know the traditional and valuable fishing grounds. It is almost at the stage now where we are getting a lot of demand from people saying, "We have highly protected marine areas, we have MPAs and we have renewables sites and, once they are there, they are there for ever more. Should we not be looking at having protected fishing areas in these historical valuable fishing grounds?"

09:15

**Phil Taylor:** There are fundamental errors with that report. It makes assumptions that are, frankly, not correct. One such assumption is that there will be no fishing in 80 per cent of marine protected areas, which is not on the table in those negotiations as far as I am aware—I think that the highest scenario presumes a 0.5 nautical mile buffer around all cabling, and, sadly, as we have seen in Shetland recently, that is not the case. There are fundamental errors with it.

I think that the premise of it is important. It notes that there is a need to ensure that our seas are properly spatially managed. Of course, this Parliament asked the Scottish Government, through the Marine (Scotland) Act 2010, to develop a national marine plan. One was developed and published in 2015 through public consultation and engagement with the stakeholders who are represented in this room. If you look at the fisheries chapter of that, you will see that, frankly, most of it has been ignored. Actually, most of it is being actively opposed. There is a commitment to ensure that the landings obligation is complied with. The committee will be aware that I and my organisation have been concerned that the Scottish Government's future catching policy is actively trying to undo that.

What I am trying to say, I suppose, is that I agree with the premise of the report that there is a need for better spatial management of our seas, and fishing needs to be an integral part of that. We need to have those discussions, including many of the things that Simon MacDonald spoke about, which I agree with: protecting spawning grounds and identifying areas that should be prioritised for fish catching—what we have termed "go fish zones" in the past. Those are good things, and I hope that we can make progress on them in discussions like this.

**Hannah Fennell:** That report was published by the Scottish Fishermen's Federation and the National Federation of Fishermen's Organisations. It ran through a number of different scenarios and a 50 per cent reduction was the worst-case scenario. However, I agree with a point that Phil Taylor made, and I would say that the reason we published that report is because no one else was looking into the cumulative impact assessments of all those different industries. In the absence of Government stepping forward and doing that work and researching it, industry had to fill that gap. There is a lot more work to be done. We would love to see it done, and we would love to see the Scottish Government be the one to bring that forward.

**Sheila Keith:** As Hannah Fennell has explained, there were various scenarios presented in that report, and taking little snippets out of it might result in them being taking out of context.

It pointed out the spatial squeeze involving everything from MPAs, HPMAs, offshore wind, cabling and so on. The pressure on fishing, which is a sustainable food source when managed properly—many of our grounds are managed sustainably—means that, ultimately, people will have to eat something else that will have a higher carbon output. It goes against the grain to push fishermen off grounds where they can fish productively.

Not only do fishermen know where they fish, the Scottish Government does. There is plenty of data that shows where the productive fishing grounds are and it is irresponsible to give options for development to wind farm developers in those areas and also in nursery grounds and spawning areas. Fish will be affected by the noise, electromagnetic fields and cabling that are associated with such developments.

The stage we are now at with this proliferation of offshore wind is concerning to the fishing industry. The route that the Government is currently going down on this is very irresponsible. It seems that fishermen do not have a voice; we are dismissed. We are met with disdain by developers, who have been given these options to build a wind farm. They meet us and say, "Hold on a minute,. Why have I been given this area if you fish here? Surely that should have been protected." Our organisations, which are very busy and under-resourced are left to fight the fishermen's case when the Scottish Government should have protected fishing in the first place. That needs to be addressed and fixed before irreparable damage is done to fishing.

It is not only the sustainable element of it that is important; we must also consider the socioeconomic benefits that come from fishing into the rural areas of Scotland. You cannot ignore the fact that, if you damage fishing, you also damage rural communities, which are very vulnerable when it comes to trying to find something else to do.

**Lucy Kay:** A point that I would like to raise, from the Coastal Communities Network, is that, in relation to spatial measures, we are concerned about some of the narrative around marine protected areas. To all intents and purposes, that they are essentially dealt with in policy and decision making as being just about biodiversity and are also being presented as a detriment to fisheries and sustainable use of natural resources. Marine biodiversity underpins ecosystem function, which underpins fisheries, and many of the habitats within marine protected areas provide an essential role in the lifecycle of different fish and shellfish species, from the larval stages through to nursery and feeding areas.

We feel that it is short-sighted that marine protected areas are not seen for what they are, which is essentially a spatial management tool that can help us to deal with issues facing the state of Scotland's inshore waters. Many fisheries can take place within marine protected areas and benefit from that because the areas can be more productive if sea beds recover and people feel that their fisheries are protected. We would like to raise that concern with the committee.

**Bally Philp:** We concur with most of the people who have brought up spatial squeeze as one of the biggest issues facing the industry. I want to point out what that actually means, because it is a euphemism for consolidating effort into ever-decreasing space. That means that we are driving fisheries towards unsustainability and we are creating gear conflict.

One of the key issues is that we do not have inshore fisheries management plans, which to my mind is quite shocking. We do not have individual species management plans for most of our shellfish stocks and we do not have area-based management plans for our regions or even more localised fisheries such as sea lochs. Even the Clyde does not have a fisheries management plan.

If we had a fisheries management plan developed, as we look to try to optimise the social, economic and environmental performance of our fisheries, we would be able to get a steer for where we should be heading and how we should mitigate any given spatial pressure. Without those fisheries management plans, we are just fumbling about in the dark and everybody is fighting over the remaining space. Development of area-based fisheries management plans has to be one of the key priorities in inshore fisheries management.

**Elaine Whyte:** To add to that, the issue is particularly prominent for inshore communities. We have not only the renewables to think about; we have aquaculture, the navy, cables and the various protection designations. I do not know many fishermen who do not think that sensible, evidenced and monitored protection is a good idea where it is required. The issue that we have—I have said it in my submission—is that, for the most recent MPAs, we have not had the monitoring programme that we said we would have. I think that that is important because we may be closing off an area in a way that does not do too much good, and it might be the area next to it that is more sensible to close. However, without that baseline monitoring we might have issues.

To go back to the narrative or the message about MPAs and so on, we see the narrative that is coming out of Lindisfarne right now, where we have displaced not only mobile fishermen but scallop fishermen. Certainly, in the Clyde—which is mentioned more than 20 times in the paper that was submitted to this committee, in comparison to the North Sea, which is mentioned five times—we have some areas that are getting a lot of pressure. We need to look at what is happening here and what people understand MPAs and so on to be. If you are understanding them as a tool just to manage fisheries rather than a tool to manage a specialist feature and be monitored to make sure it is doing that job, you may not be quite understanding why we need them. That is the issue. We have seen it with the cod box as well.

**The Convener:** I will ask the committee members to ask their questions. Three committee members would like to ask questions just now, so, if they ask them all together, the stakeholders can address them all.

**Jenni Minto:** Thank you, convener—[*Interruption*.]—and bless you, Dr Allan.

I would like to return to points that I think that Simon MacDonald, Elaine Whyte and Hannah Fennell raised about a lack of employees and available workers in the fishing industry. Could you expand a bit more on the points that you made about visas and suchlike?

**Alasdair Allan:** Excuse me for that interruption—I believe that my sneezes are a source of renewable energy.

Elaine Whyte briefly touched on the issue of visas. I am curious to know whether you or anyone else wants to say a little bit more about that, given the workforce pressures that fishing faces and the difficulties that I know from my constituency experience are associated with not easily being

able to obtain visas for people from outside the European Union in particular.

**Elaine Whyte:** We are facing real pressures with workforce and, with the issues of depopulation, that becomes even more prevalent. I know that, in Argyll, there are areas with 16 per cent depopulation. It is the same in the Western Isles, which we are also representing today. We have very similar issues. I have known members who have taken about eight months to go through this process and they still do not have any workers. As I said, the Welsh example of successfully getting there cost over £40,000—£20,000 in lawyers' fees alone.

We need a fair system. I appreciate that the Scottish Government put forward a rural visa pilot scheme, which was very much appreciated. However, it is a United Kingdom Government retained issue and we are struggling to get a change in any policy. We have seen areas that have had all their workers sent home. Brexit meant that a lot of our eastern European skippers were sent home as well, so that caused further destabilisation.

We are all about training domestic people where they are available and it is very important that we do that, but there also has to be a recognition of the difficulties. If you had a business cutting hair but you had no hairdresser for eight months, how would you survive? We need to start understanding it in those terms. It is a safety issue, too.

**Jim Fairlie:** Elaine Whyte, you just mentioned £20,000 in lawyers' fees. Can you explain that, please?

**Elaine Whyte:** It is a very complicated application process. You do it, it goes into the ether and you have to answer very specific questions about your business. It is very complicated. It might be something that large hotel chains can do with a human resources department, but if you are operating a three-man fishing boat, it is a very difficult thing to do. You have to outsource it to someone who can do the job.

**Jim Fairlie:** Therefore, you need lawyers to make your applications for your visas?

**Elaine Whyte:** Basically, and it is so time consuming as well that they need someone on it all the time.

**The Convener:** Phil Taylor, did you want to come in on visas or on a different topic?

**Phil Taylor:** My point was a different topic, but I can come in on visas.

**The Convener:** I will ask Hannah Fennell to come in, because I think that she had a comment on this topic. Then I will bring in Phil Taylor and Ariane Burgess.

**Hannah Fennell:** I just have a couple of other points to supplement Elaine Whyte's about workers. It is not just the workers at sea that we are struggling with in the inshore fishing industry; it is the onshore processing side of things as well. A lot of that was to do with Brexit and the loss of EU labour. In Orkney, our crab factory, which supplies to Marks & Spencer and Waitrose, is heavily reliant on the workers, obviously, but it is struggling to meet demand. We have real concerns about its future because of that.

On the boat side of things, one big issue is that we struggle to attract domestic crew for the inshore. Part of that is because people are uncertain about the future for the inshore. We have people who want to go to sea—we see people going into aquaculture and working on pilot boats. People are working in the maritime industries, but they are not entering the fishing industry because they do not see what the future is. There is so much uncertainty right now that they do not want to enter it, and that is a huge concern as well.

We also have concerns about the foreign crew and the visas. We have all seen the reports in the news about bad working conditions. I want to say that the industry strongly condemns any of that behaviour. We want to have a system that people cannot abuse, and we want them not to be able to abuse their workers. The issue there is that the skilled worker visa is so hard to get. Our fishermen in Orkney have been using the same foreign crew for over seven years now. They work well with them. If we could get them on a skilled visa, we would have done so already. We value them, and the only reason why they are still on these unsuitable visas is because we just cannot do it, because of cost. It seems like the system is designed to fail.

**Lucy Kay:** I wanted to talk more about resilience as an issue facing the industry. I do not know if that is appropriate now.

**The Convener:** Okay, I will bring in Bally Philp and then bring you in.

**Bally Philp:** It is worth noting that, in the smallest boats, there is very little reliance on foreign labour. Most of the smallest boats are one or two-man boats, so, obviously, the owners are normally natives who only have to find one crew. Although the working conditions may be worse in the sense that there tends to be no toilets or showers in the smallest boats, the ability to return home most nights to your home port and be home for your tea and also to be in a more sustainable industry that looks like it has a future tends to be more attractive in terms of bringing people in. If we

are discussing the labour issues in the fishing industry, we should understand that it is not equal across the whole spectrum and that the smallest and more usually the static gear boats do not tend to use foreign labour.

09:30

**Sheila Keith:** Although I have great sympathy for colleagues all around Scotland who face this issue of getting in foreign labour, visas and so on, I have to say that we, in Shetland, are in a completely different situation in that 100 per cent of our inshore fishermen are resident on the islands. However, we cannot get complacent about that. We have concerns about the implementation of Government policy and attacks from ENGOs that are not scientifically based. They are making statements about fishermen that are just blatantly not true, but the public tend to believe them. There are issues with spatial squeeze, remote electronic monitoring that tracks and traces fishermen like criminals and a fear of non-compliance when filling out complicated paperwork, which all comes together to disincentivise the local people to join fishing boats. It makes them very uncomfortable, while they are shopping, to have members of the public attacking them, saying, "What do you think you are doing?", when, in Shetland, we have the most sustainable inshore fisheries, backed by science—if I get the opportunity later, I can explain how we got to that.

It is a different scenario in Shetland, but we cannot afford complacency. We need to be doing things in schools to encourage people and to make sure that Government policy cannot undermine what we try to do within our local communities.

