

1.0 ABOUT THE NFFO

1.1 The National Federation of Fishermen's Organisations (NFFO), which represents the fishing industry in England, Wales and Northern Ireland, is broadly supportive of the Fisheries Bill.

1.2 We welcome the opportunity to submit written evidence to the Fisheries Bill Public Bill Committee. **We would like to highlight that many of the key points set out below received support from MPs of all parties and regions during the Bill's Second Reading in the House of Commons.**

1.3 Brexit presents a unique opportunity for Britain's fishing industry. As an independent coastal state, we will:

- Control access to UK waters and ensure British fishermen get a fair deal on quotas
- Revive coastal communities, bringing immediate and long-term opportunities
- Maintain and develop the UK industry's role as world leaders in sustainable fisheries management

1.4 We are pleased to see the Government resisting demands from other EU countries for continued access to UK waters. We know, however, that nations such as France, Spain, Denmark, the Netherlands and Ireland will try to force the continuation of the for existing arrangements. This Bill provides a real opportunity to support our coastal communities and enshrine the UK Government's recent commitment to our fisheries industry. The potential of Brexit must not be negotiated away.

1.5 There are several additions we would like to see made to the Bill during its passage through Parliament.

2.0 FISHERIES BIL: KEY MESSAGES

2.1 The UK will act as an independent coastal state: The NFFO is pleased that the Bill contains powers that will allow the UK to act as an independent coastal state.

- We welcome powers for the UK to set quotas and control access over who may fish in UK waters and under what conditions. We expect the UK to enter into annual bilateral agreements with the EU, Norway and others with which it shares stocks and the Secretary of State would endorse the content of those agreements.
- Having experienced the rigidity of the Common Fisheries Policy, we absolutely understand the need to provide for a flexible and responsive system capable of dealing with unforeseen circumstances and evolving scientific advice. This means that it will be important to only specify broad objectives within primary legislation, leaving scope to adapt retained EU fisheries legislation and meet new circumstances through secondary legislation. The Government has broadly got the balance right, although we would like to see an Advisory Council established as a safeguard, to support Parliament's role in scrutinising new fisheries legislation.
- Being an independent coastal state will allow greater representation amongst all administrations in the UK, however it is important to note that there is a democratic deficit with the English fishing sector, compared to devolved administrations. This will need to be addressed during the passage of the Bill.

2.2 The Bill correctly promotes sustainable fisheries management: The NFFO is pleased that a primary objective of the Bill is to promote sustainable fisheries management.

- The Bill is right to afford primacy to the resources on which our industry in all its aspects depends. The NFFO already works on many fronts to promote conservation initiatives and safe working practice and to demonstrate our commitment to realising a sustainable future.
- We also welcome the Government's commitment to using science, data and information to inform decisions on fisheries management.

- A formal commitment to a science-based fisheries policy would strengthen the Bill. We want an ecosystem approach on fisheries which minimises any harmful effects on fishing activities and manages fisheries within its broader environmental, social and economic context.

2.3 The Bill will provide much more flexibility compared to the Common Fisheries Policy (CFP): The NFFO is pleased that the Government has made sustainable fishing central to its approach and has recognised that effective fisheries management requires a much more flexible and agile approach than was possible within the CFP.

- There is a lot of natural variability in fish stocks. It is therefore important that we build a framework for fisheries management being responsive and adaptive within a set of clear and achievable objectives.

2.4 The Bill is right to forecast an important role for Secondary Legislation. The most disastrous aspects of the Commons Fisheries Policy were its inflexibility and rigidity.

- We must learn from this and take a flexible, responsive approach in the future. Delegated Powers, used appropriately, will allow for a more dynamic and effective approach to fisheries management.
- To protect against unbridled use of Delegated Powers, we are calling for an Advisory Council to be established which would play an influential role in advising the Government on the requirements of each piece Secondary Legislation.
- This Advisory Council would also play a leading role in enabling a more flexible approach to fisheries management, both in identifying issues of concern as well as working closely with the Government and the sector to agree on resolutions. The Advisory Council would also engage with the Government over appropriate use of Secondary Legislation. We outline the need for an Advisory Council in more detail below.

