

## **Briefing for MPs for day 1 of committee stage of the Fisheries Bill**

September 2020

### **Greener UK priorities**

The Fisheries Bill is a once in a generation opportunity for the UK government and devolved administrations to achieve real and lasting change on our waters as we leave the EU and become an independent coastal state. Change is urgently needed to restore our fish stocks to healthy levels and help recover ocean health and in doing so help tackle climate change and achieve the goals in the 25 Year Environment Plan. Two cross party amendments were passed at Lords' Report Stage which could make a significant and positive change to how we approach future fisheries management. The first makes sustainability the prime objective of the bill while the second provides for the roll out of remote electronic monitoring systems (REM) with cameras on all boats over 10 metres fishing in UK waters and to consult on introducing it for under 10 metre vessels.

### **Greener UK concerns**

Greener UK is concerned that government amendments 1 and 8 seek to remove both of these important cross party amendments from the bill and to reverse the changes made in the House of Lords. As well as a strong consensus from peers on both amendments, the Scottish government recently indicated its in principle support for the REM amendment, provided that it could be redrafted in order to be devolution compliant.<sup>1</sup> The Scottish fishing fleet is the largest by volume and value in the UK and we welcome this commitment from the Scottish government, which could open the door for truly transformational fisheries management. It is disappointing that the government is not maximising the opportunity to inspire such a transformational change across the four nations.

We encourage members of the committee to push for the retention of both Lords' amendments during discussion and to ask the minister for clarification on how the government will achieve its stated objective of a "legal commitment to fish sustainably" without making sustainability the prime objective of the bill and without a joined up cross nation system for collecting data for management to ensure fully documented catches and robust monitoring and enforcement of vessels fishing in UK waters.

## **Sustainability as the prime objective**

Clauses 1(2)(a) and 1(3) of the bill were amended in the Lords to make sustainability the prime objective of the bill and to provide that, when making fisheries management decisions, environmental sustainability is not compromised in the long or short term. The government's amendment 1 is seeking to remove these clauses from the bill.

Putting a lens of environmental sustainability across fisheries management decisions will result in long and short term benefits such as allowing fish stocks to recover and thrive, which would result in a more resilient and productive marine ecosystem and lead to increased long term catches, greater industry profits and benefits for coastal communities. The amendment passed in the House of Lords is particularly important given the existence of the wide ranging opt out provisions in clauses 7 and 10 of the Fisheries Bill, which would allow authorities to depart from policy statements or management plans on the basis of socio-economic considerations.

During the second reading debate Secretary Eustice stated that the Lords' amendments would create a hierarchy in the objectives and that "*environmental objectives have already been given a degree of priority through the requirement for fisheries management plans*". This seems to ignore the fact that the UK is currently not achieving sustainable fisheries management and that decisions are often taken which give priority to short term economic factors over environmental factors. UK cod stocks have declined to critical levels and fishing quotas continue to be set above scientifically recommended sustainable levels in spite of a commitment to end over fishing by 2020. The recent Natural Capital Committee report of progress against 25 Year Environment Plan goals highlighted the lack of progress in sustainable fisheries.<sup>2</sup> Other countries have included sustainability as a prime objective in fisheries legislation so this is not a new concept (for example the South Australian Fisheries Management Act (2007)).

We encourage committee members to vote against amendment 1 and to seek clarification as to how the government intends to prioritise environmental objectives via the fisheries management plans and what policies are planned to be put in place to address stock recovery, reduce overfishing and to fulfil the UK's commitments to meet global sustainable development commitments under Sustainable Development Goal 14 (to end overfishing by 2020), the Marine Strategy regulations and international law.

## **Roll out of remote electronic monitoring (REM) with cameras**

Clause 48 of the bill introduces the roll out of REM with cameras. The government's amendment 8 is seeking to remove this clause from the bill. REM can bring many benefits to governments, industry and the marine environment. REM with cameras has the potential to transform UK fishing by providing the robust and verifiable data needed to unlock the economic, environmental, and social benefits of well managed and sustainable fisheries. Requiring REM on vessels would bring a number of important benefits including data to

inform modelling, ensuring authorities can set sustainable fishing quotas. It would also provide assurances to seafood supply chains about the sustainability and legality of fishing in UK waters by all nations and represent a visible response to the increasing consumer interest in the sustainability of their choices. UK supermarkets have also indicated their support for REM as a means of achieving fully documented fisheries and the attainment of healthy fish stocks.