**Lucy Kay:** I want to make the point that the inshore fisheries are dependent on a very small number of target species at the moment. There are species and stocks of fish and shellfish that used to exist, that used to be exploited and support businesses, that now no longer exist. There has been a consequent loss of jobs and the value of those fisheries as a result of that. We are particularly concerned about that, because we feel that that does not give a strong base for developing sustainable marine-based activities related to fisheries. That is one of the issues that we would like to see being addressed.

**The Convener:** I will bring in Ariane Burgess.

**Ariane Burgess:** I was curious about local labour, and that issue has been covered.

**Karen Adam:** I want to ask about labour, too. Was there any pre-empting sense that visas were going to be an issue and was any help or support offered in that respect? Is there any support at the moment?

**Hannah Fennell:** Do you mean for local crew or for foreign crew?

**Karen Adam:** For foreign crew.

**Hannah Fennell:** It has been a long-standing issue; indeed, it has been an issue since I started working in the fishing industry in 2016. However, it has come to the fore in recent years, because of the current UK Government's stance on immigration, which I think might have exacerbated things. We have been fighting to make the skilled worker visa system workable for fishing vessels for a number of years now. In Orkney and Shetland, Alistair Carmichael and Liam McArthur have been supportive and have been helping us, and I am sure that Elaine Whyte can say a bit more about this, as she has been working hard on behalf of CIFA to take the issue forward.

**Elaine Whyte:** I am happy to pick that up. We have been working on this with the Department for Environment, Food and Rural Affairs, too, and I think that there is a real will there to try to get something workable. However, what we are talking about is obviously Home Office policy, and the question is how we link those things up.

As for the support that is in place, the Scottish Government is looking at resettlement schemes and has looked at the rural pilot. That said, with the time that it is taking all this to trickle down, the number of boats is very concerning.

I should also point out that this is a regional thing. It might not, as Sheila Keith has pointed out, be as much of an issue in Shetland at the moment; it is certainly not an issue in Northern Ireland; and we have to address that regional imbalance.

**The Convener:** I call Jim Fairlie and then Mercedes Villalba to conclude the questions on this theme.

**Jim Fairlie:** Three panel members—Hannah Fennell, Bally Philp and Sheila Keith—have talked about the desire to be a fisherman and about wanting to go into the industry, because of the long-term prospects and all the rest of it. I know nothing about fishing at the level that you guys clearly know it, but my understanding is that fisher folk go out on boats and get a share of the catch. If it is a high-value catch, they all do very well out of it. In all my communication with fishermen, it has always been seen as a good, viable way to make a living, so why are people in our country saying, "Fishing is not for me"? Is it because of demonisation? Is it because there is no money in it? Is it because people do not see a future for it? It is important that we get down into that issue.

**The Convener:** I will start with Sheila Keith and then bring in Bally Philp and Elaine Whyte.

**Sheila Keith:** One of the risks is a lack of science to back up any evidence that you are running a sustainable fishery and to avoid people demonising fishermen as greedy people. In some areas, there is a lack of quota, but there is also the issue of infrastructure. Fishing effort alone will not solve these issues. In Shetland, we developed a paper entitled "Rebuilding Scottish Inshore Fisheries", which shows that this is not just about fishing effort: it is about fish buyers, infrastructure and everything else that comes with that. A fisherman can land fish on a pier, but, if there is nobody to buy or transport it, they have nothing.

In some rural areas where that sort of thing has been lost, somebody might want to go and catch fish, but the infrastructure that would have backed up that activity has been lost over time, too, and it all needs to be rebuilt. I will let other people say why, but sometimes it has happened because of the science that backs up sustainability.

**Bally Philp:** It is fair to say that much fishing is not sustainable; indeed, the Scottish Government's own research claims as much. A lot of people know that particular areas of the fishing industry are not sustainable and do not have a long-term future, so you would be mad or desperate to go there.

A lot of it is not profitable and, in fact, many sectors of the industry are becoming less profitable with the current price of fuel. The latest Seafish report shows that much of the inshore mobile gear sector will not be profitable if the price of fuel stays as it is.

Moreover, the income is not reliable. In this day and age, people need a reliable income more than they might have done historically. The money is just not in it. When I was 16, 17 or 18, I could easily earn £100 a day—£600 or even £800 a week—which was a good chunk of money 30-odd years ago. We are earning similar wages now. If that income is not consistent, it can be very hard to make a living in the fishing industry. I think that you have to be keen, passionate or desperate to want to be a fisherman in this day and age.

You also have to choose very carefully what sector you go into, because you have to try to find one with a future. At the moment, not very many in the inshore sector of the fishing industry look as if they have a tenable future, apart, maybe, from some in the static gear sector.

**The Convener:** I will bring in Elaine Whyte, Hannah Fennell and then Phil Taylor, but I am conscious of the time. We are already running over.

**Elaine Whyte:** We have submitted through the Clyde Fishermen's Trust a vision of what the Clyde fishery should look like, and we have to start doing that for every area, because every area is slightly different. Demonisation is a thing. We had a young fisherman who went to the bank to get a loan for a slightly bigger boat—his own boat was under 10m—but the bank said, "What about the closures that you have? What about these MPAs?" The perception coming through to the public is that this activity is wrong, and you do not get that in a country such as Norway. I think that Sheila Keith is right: if we had sustainable science that was neutral—and that is the key point; it has to be neutral—we could say to people, "Here is a path of progression."

**Jim Fairlie:** What do you mean by "neutral"? Who is producing science that is not neutral?

**Elaine Whyte:** Personally, I think that everything should go through the Government, because it is—or should be—an honest broker. We can all go away and do scientific studies but, if the Government's approval or involvement in some way is not seen as needed, people can start making all sorts of cherry-picked claims. It is a massive issue.

**Jim Fairlie:** Can I come back on that, convener? Who is producing science that is—

**The Convener:** I am sorry, Jim. We will pick that up when we ask about the other themes. I will bring in Phil Taylor and Hannah Fennell for brief responses.

**Phil Taylor:** Jim Fairlie was asking about opportunity. It is worth noting that the Government already has duties under the UK Fisheries Act 2020 to distribute opportunity in ways that deliver best social, economic and environmental outcomes. The current rules for distributing quota are really the only ones that do that and, as Hannah Fennell has already said, they can sometimes lead inshore fisheries to go without. Although the legal requirement exists for a mechanism to create those opportunities and to address some of these economic and social issues—not just the issues of resilience that Lucy Kay mentioned, but environmental ones, which are my core interest—it is not being delivered, and I ask that the committee scrutinise that more intensely.

**Hannah Fennell:** It is fairly easy to get people into the fishing industry, because, as I have said, people want to go and work at sea; the problem is how we keep them there. That has arisen for a number of reasons—prices, for example, or the lack of opportunity. The challenge, therefore, is not in getting people in the door but in retaining them, and that is due to a number of factors that have already been highlighted.

**The Convener:** Mercedes Villalba has a brief question to round things up.

**Mercedes Villalba:** It is not brief, convener.

**The Convener:** Okay, then—fire away, and we will decide whether we have time to deal with it.

**Mercedes Villalba:** Following on from the discussion about the difficulties of developing a skilled worker visa—and thinking about the comments about local workforce challenges—I wonder whether there is the potential to develop for the local workforce a skills pathway for aspiring fishers in Scotland. What would be required to do that, and has the Government engaged with any of your organisations on developing that kind of vocational pathway?

**The Convener:** That is a big question. I am not being patronising—it is a very good one. Can we perhaps pick it up at the end of the session and give everybody a chance to think about it? We will move on to the next theme and, if we have scope at the end, we will pick it up again.

I call Beatrice Wishart, who has some questions on the theme of science.

**Beatrice Wishart:** Scientific evidence has been touched on in numerous answers. We need evidence, so I would like to explore evidence, data and monitoring in inshore fisheries. Is there enough or could more be done? To build on the comments that Elaine Whyte has made about neutral science, how can you ensure that there is trust in the evidence that underpins inshore fisheries? This might also be an opportunity to ask Sheila Keith to explain the Shetland Shellfish Management Organisation.

**Sheila Keith:** Shetland seems has developed a system that is the apple of the eye of many people, but that does not mean that it is not under attack by many people, too. Our shellfish programme provides stock assessment and carries out applied research. The University of the Highlands and Islands in Shetland has assisted the Shetland Shellfish Management Organisation in its decision-making through comprehensive monitoring and evaluation of stocks since 2000. We have baseline data that was developed in 2000, which has been added to with a dataset since then. We have over 20 years' worth of data to ensure that the shellfish that are caught around Shetland are from sustainable stocks. Information comes from stock assessments, from fisheries logbooks, from biological data that is collected by observers, from commercial fishing boats, from sampling at processing factories, from the operators at the point of sale, and from targeted survey work using research vessels. All of that comes at a major cost—a major cost that is currently a cost to the Shetland Islands; it is not supported by anybody outside Shetland. Science needs funding to provide year-on-year data that must be transparent and can be built on year after year. That is the difficulty.

We also run an inshore survey on fin fish, which is also funded by people in Shetland. We cannot easily get external funding for this research because it is year on year; it is not innovative and is not interesting to funding streams. The current Scottish fisheries fund—I never get the acronyms right; I still think of the European maritime and fisheries fund—does not help with science to support and to provide evidence of sustainability for inshore fishermen. Shetland has a symbiotic relationship with white fish and pelagic fisheries. The SFA is important and would not exist if not for the fleets that we represent, which are all family-owned and are vital to our rural island. We need support with science. All that is at risk of being lost from Shetland because of funding support being pulled through there being tight budgets in the local council, and so on.

09:45

**Bally Philp:** It is well known that we do not have inshore stock assessments for most of the seas around the mainland. I know that Shetland has been working very hard on that, which allows it to facilitate a far higher degree of sustainable fisheries management than we on the mainland are working under.

In the absence of the science, we should be using the precautionary principle and introducing effort controls, but we do not have effort controls: there is no limit on the amount of trawling or creeling that can take place in a given area. That is about as far from the precautionary principle as we could imagine.

Where we do have scientific advice, the Government regularly ignores it. For example, when the International Council for the Exploration of the Sea says that we should close certain spawning grounds for herring or avoid cod, the Government is not doing that because it might have negative impacts on the fishing industry. That is fair up to a point, but we must then have a plan for how we will get to implementing that scientific advice with a sense of urgency. I think that the two issues—lack of access to inshore stock assessments and ignoring of scientific advice, including on implementing the precautionary principle—are big problems for inshore fisheries management.

**Hannah Fennell:** I agree with what has been said. There is a paucity of data on inshore stocks, which is damaging people's perceptions of how we are managing our fisheries. It does not give confidence that what we are doing is correct.

There is huge potential for inshore fleets to collect science, because they are out there every day and are seeing what happens. In Orkney, we are trialling a device that attaches to a fishing pot

and collects environmental data on salinity, temperature and turbidity. It is not just information about fish or shellfish species that we can collect; we can also collect environmental data that is important when we consider climate change and its impacts.

Data is important not only for management and how we manage now; it is also about future proofing our industries and our communities. It needs to be a priority. Inshore data has been overlooked for too long.

**Calum Duncan:** I will quickly endorse what was said in the previous session about the need for spatial management. I have for a long time been coming to this committee and its predecessors in Parliament, talking about the need to integrate fisheries management into spatial management. We end up with a false dichotomy between jobs and conservation because we do not have integration and there is not recognition that the ecosystem benefits from protection. That is largely a product of the system. That comes into theme 4. I just wanted to get that on the record.

I absolutely endorse the need for good science. There is already a lot of good science out there, and "Scotland's Marine Assessment 2020" is a pretty good integration of the science that is available. It paints a pretty stark picture that has to be recognised and injected into the conversation here. There are huge concerns about the condition of the seabed, about seabird numbers and so on. For us, the health of the ecosystem is the foundation upon which sustainable fishing must be built. The science exists already; let us use it.

**Elaine Whyte:** This goes back to the point about agency, for me. I have sat in meetings at which fishermen talked about things that are important to them—"Why are we not talking about feeding? Why are we not talking about the things that we are seeing?" They are seeing, for example, increasing spurdog numbers and increasing predation. Those things are true now and we are starting to get science from ICES, but for many years I have seen those fishermen almost being ignored. I think that the point about agency and their voice being heard goes from fishing, to the science right through to whether they get a berth at the local marina. I see agency reducing, which is very worrying.