2.5 The Bill gives equal access rights for UK fishing vessels to fish anywhere in UK waters: The NFFO welcomes the Bill's intention to grant equal access rights to UK fleets anywhere in UK waters.

- However, we have some concerns that these freedoms may be compromised if devolved administrations seek to introduce their own, separate measures.
- Devolution has the power to add layers of complexity to what are already some of the most complex fisheries in the world. Forcing fisheries management into the template of the devolution settlement carries a number of costs, one of which will be clarity.
- The Fisheries Bill seeks to navigate this through the new instrument of Joint Fisheries Statements, drawn up and signed by the four fisheries administrations. Although these will be legally binding on the parties, we remain concerned that the scope for frictions, and lack of coherence will be significant.
- In order to avoid a situation where quotas are exceeded, potentially disadvantaging vessels within another administration, the NFFO believes it is important to place an obligation on each administration to fish only within their allocations.

2.6 The Bill sets ambitious but realistic, measures to minimise discards: The NFFO believes that reducing discards is an important element within sustainable fisheries management and we are pleased to see the Government taking a positive and workable approach.

- Minimising unwanted catch is more complex in some fisheries than others due to different species physiologies, catch compositions and operational constraints.
- The NFFO is pleased that the Fisheries Bill recognises this situation. The NFFO welcomes the Government's proposals for a *Discard Prevention Charge Scheme although much detail remains to be worked out*. This will allow vessels to avoid chokes by land unavoidable catches of over-quota bycatch species. These would be which are sold on the human consumption market - but subject to a charge. This charge would remove the incentive for any vessels to target valuable bycatch species for which they have no quota but allow the fleets to avoid choking their main

target species. Similar arrangements have already been adopted successful by other countries such as Norway and New Zealand.

3.0 NFFO APPROACH TO STRENGTHENING THE FISHERIES BILL

3.1 It is vital that the Fisheries Bill sets an appropriate and ambitious framework to secure a better deal for UK fishermen. To achieve this, there are a few areas that we will be working with Members of Parliament to strengthen the Bill.

- 1. ESTABLISH A FORMAL ADVISORY COUNCIL:** During the Bill's Second Reading, several MPs raised this issue, demonstrated the existence of strong cross-party support for the establishment of an **Advisory Council**. The NFFO believes the Government should establish a formal Advisory Council to guide policy, promote collaboration between central government, devolved administrations and the industry and allow for ongoing dialogue in a naturally variable industry. The Advisory Council would play a leading role in the use of Secondary Legislation to ensure an agile and responsive approach to fisheries management. The inclusion on the Advisory Council of fisheries experts would guarantee that sustainability issues are fully considered.
- 2. ENSURE A PRACTICAL APPROACH TO SUSTAINABLE FISHERIES MANAGEMENT:** It is understandable that the Bill refers to Maximum Sustainable Yields (MSY) as an approach to sustainable fisheries management. However, if MSY is set as a rigid timebound objective it will, as with the CFP, prove unworkable. Setting quotas in mixed fisheries for sustainable fisheries management must take into account a number of different, and sometimes competing factors. This will not be helped if there is a legal requirement that elevates Maximum Sustainable Yields above all other of these factors. **Several MPs raised their concerns during the Bill's Second Reading regarding the possibility of a timetable being implemented for MSY.** Whilst supportive of MSY, the NFFO does not agree with the 2020 timetable as we believe it is unrealistic, unachievable and would be detrimental to the sustainable management of UK fisheries if implemented. Instead, the UK must develop an approach to sustainable fisheries management that learns from the failings of the Common Fisheries Policy. This balanced and workable approach we are calling for would be supported by having the oversight from the Advisory Council we outline above.
- 3. SET A DISPUTE RESOLUTION MECHANISM:** Where agreement between fisheries administrations cannot be reached or where an administration wishes to depart from the statement contrary to the wishes of another administration, a dispute resolution system should be in place to ensure this does not impact on fisheries.

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