The government has previously indicated support for REM and Secretary Eustice has commented previously *"We are strong advocates of fully documented fisheries and REM is the most effective way to be able to monitor what is happening with the catches"*.<sup>3</sup> The Secretary of State also stated at second reading that the government already has powers to increase the use of REM *"which we will be able to do once we have a greater understanding of how it would be deployed"*. We therefore urge the government to seize the opportunity of its flagship Fisheries Bill to set a clearer direction of travel and show stronger leadership on rolling out REM with cameras. With the support of the devolved administrations, a joined up cross nation approach would lead to a level playing field for all vessels fishing in UK waters, incentivising best practice.

We encourage committee members to vote against amendment 8 and to ask the government to confirm how, in the absence of clause 48, it intends to achieve fully documented fisheries. The government should also be asked to clarify, in view of recent trials of REM in the UK, successful implementation of REM in other countries such as Canada, Australia and New Zealand, how it intends to develop a greater understanding of how REM could be deployed.

### **Extending the deadline for publishing the joint fisheries statement**

Amendment 2 extends the deadline for publishing the first joint fisheries statement from 18 months after the bill is passed to two years. As the Fisheries Bill is very much a framework bill, the joint fisheries statement will contain many of the environmental policies that are essential to sustainable fisheries management, as well as protections for the wider marine ecosystem. It is already concerning that there is no legal commitment on authorities to achieve the objectives, and no deadline by which authorities must achieve them. The longer the delay in publishing the joint fisheries statement, the longer it will take for the government to implement key environmental protections, threatening the sustainability of our precious marine resources. We encourage committee members to seek assurances from government that there will be no further delays to publishing the joint fisheries statement.

### **Other amendments Greener UK supports**

Greener UK welcomes amendments 55, NC1 and NS1, which would improve protections accorded to seals. In particular, these amendments make changes to the Conservation of Seals Act 1970 and the Wildlife (Northern Ireland) Order 1985 and prohibit the killing, injuring or taking of seals, as well as limiting the circumstances in which those activities can be permitted. Previously, the killing, injuring or taking of seals was only prohibited if particular weapons or poisonous substances were used. Seals form an important part of the UK's

marine ecosystem, but are under threat from climate change and hunting. Prohibiting the killing, injuring and taking of seals will help protect this much loved species.

Greener UK welcomes amendment 61, which would place a duty on public authorities to have regard to the fisheries objectives in exercising their fisheries functions. There is currently no duty on public authorities to achieve, or even to take into account, the fisheries objectives in exercising their functions. This amendment will help to ensure the achievement of these important objectives, including around climate change and sustainability. Greener UK also welcomes amendments 73, 75, 76 and 77, which make important changes to the substance of the fisheries objectives. In particular, these amendments would help to ensure that (i) negative impacts on marine ecosystems are reversed, (ii) the collection of scientific data is improved and (iii) fishing activities achieve net zero carbon emissions by 2030. Amendment 73 would also help to ensure that fisheries policy is compliant with the United Kingdom's obligations under vital international agreements, including those on climate change and biodiversity.

Greener UK welcomes amendments 62, 63, 64, 66 and 67. These amendments would require the Secretary of State to report annually on progress against the objectives, and also improve accountability by ensuring that the joint fisheries statement is reviewed every five years, as opposed to every six years.

Greener UK welcomes amendment 68, which would limit the circumstances in which a fisheries management plan can be departed from on the basis of the "best" scientific advice, rather than simply any available scientific advice. Fisheries management plans could be a vital tool to aid stock recovery and deliver sustainable fish stocks. It is therefore essential that the fisheries management plans are departed from only where necessary from a scientific or environmental perspective.

Greener UK also welcomes amendments 69 and 70, which would help to deliver joined up policy making across the four administrations, and would also ensure that stakeholders must be consulted before the Secretary of State publishes their progress report on the achievement of the fisheries objectives.

Finally, Greener UK welcomes amendment 83, which would make it clear that the Fisheries Bill should aim to deliver sustainable fisheries.

For more information, please contact:

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## Endnotes

<sup>1</sup> Rural Economy and Connectivity Committee, Fisheries Bill. Scottish Parliament, 19<sup>th</sup> August 2020 [here](#)

<sup>2</sup> Interim response to the 25 Year Environment Plan Progress Report & advice on a green economic recovery. Natural Capital Committee, Gov UK, July 2020 [here](#)

<sup>3</sup> Select Committee on the European Union, Sub-Committee on Energy and Environment, Corrected oral evidence: Access to UK Fisheries. House of Lords, 4 March 2020 [here](#)

**Greener UK is a coalition of 13 major environmental organisations united in the belief that leaving the EU is a pivotal moment to restore and enhance the UK's environment.**

**Greener UK is working in partnership with the New Economics Foundation and Oceana.**

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