We have talked about the precautionary principle and about using the best available science. We have to understand that the best available science might be 25 years old and was developed using old technology. Making designations for fishing now, based, for instance, on a bird sighting 30 years ago by a citizen, mean that we are in troubled waters. We have to get as much accurate data as possible. The Norwegian system is very inspiring. The Government there is working with scientists and fishermen using a reference fleet that certainly costs less than building new boats.

We should be able to develop trust, which is another thing that is very important. I know, from being involved with the Clyde trials and so on, that we need to build trust, because fishermen worry that the information from their trying to do sustainable projects might be used in a way that was not intended. As Sheila Keith and Hannah Fennell said, we need baseline science. It does not have to be innovative, all the time—it just has to tell us what is happening. Climate change citizen science and polarisation of various stakeholders' views are very important.

On Jim Fairlie's point about funding, I will say what I mean about funding and science being neutral. Funding for science comes from NatureScot, Marine Scotland and a host of trusts with various interests, but the connectivity between all those is not always obvious; for example, I am aware of not one fisherman who knows about the herring project on the west coast of Scotland. We need to get some connectivity between such things and bring them together. That is vital.

**The Convener:** Thank you. We have lots of people indicating that they want to come in. Can I add to the mix? You talked about trust. The committee has looked at the cod box fiasco, as we could probably describe it. We have heard about the issues with herring and total allowable catch and so on. Is there a lack of trust in the policies that are being brought forward now or are policies being developed that do not take science into consideration?

**Elaine Whyte:** Personally, I will say yes. I think that we have tried to be as sustainable as we can be, and that everybody in CIFA wants to be sustainable and to work with the Government, but decisions are being made that are very heavily based on lobbying, whether by the fishing industry or by non-governmental organisations, so we need to step back from that emotive discussion and try to get better evidence. I am concerned about the resources that are spent on things like freedom of information requests—there is almost a "Gotcha!" culture—when that money could be spent on trying to get some baseline science that we can all agree is sensible.

**Simon MacDonald:** Science still has a long way to go to catch up. A lot of the scientific information is considerably out of date, which is causing big questions all the way through things. The marine industries—fishing, aquaculture, renewables, cables and so on—are overtaking the science, which needs capability to keep pace with them.

A classic example is the cables that are being laid from offshore renewable developments to the mainland. It has been shown that there are deformities in crustaceans including lobster, prawns and so on, and the cables also seem to be interfering with the migratory path of crab. Recently—about a week ago—deformities were shown in juvenile haddock. Cables have been installed without using science to see where there might be problems. The industries are all ahead of the science, now.

I appreciate that it comes down to lack of resources at the end of the day. It will be very difficult for the science to catch up and to keep pace with how things are developing. That is very concerning. Future generations will suffer because of what is being down now—or because of what is not being done now because of a lack of time and resource.

**The Convener:** Ariane Burgess will come in with another question that the other witnesses might want to cover in their responses.

**Ariane Burgess:** We need neutral science, and I am interested in hearing about how we would get that. Someone said that that should come through the Scottish Government. It seems as though you need to be out on the water to get that, and there is an opportunity to do that through vessel monitoring systems and REM. Hannah Fennell mentioned data gathering in Orkney. Do we need Government vessels in all the inshore fisheries groups—I think that Marine Scotland has 18 vessels—so that we can gather information on what is happening on the ground? How do we get to the point at which we all agree on what needs to be gathered and looked at? It seems as though the situation is a bit of a mystery to all of us, and concerns are flying around that we are not basing our decisions on the right information.

**The Convener:** I will go to Lucy Kay first, to be followed by Hannah Fennell.

**Lucy Kay:** As Calum Duncan said, the state of the marine ecosystem is of fundamental importance to fisheries. If it is not healthy, it is very difficult to see how we can achieve sustainable fisheries.

It is very important that science looks at the ecosystem. Fisheries management is not just about science around stocks and particular sectors; it is about the interaction of fisheries with the environment and how the environment can or cannot support fisheries now and into the future. It is very important that the breadth of science encompasses what would be required for an ecosystem-based approach to fisheries management, which is something that the national marine plan requires but that is not being delivered currently.

On how that can be achieved, we and some of the organisations in the network are involved in marine spatial planning through regional marine planning partnerships. There is the potential to realise better co-ordination and transparency of science around regional sea areas through effective regional marine planning. That is not delivered currently. I agree that the approaches tend to be piecemeal and bitty, but there is potential if regional spatial planning is effectively supported and there is true co-ordination of science for regional sea areas that bring the interests together.

It is also important that the committee understands that, although we have data gaps and there is a requirement for improved long-term monitoring, we have some very good evidence that is not being applied to fisheries management decision making currently. That is on the relative impacts of different fishing gear and how spatial management measures can help to improve the condition of the environment to support fisheries.

**Ariane Burgess:** Can I come in on that, convener? Regional marine spatial planning is an exciting opportunity. Lucy Kay said that it needs to be supported. Will you be more specific? What would need to be in place to support that?

**The Convener:** We will probably cover that in the next section, Ariane. We will stick to the science theme for now, but I will bring you back in when we move on to the sustainable fisheries management theme.

**Hannah Fennell:** We need two types of science. The first is very unglamorous: the gathering of baseline data. Currently, we are struggling to achieve that because there is no funding for that. All the funding that we generally get comes through piecemeal projects, which does not allow for the creation of long-term datasets. We need a baseline to understand where we are and where we are going. Once we have that, we can have specific projects that seek data on, for example, the impact of electromagnetic frequencies on crab or the specific impacts of MPAs. However, we must have the underlying baseline data first. That should be the number 1 priority.

On how we collect it, I think that the idea of regional data gathering would work. It would be more appropriate to go through the IFGs than through the marine planning partnerships. Marine planning partnerships are more for marine planning and not so much for data collection, and I do not know whether they have the resources to do any research. Co-ordinating and ensuring that there is communication in what we are doing between different areas that can feed into an overarching database is a very good idea.

Universities in Scotland have been doing a very good job to fill the data gaps. Heriot-Watt University has been doing a lot of work with us on our brown crab stock around Orkney. Shetland has UHI, which has been doing fantastic work on the Shetland stocks. There are a lot of resources, so we do not need to look just to Marine Scotland. I know that it is pressed for resources, so we could use the universities.

Going back to the discussion about the general lack of science, its paucity has a demonstrable economic impact on the fleet; it is not just an abstract thing. Lack of data can lead to poor management decisions, and it has had a noticeable impact on the fleet. For example, the good fish guide gives an "avoid" rating to the west of Scotland brown crab. That is because of lack of stock assessment data. Lack of data is not just a theoretical negative impact; it is having a huge impact now.

10:00

**The Convener:** We have about five requests to contribute, and I am acutely aware of the time. I call Sheila Keith, to be followed by Phil Taylor and Bally Philp.

**Sheila Keith:** Science is a tool. Fisheries management systems need to come first. We can gather baseline data, but, if no one is in control of asking the questions about what you want science to deliver, you are producing data for data's sake. It is very important that fishermen are at the heart of the fisheries management model if it is to be successful—that is why we have been successful in Shetland. We have excellent people in Scotland, within our own resources, including in UHI, with things being done through universities. They should be pulled on and we should be looking at having and making use of centres of excellence for fisheries throughout Scotland.

REM does not provide science; it provides data. Unless that data is assessed, it just produces figures and information. Currently, offshore wind is being developed on spawn and stock grounds that were last assessed in 2008. That is totally irresponsible. I am having another dig at offshore wind.

Science that is produced with bias is not independent science, as Elaine Whyte has said. It depends on who is asking the question. There must be a baseline and the data must be collected year after year, in the same way that ICES does that.

Let us consider how ICES creates its scientific model, which is seen to be the best available science that we have. Four ICES squares cover the mainland of Shetland. At the moment, what is seen as appropriate science would mean applying the baseline for offshore fisheries, which equates to four to eight tows of a commercial fishing vessel. We need granular science for inshore. Four to eight tows of inshore science is not enough. That is why we have an inshore survey in Shetland. We now see that science coming through into adult mature fish appearing on the grounds. Fifty tows are assessed annually.

**Phil Taylor:** I want to counter the view that we need Government-arbitrated science. That is a problematic idea. The committee needs to consider science as it is published. I agree that the transparency point around how that is created is very important. Clearly, peer review publication is the gold standard in that regard.

I welcome the view from Sheila Keith and Hannah Fennell that stuff coming from UHI and Heriot-Watt University, which is not arbitrated by the Government, is very valuable. We must move away from the idea of Government-arbitrated science. It is counter to the Aarhus convention and it is counter to freedom of speech, frankly.

When it comes to the Government making decisions itself, it has scientists and it consults its in-house scientists. It can draw on Marine Scotland science, Scottish Natural Heritage—now NatureScot—and the Joint Nature Conservation Committee.

The advice that those organisations give to the managers in this area is frequently ignored. The committee will be aware of the story that we published recently of scallop dredge damage in the small isles marine protected area. That area was proposed for protection on the basis of credible science that Scottish Natural Heritage brought to the table in 2014. That data has been ignored, damage has occurred, we have lost the habitat and it probably will not come back in our lifetimes. Ignorance of the scientific evidence that was put forward to the decision makers at that point is a very problematic issue. That goes back to an earlier point of mine. It would be great if we could scrutinise that aspect some more.

I want to make a similar point about REM. I welcome Sheila Keith's point that REM is a great source of data but that the data needs to be analysed if it is to be turned into something useful. We have seen in Marine Scotland science's reports that applying only the data of a reference fleet is not useful. The reference fleet behaves differently than the rest of the fleet. I am referring to a report on cod bycatch. We need data to be collected across the fleet. That can start to address some of the issues that have been raised about the fleet observing things on the ground that are not filtering into decision making. Hopefully, that will mean that we can all have a more transparent and better understanding of the situation through the data.

**Bally Philp:** Phil Taylor has covered a couple of things that I wanted to mention. I concur with everything that he said. There will always be a need for science—and we need more science; I do not refute that at all. However, science will always be behind the curve.

The most important thing is that we act on the science that we have. We are regularly ignoring the science that we have, whether it is about marine protected areas, spatial management, economic benefits of certain fisheries management regimes or whatever. For example, we know that there are catastrophic declines in our priority marine features and in our inshore fish landings, yet we do not have a management plan to address either of those two concerns. That is just ignoring plain facts. Yes, science is lacking on the detail of those priority marine features, but the science that we have shows that every priority marine feature is declining, some at a quite frightening rate. Despite that, we have no plans to address that. I think that a consultation is planned to take place soon, but that is not acting urgently enough.

The Scottish Government has commissioned economic reports, and we have reports that we have supplied through the Scottish Creel Fishermen's Federation, showing that the introduction of spatial management will increase jobs in fishing while also attaining conservation gains. However, the Scottish Government has ignored those.

A couple of people have mentioned how productive Norway's inshore fishing is and how we should be looking at that model. Norway introduced, in effect, a 12-mile limit on almost all demersal towed gears. As a result, it has a thriving inshore fishing industry and inshore ecosystem.

Those are simple scientific facts, yet we are ignoring them. We are arguing over whether we have enough detail at a granular level. I appreciate that we need detail at a granular level, but we must start thinking about basic common-sense fisheries management and stop ignoring the scientific facts about introducing spatial management and protecting what is left of our priority marine features.

**The Convener:** I will bring in Charles Millar, to be followed by Calum Duncan, Elaine Whyte and Sheila Keith.

**Charles Millar:** I concur with Phil Taylor's and Bally Philp's comments. Some of my points have already been made. We cannot rely entirely on what comes from Marine Scotland science. Independent universities are doing a great deal of excellent work. We should look at the issue around the disconnect between Marine Scotland policy and Marine Scotland science. Good information is available that does not appear to be being used. That is a critical issue.

I will not reiterate the other points that Phil Taylor and Bally Philp have made.

**The Convener:** Thank you. I appreciate that.

**Calum Duncan:** Peer-reviewed science is peer-reviewed science. To follow up some of the points that have been made, a Marine Scotland science study showed that less than 0.6 per cent of historically trawled areas in the study area was protected in the marine protected area network. That figure should be front of mind for the committee.

The decline in living sea bed habitats is greater than 90 per cent, as Scotland's marine assessment 2020 documents, and the decline in seabirds is 50 per cent. The science that is in front of us now is painting a picture of a heavy and troubling decline in our marine space.

There is always room for more science and more data—of course there is—particularly for stock assessments. I concur with the point that was made earlier on that. I declare an interest: our organisation does the good fish guide. Therefore, we think and look at that issue very carefully. If data is collected, we would like to see that in the public realm. We want to see informed decision making, not least to address many of the false dichotomies that I am talking about.

The Marine Conservation Society is a UK organisation and, with UK colleagues, it looks across the UK. Believe it or not, with the national marine plan interactive tool and Scotland's marine assessment, a lot of data is being presented and is available for us to inform sustainable ecosystem-based progressive decision making in Scotland, but that is not as available elsewhere in the UK in the layered context that we have in Scotland. To back up what Charles Millar said, let us use the available data in a productive way.

Lastly, I will echo the importance of data captured through REM with cameras, which is an issue that I brought to your predecessor committees. We are sensitive to the fact that we are talking about people's workplaces. However, REM with cameras is routinely used in workplaces, and there are ways of doing it that respect that, including for people living at sea.

I would make the committee aware of a report that we did with WWF and RSPB Scotland called "TransparentSea: Protecting our ocean using Remote Electronic Monitoring with cameras", which looks at the benefits of REM. I think that we all agree on the need for informed decision making. That is based on everybody having the same set of information in front of them to do ecosystem-based management with the grain of

the ecosystem, so that we can protect nursery areas and have productive areas for fish and shellfish. That is just common sense.

**Elaine Whyte:** To contest the point that Bally Philp made about Norway having a 12-mile nautical limit, I was in Norway and ate some shrimps from an inshore fishery. I am happy to send on the governmental advice that shows that what Bally said is not really the case. There are different types of fisheries in those areas. Trawling is perhaps not quite as prevalent, but it happens in certain areas—I have eaten the shrimps.

On science, we talk about things such as landings and there being no landings in certain areas. That goes back to Sheila Keith's point about infrastructure and markets. Nobody will land a box of fish if they have no quota for it and no ice to store it. A fisherman spoke to me about going to herring, and we know that the herring TAC—total allowable catch—was cut because the science failed us. He said, "We're not mercenaries. We're not going to catch fish that we can't get to a market. Why would we do that?" People need to understand that the reason why landings are going down is a lot to do with quota and infrastructure, as much as anything else. It is not always to do with science or the fact that the fish are not there.

For reference, I said that Marine Scotland should be involved in science. We need an honest broker. I talked about Norway, where the process involves Government, scientists, fishermen and, I guess, interested parties. We need that honest broker. I am not suggesting that the Government should do all the science; I am suggesting that it has an overview of what we use and what we do not use in a sensible way.

I will go back to the closures that we had earlier this year. We had closures based on a discussion paper, which ended up impacting creel fishermen the most, because of noise. Technically, if we had taken that paper at its word, we would have closed every single boat that was making a noise in the area. Discussion points and peer reviews are very helpful, but we have to have some sense of how we interpret those.

It is also important to look at practical fishing methods and science. Science will have a methodology and will work to set stations. I agree 100 per cent with that, but fishermen might go out for a certain species in a certain area at a certain time of day—they will not go fishing for herring during the day. We have to understand that, if we are sending out Government boats during the day and they are very big and cannot go inshore, we might not get a true picture of the fishing. We need a combination of the practical fishing side and the scientific methodology. It is that combination that will give the answers that we really need.

**Rachael Hamilton:** On that point, Elaine, do you believe that Marine Scotland has sufficient resources to be able to improve its data collection and scientific evidence that everyone round the table craves?

**Elaine Whyte:** Not at the moment. If you look at areas that are doing well—Sheila Keith talked about how that has cost a great deal—you see that you have to have fishing boats that are quite healthy to be able to even contribute to that economically, and work in partnership with others to get that.

I do not think that Marine Scotland has enough resources, but there are ways round that. I keep saying that we should look at the Norwegian model. Why are we not looking at reference fleets and trying to bring in the fishermen to give us more reflexive data? In Norway, they can close a fjord for two weeks while spawning is happening and then open it back up again. There are not three-month closures in the same way as we have here. That is because they have reflexive data that is being fed in all the time, at a far lower cost than the potential cost of some big surveys. There are ways to think our way round the issue, but we are not doing that at the moment.

**Sheila Keith:** I did not think that this statement would ever come out of my mouth, but I agree with what Phil Taylor said about peer review for science.

**Jim Fairlie:** We have success.

10:15

**Sheila Keith:** This crosses the boundaries of inshore fisheries into all fisheries in Scottish waters. We need peer-reviewed science. Currently we have science from ICES, which is the best available science. We do not know whether it is good or bad, because it is never peer reviewed. The comment was made that reference fleets act differently to commercial boats. We currently have surveys that are undertaken by vessels that are far from replicating what commercial fishermen do.

There are problems with that. People's livelihood relies on science that is flawed to begin with. Those vessels cannot capture fish in the same way as a commercial fishing vessel does, so we will never replicate what is happening on fishing grounds. This conversation has gone on for years and years. It is time to step up and get these things right. We need peer reviews and science being gathered by vessels that behave in the way that commercial fishing fleets do.

The Shetland Fishermen's Association has been working hard to press the point that fishermen want to get involved in data collection. Let us work in partnership. The resources in Marine Scotland

are tightly squeezed. This year, we have been trying to do a survey with white-fish vessels, but that has been knocked back at every turn, and we are yet to understand why that is the case. Inshore fishermen can gather data using vessels. We can set up protocols so that, year after year, fishermen can gather the data. Who knows where spawning grounds are? It is fishermen, not scientists all the year round. Fishermen are the best knowledge keepers of what is happening on fishing grounds, good or bad.

Our fishermen in Shetland and fishermen all around the world do not want to fish when they see that stocks are under pressure. They are responsible. They are fishing over grounds year after year. Especially in Shetland, people are fishing responsibly, because they are custodians of the sea at this time for the next generation of their families and people in their community yet to come. Do not treat them like they are criminals. They are custodians, and they need to be responsible fishermen, with science to back that up, so let them work in partnership with Marine Scotland, which is squeezed. The door is open—just push it.

**The Convener:** To bring the discussion on this topic to an end, I will bring in Lucy Kay and Phil Taylor.

**Lucy Kay:** As has been acknowledged, we have information and data gaps. Fishermen, coastal communities and the wider marine community all have a key role to play in collecting and providing data to inform decision making. Although we agree that peer-reviewed papers are the gold standard, we should not ignore the data that is collected through citizen science and through individuals who are out and about in the marine environment. That has contributed a huge amount to the knowledge of Scotland's seas across the board.

Marine Scotland and the Scottish Government do not have the resources to tightly manage every single piece of information that comes into the system. It would be a detriment to the management of fisheries and the marine environment in Scotland if we ignored that data. If there are issues with transparency, they need to be addressed, but we need to be open to the information that is coming from all sectors of people who are interested in the health of Scotland's seas.

**Phil Taylor:** It is good to hear from Sheila Keith that we agree on something. As some members of the committee will know, we ran a research vessel over the summer, and we are keen to work with anybody to collect data, so I extend that offer. It might be said that the approach is not neutral, but I do not mind that—we can deal with it at the time. We worked with fishermen around the coast as we did that work. If there are questions that the committee or others feel need to be answered, we have the skills and experience to address those. I am keen to work with anyone to help do that.

**Jim Fairlie:** Can I ask a question, convener?

**The Convener:** No. I am sorry, but we have to move on, as we are now nearly 20 minutes over time. We will move on to the next theme.

**Ariane Burgess:** We are moving on to the theme of sustainable fisheries management, although we have been touching on that. Scotland's marine environment faces many pressures, as we have been highlighting, such as a change in composition and distribution of species due to climate change; declining seabird populations and the recent bird flu crisis; and sea bed damage due to fishing pressures.

We are interested in the issues around climate change and what is happening on that; a future catching plan and remote electronic monitoring; the proposal to introduce highly protected marine areas; fisheries management plans; and importantly—this has come to light in some ways—enforcement and the lack of resources for it. The evidence shows that there is a need to restore the biodiversity—that has come out in the conversation already and there is agreement on it. We have also talked about the spatial squeeze.

With the arrival on the horizon of the proposal from the Scottish Government and the Greens in the Bute house agreement on HPMAs, I would like to hear first from Bally Philp about how we will manage the spatial squeeze if we bring in HPMAs. We have had conversations about that issue in the past, and it would be good to hear your thoughts.

**Bally Philp:** As was mentioned, spatial squeeze is probably one of the biggest concerns that we all share. It is certainly one of the main issues that everybody across every sector of the fishing industry is concerned about. On the highly protected marine areas, in principle, it is a very good idea to have reference areas and baselines for what unfished areas look like. However, we are talking about introducing them in the context of an already very spatially squeezed area. There is a serious danger that the introduction of marine protected area management measures and highly protected marine areas will squeeze the fishing industry to the extent that it will compromise the areas that are not protected and compromise the viability of the businesses that are trying to operate in the areas that are not protected. That is a really big issue.

To exacerbate the problem, we do not know where the spatial footprint of the fishing industry is. The inshore under-12m fleet has not been fitted with vessel tracking systems, despite the Government's repeated promises to do that over

the years. I think that the most recent promise was that the systems would be fitted across the fleet by 2019 and we are now hearing that the measure will be consulted on by the end of this parliamentary session.

We do not understand the spatial footprint of the fishing industry and where the various sectors and various gears are being operated. How can we possibly pragmatically introduce marine protected area management measures and highly protected marine areas without knowing who we are displacing, what we are displacing and how much of a problem that will cause for local communities?

For example, Loch Torridon is heavily populated with priority marine features. If you look at a map of priority marine features in Scotland, you will see that some of the highest concentrations are in Loch Torridon, and it is almost exclusively operated in by creel vessels. If you were just at a desk job, you might think, "That's a really good place for a highly protected marine area. We'll protect all these very sensitive features." I advocate that they need protection, but you could simultaneously be displacing some of the lowest-impact fishers in some of our most fragile fishing communities.

The introduction of highly protected marine areas has to be done really carefully. We are putting the cart before the horse if we do not have vessel tracking installed in the fleet first and if we do not have fisheries management plans on how to mitigate the displacement. I emphasise that we need vessel tracking and fisheries management plans before we introduce the highly protected marine areas so that they do not have negative consequences.

**Hannah Fennell:** I definitely agree with Bally Philp on that. There is a huge concern about the impacts that the HPMAs could have on the fishing industry and the socioeconomics.

We have mentioned climate change a few times, and we are definitely seeing that in Orkney. We are seeing changes in how the species move and behave, so making sure that we actuate resilient and healthy ecosystems is a huge priority for us, because, obviously, it helps the ecosystem, but it also helps us survive. However, there are a lot of unknowns. I definitely echo Bally Philp's thoughts on that issue.

**Phil Taylor:** I echo the point that Bally Philp has made about fisheries management plans and, I hope, I will take it a little further. Last year, the committee considered the joint fisheries statement, which was a requirement under the UK Fisheries Act 2020. Within that, Marine Scotland established that it would deliver fisheries management plans for some of the fisheries by 2022. There is no progress on that. Highly protected marine areas need to sit within a broader spatial plan and broader management plan for the fisheries. That is really important.

**Charles Millar:** Clearly, there is a powerful need for HPMAs, given the fact that the MPAs are not necessarily functioning as it was initially understood that they would and they are not giving the protection that a lot of people expect of them. However, there is a serious concern about the play-off between the conservation and fisheries benefits coming from HPMAs, and the displacement of the fishing industry. That will be a real challenge. I emphasise the point that Phil Taylor touched on that, for the HPMAs to be successful, they need to be put in the context of a wider management plan for fishing. That brings us back to the point that we talked about at the outset about the need for coherent, rational and evidence-based national planning. The HPMAs have to sit within that framework.

**Sheila Keith:** I agree that HPMAs need to be evidenced based and we need transparency on what they are hoping to deliver. I say "hoping" because, as we have already discussed, there is a lack of science available for commercial fishermen, so who will gather the baseline data for all these HPMAs? They are to cover 10 per cent of Scottish waters, but we are yet to understand if that will be 10 per cent of inshore and 10 per cent of offshore waters.

Fishermen have serious concerns that, by closing off 10 per cent of our grounds, you could inadvertently close off the most valuable fishing areas. Fishermen have to be at the forefront of considering where the areas should be, in order to ensure sustainability. We currently have massive areas being closed off to fishing through proposed areas for offshore wind. When a question has been raised about why HPMAs cannot include offshore wind, the response has been that it is a commercial activity. We are being told that offshore wind has a negative impact on our environment. There is competing policy within Marine Scotland, and it is very crucial that you get this right.

HPMAs will be introduced, but when will they be unintroduced? The approach is not clear or evidence based and is not based on conservation benefits. Admit it—it is a promise to the Greens from the SNP Government. You need to stop and reflect. Do not just fulfil a promise without thinking about the impacts of what you are going to do. Also, look at the negative socioeconomic effects that you will incur by proposing HPMAs in fishing grounds. You will close off rural communities. As I think I have said too often, why are we looking at policies that are closing off valuable and vital jobs in rural areas?

**The Convener:** To pick up on that, are you suggesting that the Bute house agreement has taken us backwards? We touched on the Clyde cod box and the precautionary principle that came in there. It appears that it was all down to something in the Bute house agreement that put us in that place. Is that what you are suggesting?

**Sheila Keith:** I am suggesting that. There is a conflict. Areas were closed because of noise and the impacts on fish. What do you think offshore wind does when you put it in nursery and spawning areas for fish? That is what you are proposing. Why is that a huge thing in a tiny area of the Clyde, when the Government's marine policy is putting offshore wind farms in the middle of spawning and nursery grounds? To me, that is totally irresponsible.

**Elaine Whyte:** I agree—and I think most fishermen will agree—that we need a healthy ecosystem to have any kind of future, but I stress that people are part of the ecosystem. I am now seeing a reduction in the population of fishing villages and a reduction in the number of boats. I have already explained that the number of boats is going down far more than the stats in the SPICe report say, because of practicalities. We need to start to understand that.

Before we implement highly protected marine areas, we should look at what is happening in Lindisfarne to the static gear fishermen and the mobile gear fishermen and see whether we can benchmark before we do something that we might not be able to step back from. In the Clyde, we have no-take zones and so on and we have the MPAs. I keep going back to the point that a commitment was made in Parliament that we would have a five-year monitoring plan. We do not have it, socioeconomically or scientifically. We need to get that in place before we start to think about what else we do. Of course we might need other measures, but it has to be evidence based.

We have talked a lot about the national marine plan and the regional marine plan. We need to understand what different policies mean. The problem is that what an MPA means on paper can be read by different parties in different ways. We need to start understanding what the legislation means, because maybe you can fish sustainably in some MPAs and maybe you cannot, but there is a lot of wishful thinking about it. We cannot project what we want things to be in legislation; it has to be in the legislation.

**The Convener:** I will bring in Karen Adam to add another question to the mix, and then I will bring in the stakeholders who have indicated.

10:30

**Karen Adam:** It is clear that we have some very strong advocates for the industry here, and I respect that. I am just trying to marry up a few things in my mind. We are talking about a climate emergency that we are in at the moment, and we are talking about two things that are very important aspects to us as human beings: energy and food. One cannot really come before the other; we have to look at them together and not in separate silos.

In the first six months of this year, Scotland generated enough renewable energy to power Scotland twice. We are doing fantastically in that area; things are great. We have got the science going, but we still have the highest energy costs. We have only to look at food processors. Fish processors are on the brink of collapse because of electricity costs. There are a lot of things going on. We need fish—it is good, healthy food and it is sustainable.

How do we ensure that there is not always a clash between those two very important aspects? I think that it comes down to the marine planning and the science. What solutions can bring it all together? In Scotland, we have the Scottish Government, but we are restricted by a lot of what is going on in the UK Government, where we now have a new minister—I think that it is Thérèse Coffey. We need to have conversations about that across Governments and across industry. I am hearing all this and just asking the question: what is the solution? How do we gather all of that together?

**Simon MacDonald:** I fully back what Sheila Keith said. I question how they arrived at the figure of 10 per cent of the waters being taken. It seems a very specific number to have just been plucked from the air—"Okay, we will take 10 per cent of the ground"—and it does not seem to have the science to back it at this stage. I may be wrong—correct me if I am—but I think that it will equate to more than 10 per cent from the fisherman's eye. If you were to drain all the water out of the sea and look at the topography that was left, you would see that not all of that ground is fishable. In fact, an awful lot of that ground is not fishable. It is the same if you look out over the countryside, at a farm. How much of that farmland is usable? So, the 10 per cent that we are talking about will probably double up to about 20 per cent. It is back to the old enemy, spatial squeeze. This is a really serious spatial squeeze.

As Karen Adam suggests, that brings into question food security, which is another byword of today. It is a fact that more people are alive today than have ever died. That is a thought to ponder over, but it is a fact. Those people need feeding, so it is very important that we have a low-carbon production method—fishing—and sufficient

quantities of food of a highly nutritional value: fish. The figure of 10 per cent appears to have been plucked from the air. I would like to ask the Government exactly how the figure of 10 per cent was arrived at.

**Lucy Kay:** We have to get serious about the degraded nature of Scotland's seas. They are in a really serious situation. This is not just about biodiversity; it is also about climate change mitigation and the wellbeing of everybody who depends on the health of the seas. Local communities within the network and more widely have seen the loss of habitats and marine life in our local areas, and we have seen the associated loss of jobs and economies as a result of that. The once abundant fish stocks no longer exist. Alongside that, we are seeing the degradation of marine habitats and species in the wider marine ecosystem. Although I acknowledge that MPAs are not currently selected for fisheries purposes, they can fundamentally contribute to the recovery and sustainable management of our seas alongside other spatial measures.

Through the network, we see that highly protected marine areas also have the potential to contribute to that recovery and sustainable management, but we share the concerns that, if their designation is taken forward just as a single-interest piece of work, it will result in displacement, leading to frustration and anger among many different stakeholders that we are not seeing it as a whole. We are not looking at the carrying capacity of the system as a whole to support fisheries and other industries—we have no spatial management. Those things must be addressed in fisheries management but also more widely for the inshore seas.

**Ariane Burgess:** I want to come in on what Lucy Kay just said, about something that is emerging for me in this conversation. We keep talking about fishers, but there are more stakeholders in Scotland's inshore, so we need to increase community engagement and that kind of thing. Some weeks ago, we had Marine Scotland in the room and we were talking about HPMAs, and there was a commitment for a co-design—I cannot remember the exact words—and that the community would be involved. What do we mean by "the community"? I am curious to hear what you think. Who should be around the table in thinking about HPMAs around Scotland?

**Lucy Kay:** Essentially, the process needs to involve all those who have an interest in the health of our coasts and seas and the future use of them. Fisheries are a public resource, and, as such, they should be managed in the public interest. To exclude community voices and wider stakeholder interests from decision making ignores that fact and prevents us from looking at fisheries management from an ecosystem-based point of view and talking about rational spatial management that integrates protected areas into such a programme.

**Bally Philp:** I want to come back to two of the questions. The first one was asked by the convener: is the Bute house agreement a negative? The other one was: how do we reconcile the conservation and the industrial aspects of the management of our seas? I think that everything here relies on context. If we are talking about this in the context of introducing extensive spatial management to our inshore and implementing a just transition to more sustainable fisheries in our inshore, these are positive things. I think that we can have a thriving inshore fishing industry that is compatible with conservation gains if we manage it correctly.

If we are looking at this in the context of removing 10 per cent from the existing paradigm, it will be a negative thing. It is a very important point to make that we have to start thinking about a transition for our inshore fishing industry to being a more sustainable fishing industry. If we do this right, we project that there could be more jobs in the inshore fishing industry with less catch. We have projected that there could be conservation gains equivalent to the marine protected areas and far less environmental degradation if we just used the right gears in the right place at the right time.

**Phil Taylor:** Lucy Kay eloquently responded to the question of who should be in the room, so I will not answer that question, but I would like to answer Karen Adam's question. A very important point was made about the balance between renewable energy and renewable food, which is what seafood effectively is if managed properly. We need to note that the current system is not helping us to yield the most from that resource. It is not renewable in that many fisheries are overfished, and it is not increasing catches.

In Buckie, in Karen Adam's constituency, the landing figures that were produced earlier this year showed a 40 per cent decline from 2017, and in Mallaig the figure was over 60 per cent. So, the current system is not helping us to yield protein from the sea. If we allow stocks to recover, including by ending overfishing but also through habitat protection, which highly protected marine areas can provide support for, as can proper management through a national marine plan, we will have a much larger resource.

I say in the briefing that the estimate at the moment for total catch of cod from the North Sea—I cannot remember the exact figure—is around 13,000 tonnes for all countries but that, if the stock recovers, it could be a resource of around 50,000 tonnes of sustainable protein

coming out of that area. This needs conservation action, and that is the problem at the moment. The view is taken that, if we establish highly protected marine areas or something like that, we will reduce what we can take out of the sea. Actually, if we continue what we are doing at the moment, we will reduce what we can take out of the sea. We need action to allow stocks to recover and to establish a more productive sea that we can extract more from.

**Hannah Fennell:** I will answer Ms Adam's question about renewables and fishing. Renewables are obviously incredibly important for reaching net zero. As I said before, the fishing industry is already being impacted by climate change, so I am fully supportive of Scotland's journey to net zero. Our concern is not just the scale of what is happening but also the pace of what is happening.

We have highlighted before that there is not enough science and that the science is lagging behind. It is the same when we are talking about renewables and their impacts on fishing grounds and things like the effects of electromagnetic frequencies on brown crab behaviour and metabolism. I think that one of the solutions is smarter planning. The planning system at the moment still works too much in silos and does not have the holistic, comprehensive approach that we need. One of the reasons that the Scottish Fishermen's Federation and the National Federation of Fishermen's Organisations published that paper was that no one else was looking at the cumulative impacts.

It is also about things like smart planning. Can we co-locate some of these things? In the future, can we co-locate renewable offshore wind farms with aquaculture? I know that the potential for that is being explored. We will have cables coming off several different wind energy farms, but is there not a way to combine those cables into one, which would minimise the impact? There are things we can do on the planning side and there are things we can do practically. It is all about trying to make it as smart as possible. I think that a lot of that is about having a dialogue between all the stakeholders.

**Sheila Keith:** There are a lot of things to comment on. A lot has been said about the state of our stocks. Scientific research based on ICES's work in Shetland shows that the total biomass of our fisheries is 80 per cent higher than it was 20 years ago, so there is a lot of misinformation going around the room. That might not be the case in all areas, so we have to take generalised statements down to the regional differences and the complexities of each area within our region of Scotland, which is very diverse. It is the nuances of fisheries management within different areas that we need to look at. We cannot base things on citizen science; they need to be based on proper scientific data.

I totally agree with what Karen Adam said. We need green energy, but we need to balance that with the need to eat. A low-carbon food choice is the best thing for people to eat, or else they will have a higher impact on the environment. There are things that we have come up with that could mitigate the errors that have happened so far, whereby things have happened in areas where there are spawning stocks or prolific fishing grounds. As an industry, we feel very down about the fact that we have probably lost the fight in trying to prevent these things from happening in our most prominent fishing grounds, but we hope that, through the marine planning process and through the consenting process, fisheries will be able to fight their corner and be listened to on the socioeconomic impacts that this will have on fishing.

We already have depleted fleets in our rural areas; we cannot produce green energy at the cost of depleting them when we need both. We also need to maximise the returns to island communities and rural areas from offshore wind through supply chains, and we question how much local economies will get from offshore wind. These companies are not based in Britain, and the profits will go to other countries. Do not let the cost come to Scotland from profits going to other countries; hold them to supply chain promises and make sure that the benefits go to companies that are based in Scotland—especially in island and rural communities. Otherwise, all that you are doing is producing energy for Scotland to export so that everybody gets cheaper energy. Hold the companies to account so that they produce community benefit and cheaper energy for communities.

We had a very interesting discussion with our local council yesterday. It has a responsibility to ensure that there are jobs in the future for island-based communities. I get that, but it should not do that at the cost of the fishermen who were there in the past, are there now and will be there in the future. It is a timeline, and fishing will always be there, especially in Shetland, where we have the infrastructure and the fish. The fish are there. Many of these areas are struggling today because the fish are not there. In our island community—the one I represent—we do not have that problem. We produced a map of fishing effort for the NE1 area, which showed that fishing effort was to the north and south of that area. What happened? The wind farm developer produced a map of where it wanted to develop wind farms—to the south, to the north and in the middle—and that area was closed off. Is that an organisation that is interested

in protecting fishing? I question the motives of what it is trying to do.

10:45

**The Convener:** I bring to people's attention the fact that we are running about 20 minutes over time. Are the stakeholders all happy to continue? We will probably have another 10 minutes on this topic before we move on. Can everybody hang around for an extra 20 minutes?

That is good. Jenni Minto has a supplementary question on the same issue, and then I will bring in Elaine Whyte.

**Jenni Minto:** My supplementary is more about what Bally Philp talked about. I would like to get other stakeholders' views. Bally Philp mentioned a "just transition". What will that look like? I suppose that that brings in some of the points that Sheila Keith made about the connectivity between green renewables and the point that Karen Adam and Phil Taylor made about renewable food.

**Bally Philp:** There are a few potential scenarios. We have to start by recognising that there is overcapacity and that it will only get worse because of the spatial squeeze. We must figure out where that overcapacity is and how we mitigate it. Decommissioning is a historical example of how we have dealt with overcapacity in the fishing industry. Transitioning some of the boats to more selective gear that offers higher employment is another option. Another option is zoning the inshore for the size of vessels so that the biggest vessels do not squeeze the next vessels down in size, and so on, all the way down to the tiniest vessels inshore.

Those three options, or variations of them, could be implemented. Most of them will cost money and almost every one of them will require the installation of vessel tracking on the boats so that we know where the spatial footprint of the industry is and the introduction of fisheries management plans so that we can determine how we would like to manage a fishery in any given region or area.

**Hannah Fennell:** "Just transition" is a really good phrase, and it is one that means a lot of different things to different people. When I talk about what a just transition means for the inshore, I do not think that its meaning is specific to fishing. Bally Philp has a point, but the issue is also about the wider communities that people operate in. A just transition for inshore fishing involves looking at issues in the community such as accommodation and childcare so that we can attract labour to such places. We must look at the bigger picture, because that is what will empower communities and the industries that work in those communities to do better and to have the investment that they need. We need that foundational support in order to go forward.

If we are talking about fishing, I think that there are other things that we can do, such as improving the infrastructure and helping with the diversification of boats, which is happening in Orkney, so that we can fish for different things and are not so reliant on only a few species. We can do a lot of different things. I think that a just transition is one that involves moving the whole community, not just specific sectors.

**Charles Millar:** I concur with what Hannah Fennell and Bally Philp have said.

An important component here, which we have seen in other sectors—we have seen it in the agriculture sector; as we speak, it is going through the Parliament—is the question of a transitional support mechanism. It is crucial that such a mechanism is put in place. While the issue is about what is going on onshore, it is also about funding mechanisms to support the industry to shift to lower-impact fisheries. Without that, there will be a real problem.

It is critically important—it is all very well for me to say this from a non-governmental organisation perspective—that the industry has a central role in that and is at the forefront of the process. That point is very important to the viability of a just transition.

**The Convener:** It seems quite bizarre that there is a well-established just transition when it comes to agriculture and moving away from some traditional methods of farming, but that does not exist in the fishing industry.

**Charles Millar:** Exactly.

**Elaine Whyte:** Ariane Burgess asked what kind of communities should be involved. I think that there is absolutely nothing wrong with having a broad church of stakeholders. We should—that is absolutely correct. Everyone should have a voice. Pre-Covid, we used to have the inshore fisheries conference, to which anyone at all could come along and make a comment. We have also had lots of public consultations. We had fisheries management and conservation groups and inshore fisheries management and conservation groups, which were also attended by environmental NGOs.

Previously, when we could all meet in person, there were definitely ways in which people could connect. There are no other stakeholders at IFGs, but I stress that IFGs are the only arena where all fishermen can come together to find out what policies might work. That is not always the same. It is really important to have that feeding into IFMACs in a wider structure. I do not believe in

exclusion. Everybody should be there, but it should be appropriate involvement.

Ariane Burgess asked what communities are. In my view, communities include the fishermen, and the morale of fishermen at the moment is extremely concerning. Why is that? It is because, in some areas inshore, their communities are crumbling. Phil Taylor mentioned that the landings are down. The landings are down because we had Brexit, we had Covid and we have had a lot of different environmental policies that have had an impact. For instance, we have had areas closed down for a long period of time, which interferes with the market. The landings are down.

We have already talked about the science. The science is not reflective of what people land. I think that Lucy Kay made the point that the fish stocks are all in decline. We have just had a big discussion about that. We do not know whether they are always in decline. We know that they are changing and that that might mean something for fishermen, too. Maybe they will diversify, so we might want to look at different things that they can do. We talk about Scotland being an inclusive place and being aware of what communities mean. I think that we are now getting to a critical mass.

I talked about agency. On Thursday, I will attend a meeting to see whether I can make sure that three of my member boats, which are being pushed out of their berthings, still have a berth. They are small boats. The other boats there are mainly leisure craft and other types of craft. Fishermen are facing that situation everywhere, because they do not have the agency to take things forward. One of our colleagues in St Andrews has just had a seaweed farm placed in an area where they fish. There has been very little connection with the local fishermen. Likewise, they had a net store reduced. Historically, there had always been a net store there, but it was reduced because there was a very strong community group that did not want there to be a fishing net store on a pier, even though it had always been a fishing pier.

We need to understand that fishermen feel that they are very low down in the pecking order right now. Absolutely everybody should have a say, but let us make it an appropriate say. Let us make sure that they have that say in the right place. Let us try to use the nuanced data, rather than saying that all the fish have disappeared.

We talked about science and how communities can help. Our fishermen will tell you that, where they are fishing for cod, their nets on the floor are finding that those areas are at 8°C at the moment. Cod will not, generally, survive in that. Therefore, they are moving up. Does that mean that there are no fish? No, it does not. Spurdog and bluefin tuna are coming into those areas. The issue is about how that reflects the science and how communities can have a voice and how they might change.

There is a point about a just transition that I must stress. Some people are saying that they want to move away from particular types of fishing. I think that fishing, in moderation, of all types, if it is well managed, is good. If you have too much of anything, you can have a problem. That is the reality of the situation. We must understand that, if we whittle down the infrastructure to a point where there are no boats left, we will not build that back up. In some areas, that is where we are. We need to be mindful of that.

**Calum Duncan:** I completely agree with the need for a just transition. I refer the committee to the "Shifting Gears" report that is mentioned in the SPICe briefing, in which, along with partner organisations, we set out recommendations toward climate-smart fishing and fishing action as climate action.

I echo what Karen Adam said about the climate emergency. At sea, that is an ocean emergency. I gave evidence to the Net Zero, Energy and Transport Committee in which I recommended that the Scottish biodiversity strategy should be a nature emergency strategy, and the committee agreed. We are in an ocean emergency here.

I completely agree with the point about the need for holistic spatial marine planning. We are in this situation because it has taken too long to do it, and we are now running out of time. We welcome the fact that a commitment has been made to update the national marine plan, but that could take five years. We have to turn this around by 2030.

I want to be a supportive voice for HPMAs; I know that everybody else is. It is a question of how they sit in the ideal process. The existing MPAs were set up to protect the remnants. I know a lot of those remnants because I have dived in those areas. Citizen science divers have collected a lot of the evidence base for those, including—interestingly enough—in Loch Torridon.

It is imperative that we do this, because we have failed to meet good environmental status. Scotland's marine assessment could not be clearer. The biggest area of concern is the condition of the sea bed. The OSPAR Commission has reported that, as a result of bottom-contact fishing,

"86% of the assessed areas in the Greater North Sea and the Celtic Seas were physically disturbed, of which 58% were highly disturbed."

A good proxy for that in Scottish waters is provided by the fan mussel aggregations in the Sound of Canna, which is the only place in

Scotland where such aggregations are found. They are highly fragile, really large bivalve mussels that are extremely vulnerable to mobile gear. That is why the only place where you seem to get them in any numbers is where it is not possible for that gear to pass.

I do not say any of this lightly, because I absolutely share the desire of everyone around this table to get sustainable fishing. We want to keep the lights on around the community. The Marine Conservation Society is all for sustainable seafood. We want people to eat sustainable seafood long into the future.

To answer the point about the percentages, that comes from the United Nations and from the EU biodiversity strategy. In the interests of full disclosure, I point out that we have put that in our ocean recovery plan: we say that at least 30 per cent of our seas should be highly protected, and at least a third of that should be fully protected. That is in line with the best international science, as modulated through the recommendations from the UN and the EU.

We all want the same thing, but we need to do it holistically and we need to do it together.

**Sheila Keith:** I am sorry—I do not agree with what Calum Duncan said about everybody being for HPMAs. I think that that is not true. Everybody is for sustainable fisheries.

**Calum Duncan:** I did not say that everybody is for HPMAs—I meant the end goal.

**Sheila Keith:** Yes—the end goal of what you hope that HPMAs may deliver. We probably already have what HPMAs provide, because not all areas are fished. Only 15 per cent of Scottish inshore waters are fished. Only 4.7 per cent of Shetland's inshore waters are fished for scallops. It is the same grounds again and again—it is the same grounds that are reproducing fish all the time.

Shetland's situation is slightly different from that of other people around the room. Fishermen are catching scallops, crabs, mackerel, cod and haddock in inshore waters year after year; 98 per cent of the cod under-10m quota is caught in Shetland waters. Fin-fish under-10m quota is issued by Marine Scotland every year. I do not think that all inshore fisheries are taking advantage of that. I encourage them to take advantage of that to prove that the fish are still there, where they can and the infrastructure is there. I realise that that is not always possible, but because of the relationship that we have in Shetland, we can do that. We want to see other people succeeding, because a competitive market is a good market. I will leave it at that.

**Mercedes Villalba:** We have heard about the importance of ecosystems, which include people as well as nature, and we have heard about declining stocks and loss of vessels. Given the impact that climate change is having on inshore fisheries, I am interested in hearing from the panel—perhaps Charles Millar could kick us off—about any tangible things that we can do to support and promote low-impact fishing methods, to ensure that we have a just transition away from the high-impact methods.

**Charles Millar:** Your question has been answered already, to an extent. Gear change is important. That does not mean getting rid of all mobiles—far from it. There is clearly a place for mobile gear. However, there is a question about how we look at the issue holistically as we make a plan and identify which areas should be allocated to which uses and how the HPMAs are designed—as I said, there is a play-off there; large HPMAs potentially may be better for conservation purposes but worse for fisheries. There is an amalgam of approaches, and the need for overarching holistic and inclusive planning is the top-level answer to your question at this stage.

**Hannah Fennell:** Holistic planning will be important. Also, we will need to make fisheries management more flexible. We are seeing changes in the stock, and we will be seeing a lot more of them because of the waters warming up. Speaking from an Orkney perspective, I would say that our management system is not up for fishing to be able to adapt to that.

11:00

With regard to a just transition and low-impact fishing, there has been a lot of talk of electrification of fishing vessels, which the inshore industry is, in principle, generally very positive about, but there is a long way to go. The technology is not there—it is not available off the shelf. One big barrier for adopting that is the issue of how fishing boats are managed. At the moment, vessels are categorised as under 10m and over 10m. That has created something that we call super-under-10m vessels, which are very powerful under-10m boats that are essentially built like a box—they have a huge engine but they are not very streamlined. That has happened because of how we manage the fisheries, with that under-10m category, and it will make electrification hard.

We need to look again at the whole system of how we manage our fisheries and think about what we need to do to create a positive change. I do not think that there is any big answer about what we can do, but there will be a lot of small changes and those will add up to make a huge change that will help the situation.

**Bally Philp:** Apart from reiterating the words "area-based fisheries management plan", we would ask what a fisheries management plan would look like? It would look like a move away from bottom-towed gear and trawling and dredging in the inshore, and a transition towards more static gear. There would be far less sea bed disturbance, far less fuel used, far less bycatch and far less carbon released from the sea bed. The question then becomes, how do we do that and how do we facilitate that? We have to create extensive static gear-only zones, we have to introduce management for that static gear to ensure it is sustainable from all sorts of perspectives—a catch-effort perspective, an entanglement perspective and so on—and we then have to find mitigations for the mobile-sector vessels that will bear the brunt of being squeezed out even further than the static gear guys. That is where the issue of a just transition comes in: we have to look at finding some way to fund these guys to either purchase static gear vessels or adapt the vessels to static gear, or take them out of the industry altogether. The sad reality here is that, if the industry is over capacity, either we have to find some way to increase capacity, which it does not look like we are doing, or we have to decrease capacity. If we take the latter option, we have to think about where we decrease capacity and who will bear the brunt of that.

I think that we can increase employment in the fishing industry if we transition to static gears. Therefore, there will be as many jobs—if not more jobs—as we go through this process. We just have to make sure that we protect the livelihoods of people who have invested in the trawling and dredge sectors and who will bear the brunt of a transition towards lower-impact fisheries. It is not rocket science. We just have to find out who the victims will be and make sure that they are not really victims by finding a way to mitigate the impacts on them.

**Hannah Fennell:** I think that Bally Philp's point shows the importance of local management and local just transition, because, in Orkney, we essentially are just a static gear fishery—most of our 110 vessels are static gear vessels. We feel that that is a huge barrier to our ability to transition and to be more resilient, because people who fish only with static gear can fish only a few species. That is impacting us. I think that that shows that there is no one-size-fits-all solution—I wish there was.

**Elaine Whyte:** Mercedes Villalba talked about stocks disappearing and the position that we are in. I go back to the fact that some stocks might not be doing so well and some stocks might be doing better. We need to find the neutral science that might allow people to diversify. Perhaps bluefin tuna is coming into the Western Isles and the west coast of Scotland, and that might be something that we can look at.

I looked at the paper submissions and saw that a lot of people have suggested that the transition that is going to happen will come about through philanthropic grants. I do not think that that is likely. We are talking about a commercial sector with family businesses, and I have never experienced many philanthropic grants going to commercial businesses. That suggestion might be being made by people coming from a background of charity work or ENGO work and assuming that that model can be transferred. However, it is very difficult to do that.

We also have to establish that the infrastructure is very much connected. I am here on behalf of CIFA, and I represent mostly static gear boats, but I also represent mobile boats in this capacity—they work together. We are not talking about big boats. The bigger boats may be 40m—that is what we are talking about. I do not see the situation as one type being against the other—that is a false connection, and I do not see that attitude in the members who I work with. However, I keep saying that too much of any one thing can be a problem and we have seen that static gear fishermen are under a lot of pressure in America because of right whales, and there are attempts to stop or reduce pot fishing, because that has become an issue for them.

What you have to do is find a balance. There is a lot we can do. Hannah Fennell talked about electrification. We have talked about the strategy that we would like to implement in that regard, and some people are fitting converters on to their engines now. In an ideal world, you might think that, if you can pull one piece of knitting out, the rest will remain okay. However, that is not the case, as the markets do not always rely on the same things: the trawl sector might be supplying a different market from the creel sector and so on. If you take one link out of the chain, you might see that, for instance, the hauliers are not working. That then starts to affect other sectors as well, because they all use the same infrastructure.

Proper thought must be given to how the balance is sensibly struck. I hope that the strategy that we put forward for our region is helpful, but I think it can apply to a lot of different regions, and there will be nuances.

**Jim Fairlie:** Bally Philp talked about overcapacity of trawlers in certain areas, yet we know that more than 100,000 jobs have been lost in the fishing industry in the past 30 or 40 years, and Sheila Keith has been talking about losing critical mass of infrastructure, so where is the overcapacity of trawlers coming from?

**Bally Philp:** It is proportional to the resource base. For example, at one point there were 30,000 fishermen employed in Scotland in the herring fishing, and there are barely 100 now. Much of the herring has gone from the west coast of Scotland; it is commercially extinct. There are still herring—do not get me wrong—but they are not present in the quantities that would allow a viable herring fishing industry of any scale.

The fact that there are 30,000 fewer herring fishermen does not mean that there is a proportionate increase in the amount of herring. The number of fishermen has shrunk in proportion to the availability of the resource. The same is true in relation to the nephrops trawl.

There is also another element to this. A lot of the boats have been lost due to the economic factors such as the price that they sell their shellfish for or the fuel costs. However, the fact that the vessels have disappeared does not mean that the resource has rebounded or is there. It is a bit like when you cut down a forest with 100 axemen and, now that the forest is cut down, you need only one axeman to maintain it that way. The idea that because the fishing industry has shrunk the fish have rebounded is not correct—that has not happened yet; we are just maintaining at a very low ebb.

**Jim Fairlie:** That does not make sense to me, but there you go.

**Elaine Whyte:** We go back to the point about science. We are not getting the science that will reflect what is there. It might be that there is a lot of herring in one particular area and there is not in another, but we would not know that. I think that the issue also ties to the quota debate and the opportunity to fish because, if you do not have any quota to fish a certain fish, you will not fish it. A lot of communities do not have the access that they used to have, because of management systems. That might well change under the future fisheries management.

I will give you an example. One of our fishermen wanted to go to the herring fishery in the Clyde, and he said that there is plenty of herring there and that they are seeing big marks. However, if he wants to do that, because we do not have any local markets now, he would have to get a haulage truck to take the fish up to Peterhead, which would cost more than £2,000 a night. If we had local processing facilities, there would be a market. It is all connected.

The issue is about economic viability but we established earlier that the science is not there to inform our views. Therefore, we cannot say that the stocks are depleted—they may well be, but they may well not be. I certainly hear people saying all the time that there is a lot of this fish or that fish out there but they cannot fish for it. It is a diversification debate.

**The Convener:** We are again behind time. I am going to ask a very quick question, and I am not even going to give you the option to say yes or no; I just want you to put your hand up. We have heard lots about plans and things. What is your opinion on whether we need an inshore fisheries bill? Hands up if you support the introduction of an inshore fisheries bill.

**Calum Duncan** *indicated agreement.*

**Lucy Kay** *indicated agreement.*

**Charles Millar** *indicated agreement.*

**Bally Philp** *indicated agreement.*

**Dr Read** *indicated agreement.*

**Phil Taylor** *indicated agreement.*

**The Convener:** We will move on to the final theme, which is inshore fisheries governance and community empowerment.

**Mercedes Villalba:** I think that it is fair to say that debates about inshore fisheries management and conservation have become quite polarised. Part of the purpose of this round-table session was to bring together different groups and find some common ground. I think that we have been able to do that in some areas.

We have heard suggestions that those with a stake in areas should be brought in as statutory consultees on marine planning applications. How can affected communities input their voices into inshore fisheries decision making?

Perhaps Bally Philp could start on that.

**Bally Philp:** That is a very interesting question. We have to start by recognising that everybody is a stakeholder. I have seen on Twitter lots of debate relating to this session about who the genuine and real stakeholders are.

The first and most fundamental thing is that the sea is one of the last great commons. It is the common heritage of all mankind and, locally, it is the common heritage of the communities that are adjacent to it. Therefore, it is the inheritance of our children, and everybody is a stakeholder. That is a fundamental point that has to be made right at the beginning.

Once we have recognised that everybody is a stakeholder, developing a forum that brings everybody in should not be that hard. However, the problem at the moment is that the forums that we have in which to debate inshore fisheries management are very exclusive, and quite exclusive to the fishing industry. For example, the IFGs can bring in non-commercial fishing interests by invitation only. We often hear of applications

from non-commercial fishing interests to participate that have been excluded.

Our decision-making processes and the existing infrastructure, such as the IFGs, are very opaque. We do not know whether there is voting or consensus. Generally, what happens is that the IFG does not achieve much, Marine Scotland is asked to interject, and it refuses if that is not supported by the wider industrial fishing lobby.

It does not really matter what the mechanism is, as long as it brings in the wider stakeholder group and allows it to participate in the process.

**Lucy Kay:** I agree with Bally Philp. Essentially, many community groups feel disenfranchised from the decision-making processes. We do not really have a mechanism through which we can engage with the decision makers on decisions on fisheries management. That is at the community level and more widely on the regional seas.

Region-based management and spatial management have to be centred around the resource. Everybody who is a stakeholder—that is, anybody with an interest in the environment—should have the legitimate ability to comment and input into the decision making, but the fundamental resource that underpins fisheries has to be looked at. It simply does not make sense to try to manage something that extracts a biological resource without fundamentally looking at the resource.

In the Coastal Communities Network, there are some interested groups that are actively involved in restoring habitats—things such as seagrass and native oyster. The community as a whole wants to see better protective recovery in a healthy marine system that supports marine-based activities and enables community-based enterprise and wellbeing. We would like to see proper engagement. If we had proper engagement, we could discuss where such restoration can support well-managed, sustainable fisheries as part of the range of activity that takes place within the inshore area.

A lot of potential could be realised by having wider stakeholder interests fundamentally involved in the discussions about what will happen with the future of our seas, but that process needs to be transparent and properly constituted. We suggest that any such management structure needs to look at not fisheries in isolation but the wider environmental impacts and the requirements for protection and recovery within a regional area that can support the fisheries.

**Elaine Whyte:** As I outlined before, we used to have inshore fisheries conferences that anyone could go along to and contribute in. That information would go into Marine Scotland's policies, as well. It would take that into account. We have had inshore fisheries management and conservation groups and fisheries management and conservation groups. They were open to ENGO stakeholders as well as fisheries stakeholders. The IFGs are the only forum in which various different types of fishermen and skills can get together and try to find some consensus. As Hannah Fennell has pointed out, we need to resource IFGs better, but we need to have a space in which fishermen can decide when things are taken into the wider policy forum.

Consultation documents go out on just about anything. I noticed in a recent consultation that somebody on Twitter from a wider community group had managed to get the consultation reviewed and that it was extended. That is indicative that the voice is heard. That is taken on board in every consultation.

I have counted the number of people in my area alone who are probably not currently working with us on fisheries management but are campaigning for certain things. Upwards of 35 posts are funded to the tune of £28,000 to around £50,000. Some 35-plus people just in the region in which I operate are lobbying for certain things in fisheries management.

11:15

There is me, and there are a few other fishing reps. We do not have the philanthropic resource to get our voice across in the same way.

There is definitely an imbalance, and it is definitely good to have a forum such as this one. However, I do not think that there is not community involvement. I do not think that there is not an opportunity for people to have that but, post-Covid, we might want to think about how we will bring frameworks back in to make sure that everybody is happy.

**Phil Taylor:** We are looking for places in which we agree. I agree with what Elaine Whyte has just said about the need to reinstate groups such as IFMACs and FMACs, which are open places in which everyone can discuss things.

Ms Villalba's question was about who should be included in the meetings. My view is that more people than are currently involved should be included in them.

As I mentioned, we had a research boat that visited many ports and communities in Scotland. When I did a mop-up meeting with the crew, the first thing that it said was that the take-home message was that there were a lot of people out there who did not feel that they had a say over their local waters. Those people are not on social media and are not employed to be lobbyists. They do not feel that there is a forum for them and,

when they try to raise issues through the council, for example, they find in many cases—I am trying not to generalise—that it is not able to engage in some of those discussions. Shetland provides a great example of where that is not the case, as Shetland fishermen work with the council a lot better.

My view is that we need broader engagement with the decision-making processes. I do not want to talk about the RIFGs too much, but my understanding from speaking with active fishermen is that many do not feel that they are safe places in which they can raise their opinions and have a fair discussion about their personal priorities. I do not think that that approach is working in its current format.

**Hannah Fennell:** I am not sure whether the convener wants to let Simon MacDonald come back in on that. Should I make my point on the IFGs anyway?

**The Convener:** We will swap things around a bit. That seems sensible.

**Simon MacDonald:** The IFG network takes areas throughout Scotland. My area is the west coast, which goes from Cape Wrath in the north to the English border and the Solway Firth, and it takes in the Firth of Clyde and all the Inner Hebrides. The area accounts for around 62 per cent of the entire coastline of the British Isles, so it is a very large area.

The purpose of the IFGs is to be Marine Scotland's preferred forum to work with the fishermen and to bring the fishermen's issues to it and to any other organisation to try to get things done. They are for every single fishermen at sea. Without the boats, we have no industry. We are there to give a voice to that industry where it needs to be heard. Any fisherman on the west coast can come to me and say, "I have this problem," and I will deal with it.

I have been covering area to area just recently. Of course we have had all the problems with lockdown, Covid, market collapses, Brexit and so on, but the pandemic was a major problem because everything stopped, in effect. We could not go out and about. The advantage of Covid has been the advent of online meetings on Zoom and Microsoft Teams, for example. That has helped to accelerate things, but there are times when there have to be face-to-face meetings.

Bally Philp will tell you that I recently covered the north-west. My areas are divided into subgroups, as there are different needs from one area to the next. The Solway area is very different from the north-west. I inherited the job in January 2020. The sub-groups that existed then were the Solway, the Firth of Clyde, the Isle of Mull and the north-west, which, in effect, went from Ardnamurchan Point to Cape Wrath and took in Skye, Raasay and the Summer Isles. That is far too large an area to be managed. There are different needs from Ardnamurchan to Isleornsay and Loch Hourn, and from there further north to the north of Loch Torridon and up to Cape Wrath. It is fine to divide the north-west into manageable sub-groups so that the fishermen can come to me and say, "Right, we have this issue here. We would like to have this resolved. We would like to develop our fishery this way." I am there and ready to do that.

In the Clyde, we have started a project for creel management. That will become a multifaceted project that will cover different areas and the mobile section as well as the static section, because they have to be included.

Originally, the idea was that I was going to cover from Cape Wrath down to the north of Loch Torridon and from there down to Ardnamurchan Point. However, at a meeting that I was at in Kyle of Lochalsh that Bally Philp was at, too, it became very clear that the area in which he operates, which is from north of Loch Torridon down to Isleornsay and Neist Point on Skye, had some very different issues from those that exist just south and to the north of there. I thought that that necessitated having a sub-group to cover that area.

The approach is for the fishermen. I want it to be led by the fishermen, because it is their business, their livelihood and their children's livelihood in the future that we are talking about. I want their livelihood to go on. I want to deal with all the issues with the spatial squeeze as best we can and to let the fishermen have their voice and their say. That is what I am here for.

**Hannah Fennell:** I echo what a lot of people have said about transparency and the importance of how people use that to engage in the process. Having trust and accountability is also incredibly important. Having clear pathways so that we know when people have put in their opinions or thoughts, whether as an individual or as a group, where they go to and what the process is, and how they are incorporated and weighed up against other experiences or other evidence is very important, and that it is not always clearly defined in our current processes.

One issue relating to community empowerment, especially when we talk about the inshore fisheries, is that it is such a huge topic. We have spoken about inshore fisheries, but we also talk about conservation, aquaculture and seabirds. There will always be a huge problem in empowering people to have those conversations, because there is no start point or end point with them.

The IFGs are incredibly important to fishing, and it is really important that we have that dedicated set of groups for fishers. They should be transparent, and having a dedicated space is really important. If there is a need for other groups to have their own dedicated spaces, that should be looked at, but the IFGs should remain as they are for fishermen.

**Lucy Kay:** I think that it is perfectly reasonable for there to be fora in which fishermen come together and talk with policy makers. The issue comes when other stakeholders' legitimate interests—and in many cases businesses—are affected by decisions on fisheries management, which sometimes can be poor decisions that have directly affected communities. As it stands, there is no social licence in the Government's current arrangements for fisheries management, because they exclude the public from having a say in how that resource is used and allocated.

There is an example from Arran, where we used to have a very prolific angling festival that was a big event on the island and brought lots of revenue into the area. It involved people in the recreational and commercial sea angling sector. That stopped at the end of the 1990s because there were no more fish for the anglers to catch. Although the reasons for that may be disputed, the opening up of the inshore areas to trawl fisheries in the 1980s allowed impacts from the more impacting sectors of the fishing industry. It is documented in scientific evidence that relative impacts of different fishing activities have affected the inshore areas, and communities are at the receiving end of that.

It is imperative that other people whose livelihoods and interests are affected by these decisions have a say in what happens in their local marine coastal areas.

**Charles Millar:** The interesting thing about the IFGs is that they have evolved. They were initially established 15 or 20 years ago to develop management plans and to do so in a transparent way. They have become less inclusive and have become much more of a forum for the fisheries, from which policy advice is produced. That is fine—if that is what they have turned into, so be it; it is good that the fishing industry can have that gathering. However, what is still needed is a wider forum in which the different stakeholders in the inshore can come together and influence.

This is not a perfect model, but it is interesting to see what happens south of the border with the inshore fishery conservation authorities—the IFCAs. Those regional groups have byelaws, powers, constitutions and multistakeholder participants, as a result of which they are a much better mechanism for implementing ecosystem-based management, which takes fisheries out of the silo and manages it in a coherent way with the environmental interests taken into account, along with all the other interests in the inshore.

To recap, the IFGs are fine if they become the mechanism for industry to talk together. That is great, but there needs to be something else as well that is wider.

**Calum Duncan:** I am very sympathetic to what has been said about the importance of inclusivity. For transparency, we said that in our written response and we said it in response to the future fisheries management discussion. We said:

> "We therefore support proposals for strengthening inshore fisheries groups, including extending to 12nm which would improve integration with regional marine planning, provided they are adequately resourced and there is improved representation for all stakeholders."

Therefore, we are concerned about ensuring that these processes are inclusive of the other social and environmental interests.

To echo what Charles Millar said, we highlighted in our written response the value of the IFCAs in England. A study that was done highlighted that 12 stakeholder groups were members of IFCA committees or boards, compared with only two for the IFGs. I know that it is not like for like, but that is the issue. We need to have inclusive, effective, transparent inshore fisheries management.

**Bally Philp:** Our experience of the IFGs has been very poor. They an excellent forum in which fishermen can come to chat, but as a management mechanism they are terrible. For example, only three people turned up a couple of weeks ago for the IFG meeting in my community that Simon MacDonald mentioned, although we have over 100 vessels registered at Portree fisheries office. That is because there is a huge loss of faith in the IFG as a practical mechanism to progress fisheries management. Over 10 years ago, the IFGs drafted management plans. Right at the top of those management plans—and I think that this was true for all the IFGs around Scotland—was spatial management and effort controls. Those management plans have never been progressed. No spatial management has been introduced and there have been no effort controls introduced. We have therefore lost a huge opportunity. The management plans in the IFGs have not been implemented and there is not a plan to implement them or to develop them any further.

Locally, the IFGs are known as the place where fisheries management goes to die. Marine Scotland sends every initiative that we send it to the IFGs. It says, "Take it to the IFG," and we take it to the IFG. We have asked Marine Scotland regularly what do we do in the circumstance where the IFG does not achieve consensus, and it says, "You can ask the IFG to recommend it back to us."

In several instances, we have written to the IFG and asked it to recommend something. For example, we wanted the closure of the herring spawning ground that had been identified north of Gairloch—it was on "Blue Planet" and it was a big thing. We said, "ICES has advised us that we should protect the spawning habitat of the herring where it has been identified." There was no consensus in the IFG. The ICES advice said that we should close it to mobile gear, but the mobile gear sector said, "We are willing to agree to that only if the static gear sector is also excluded." One, that is outwith the scientific advice and, two, the static gear community is far more dependent on the area than the mobile gear community, which visits it infrequently. Because there was no consensus, we asked Marine Scotland to make a determination, but it has not done so. That is one example out of many.

Our local community overwhelmingly voted for an inshore fisheries pilot in which we managed static gear and mobile gear separately. It had the support of 100 per cent of the full-time fishers in our community. That is over 35 boats fishing in the inner sound. It was not supported by half a dozen visiting trawlers and therefore no progress has been made over the 10 years or so in the three iterations of that pilot.

From our experience, IFGs are non-functional. There needs to be a mechanism to make sure the IFGs do their job and Marine Scotland is not fulfilling that.

11:30

**Simon MacDonald:** First, I will come to the points that Lucy Kay and Charles Millar made about the coastal communities having a voice through the IFG. I am willing to listen to anybody and everybody who comes to me with an issue that affects fisheries. I sit on the Clyde Marine Planning Partnership and so we get a lot of that interaction. I take some of that interaction back where it is necessary to present the case to Marine Scotland. I put a report up each time I have a meeting. I am willing to listen to any coastal community because I live in a coastal community myself and it is close to my heart. I am there for that.

Coming to Bally Philp's points, I apologise for the fact that we could not get out and about and do anything because of Covid, but since Covid, lockdown and so on ended, I have made the effort. I come out and about. I wanted to have a representative from Marine Scotland with me to put the Marine Scotland perspective, so I had to wait until it could get somebody clear to do that. That was the earliest opportunity I had. The day before that, we had had a meeting in Ullapool and there were about 25 people there. Some travelled quite a long way to be there. I got to Kyle and somebody said, "Bally Philp will be here, because he will represent all the fishers in the area," so I thought, "Fine, okay." We talked to you. Our discussion was directed to you because you were obviously selected to represent the fishers, as far as I was made aware.

I think that we made it quite clear that we had a consultative role to take all the information from the fishermen to Marine Scotland, just as we also have to take information from Marine Scotland back to the fishers. I will keep chipping away on the herring spawning bit there. I have made numerous representations to Marine Scotland on that point to try to get things expedited and get things moving. I have similar issues with cockles on the Solway. I have had projects knocking back and forward like a tennis ball.

**Bally Philp:** On the point that I was making about only three fishermen turning up, I agree that I was representing the local community, almost 100 per cent of whom are members are Scottish Creel Fishermen's Federation. My point was that no other fisheries representatives turned up: nobody from the trawl community, the dredge community, Mallaig Fishermen's Association, Clyde Fishermen's Association or Western Isles Fishermen's Association. Therefore, we could have debated all day and come up with a plan, but it would then go back out and just be dingied by everybody else. It was a bit of a waste of our time. That was my point.

**Simon MacDonald:** [*Inaudible*]—on the day, so it was in their area.

**Sheila Keith:** As Phil Taylor said—this discussion seems like a long time ago—with the regional marine plan in Shetland, Shetland is again leading the way in regional marine planning. The document is currently with Marine Scotland. It has been sitting there for a very long time waiting for ratification. We would like to get it back and get on with implementation of it. It included proper discussion between all interested parties. Members of the community and all interested parties were involved in that marine planning. However, anybody who was involved had to set out clearly why they wanted to be involved in the management process, in terms of who they represent, their aims and objectives, their governance and their transparency on funding, and so on. That is imperative when community groups and people who say they have a social interest are involved in fisheries management. They must be clear and transparent about what their aims and objectives are.

The implication around the room seems to be that those other interested parties need to be involved in order to secure healthy ecosystems and healthy stocks. Fishermen want that—it is the

very thing that they want. It is wrong to imply that that is not an achievable aim for fishermen without the involvement of those groups—it is catastrophic to think that that is the case.

We are finding that the tie-up of marine resources in Marine Scotland and in associations through FOI requests, judicial reviews and so on is stopping progress in inshore fisheries. We currently have the RIFG system. It is not just ENGOs and so on that are kept out of the discussions, to be honest. We have no representation of fin-fish catchers in Shetland on any RIFG. I made that point to Jim Watson and he said that associations will not be on RIFGs—full stop. He is looking at it, but it will not happen at the moment. That means that basically fishermen have no say.

When we wrote "Rebuilding Scottish Inshore Fisheries", the budget for RIFGs was £200,000, but the budget for IFCAs is £9 million. You are comparing apples and pears when you compare RIFG and IFCAs; they are two different things. That shows that, if you are going to properly manage inshore fisheries, you need resources. You need to manage the expectation of what the Government is promising for inshore fisheries and other people who are in the room today or else we will pick holes in each other and never get anything achieved. In the light of declining resources, I think that that is probably a good closing point—you need to manage expectation.

**The Convener:** I appreciate you all spending the extra 35 minutes. We could probably be here all day and all week. It certainly gave us plenty of food for thought. Thank you, particularly those who have travelled some distance to be here with us today. We will reflect on the discussions today and no doubt we will return at future meetings to some of the topics and issues that have been raised. Thank you very much. I will suspend this meeting for 15 minutes.

11:36

*Meeting suspended.*

11:46

*On resuming—*

# Subordinate Legislation

## Phytosanitary Conditions (Amendment) (No 3) Regulations 2022

**The Convener:** Our final item of business today is consideration of a consent notification relating to the Phytosanitary Conditions (Amendment) (No 3) Regulations 2022. I refer members to paper 2. Does any member have any comments on the notification?

**Mercedes Villalba:** The reclassification of blueberry rust from the list of quarantine pests in the list of regulated non-quarantine pests suggests to me that controls on that pest have been ineffective as it has moved from being a pest that is largely absent from a territory to being one that is already present in the territory with measures in place to minimise its spread. I am interested in receiving any data on the rising prevalence of the pest and any analysis of what has led to its spread, and in hearing what steps the relevant ministers and Governments are taking to control and eradicate it.

**The Convener:** Thank you. I suggest that, if members are content to agree to the notification, we can write to ask for some more information on the topic that Mercedes Villalba has raised. Are members content?

**Members** *indicated agreement*.

**The Convener:** Thank you. That concludes our business today. I now formally close this meeting.

*Meeting closed at 11:48.*

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