



The Scottish Parliament
Pàrlamaid na h-Alba

Rural Affairs and Islands Committee

Mairi Gougeon
Cabinet Secretary for Rural Affairs,
Land Reform and Islands
Scottish Government

22 November 2024

Dear Cabinet Secretary,

Amendments to the Joint Fisheries Statement

The Rural Affairs and Islands Committee welcomes the opportunity to respond to [your letter of 7 October 2024 which sets out the proposed amendments to Annex A of the Joint Fisheries Statement](#).

The Committee understands that the four UK administrations are consulting on these proposed amendments between 10 and 21 November 2024.

The Committee ran a call for views on the proposed amendments from 10 to 28 October 2024, to which we received 12 responses. [The responses are published on the Parliament's webpages](#). The Committee then held [an evidence session with you and the Scottish Government's Head of Fisheries Management Strategy on 6 November 2024](#).

Proposed extension of the publication deadline for FMPs

The UK administrations' consultation document proposes extending the deadline for fisheries management plan (FMP) publication, including for the 22 FMPs led by the Scottish Ministers, until 2026.

Respondents to the Committee's call for views gave mixed views on the proposed extension. The Scottish Fishermen's Federation (SFF) stated that it supports the proposal "as it is important to ensure that the FMPs are done well rather than done quickly", recognising workload pressures affecting the Scottish Government and other UK administrations. The Community Inshore Fisheries Alliance (CIFA) also supported the proposed delay to "ensure the FMPs are adequately designed and planned to the best functionality". Professor Michael Heath of the University of Strathclyde thought these delays "reasonable".

Most respondents, however, expressed concern about the proposed delay. Open Seas felt that the delay would have a "significant and negative impact" on the delivery of sustainable fisheries management while the Scottish Creel Fishermen's Federation said the proposed delay would "undermine any interim attempt at

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progressing inshore fisheries management, possibly for many years". A number of respondents highlighted the potential for the delay to undermine or prevent meeting the objectives of the Fisheries Act 2020.

The Sustainable Inshore Fisheries Trust (SIFT) considered the proposed delay could have a negative impact on sustainable management of fish stocks and suggested that any proposed delay should be restricted to a 12-month period commencing from the point at which any amendments to the JFS are formally adopted. It also felt that some delays where necessary "given the inadequacies of the current FMP drafts" which it argued are a "direct result of the Marine Directorate's mishandling of the drafting process". This view of the Marine Directorate's role in implementing the FMPs was shared by several other respondents. The Our Seas coalition, for example, called the proposed delay "another concerning symptom of the ongoing mismanagement of Scotland's inshore fisheries and the political de-prioritisation of legal duties designed to improve the social, economic and environmental outcomes from reformed fisheries management".

In evidence, you told the Committee that "the timescales that were set out in annex A of the JFS were ambitious" and that "more time is needed to get things right". Referring to stakeholders' concerns about the draft FMPs, you explained that the extension to the deadline "will enable us to have full engagement with our stakeholders and to go out to a full public consultation and reflect on the results of that before we redraft the plans and publish the final versions." You added that a further reason a longer timescale is required is that "[e]ngagement is also needed to reach agreed positions with the other [UK] Administrations".

When asked whether drafts of the FMPs had been shared with stakeholders, you confirmed that "there has been some criticism of the early drafts that have been shared with stakeholders" and that these were "only very initial drafts". Looking ahead, you said that further drafts would be consulted on with stakeholders and that the extension "is needed to enable that to happen in a meaningful way". A Scottish Government official stated that a timeline for consultations with stakeholders over the two-year extension would be set out "quite quickly" and communicated with stakeholders. The Committee asked for confirmation of whether plans would be published as and when they have been agreed, rather than all published at the end of 2026. Your official also said development of the FMPs may be phased "to make the process more manageable for us and for stakeholders" but that this would be confirmed once the timeline is in place. A commitment was made to share the timeline with the Committee by the end of 2024, and to update the Committee on any issues in the FMP process.

Responding to stakeholders' concerns that the delay could be detrimental to the sustainable management of fisheries, you told the Committee that "we already have a strong suite of measures in place and in development to support the management of the fishing sector and to deliver environmental protections" and that "FMPs are about enhancing our approach, not replacing it". The Committee also heard that the FMPs are intended to provide greater transparency for stakeholders about the Scottish Government's current management measures, and that such measures will continue to be implemented as the FMPs are developed.

The Committee notes some stakeholders' concerns about the potential impact of a delay in developing the FMPs but, based on your explanation about the complexity of the development process to date, it agrees with the proposed extension to ensure the FMPs are 'fit for purpose'.

The Committee agrees with the importance of co-design in the development and implementation of the FMPs, and it expects the Scottish Government's consultations to provide for the full participation of the fishing industry and other stakeholders in the FMP process.

The Committee notes the existing measures in place for the management of fisheries will continue as the FMPs are developed.

The Committee notes the Scottish Government's commitment to provide it with the timeline for development of the FMPs over the two-year extension period by the end of this year, and to update the Committee on any issues in the FMP process. The Committee recommends that, where possible, FMPs are published, and take effect, on a phased basis rather than all published together at the end of 2026.

Proposed technical changes to the planned FMPs

The consultation document on the proposed changes to the Joint Fisheries Statement also sets out "technical and other relatively small amendments", including a proposal to amalgamate the FMPs for North Sea Cod and West of Scotland Cod.

Some respondents to the Committee's call for views had concerns about the proposed merger. Professor Michael Heath noted that there could be risks for the recovery of inshore sub-populations of cod and that the new FMP must "recognise the heterogeneity of cod" and "should include explicit measures to spatially allocate the Northern Shelf Cod TAC [Total Allowable Catch] in such a way as to protect these distinctive inshore populations from unsustainable exploitation". Open Seas and the Scottish Creel Fishermen's Federation both thought the proposed merger did not sufficiently consider the differences between the two cod stocks. Although SIFT stated that it "cautiously supports" the proposal, it also felt that the Clyde cod stock should be managed as a discrete stock given the evidence of a lack of recovery in that stock.

In evidence to the Committee, you explained that the proposed merger of these two FMPs is "designed to reflect the latest scientific understanding of the stock, in line with ICES' advice structures", which considers the North Sea and West of Scotland cod stocks to be part of the same biological stock. You also told the Committee that the Scottish Government would consider, through the FMP development process, "area-specific management measures" to accommodate differences within the cod stock.¹ An official added that the Scottish Government "already take account of those differences in our management process".

¹ The seasonal Clyde cod spawning closure is one example of "area-specific management measures". The Committee heard concerns from some stakeholders about the scientific evidence base for this measure and the effectiveness of monitoring and evaluation.

The Committee notes the proposal to merge the North Sea Cod and West of Scotland Cod FMPs into a single plan is based on ICES advice and that measures are in place to take account of any differences within the stock. Reflecting on the concerns raised by some stakeholders, however, the Committee recommends its successor committee monitor these issues when the FMPs are agreed.

Additional FMPs

We also discussed whether the Scottish Government had plans to develop an FMP for wild wrasse, noting that a petition on protecting wild wrasse stocks is currently being considered within the Parliament and that DEFRA has proposed a fisheries management plan to protect wild wrasse in English waters.

You told the Committee that the JFS sets out the criteria for selecting the species for which you are developing FMPs, that wrasse did not meet that criteria and that the Scottish Government is prioritising those FMPs set out in the JFS. You added “that does not prevent us from developing a fisheries management plan for wrasse if we think that one is needed” in the future and that action could be taken without an FMP at any time if an issue is identified with the stock. You confirmed the same applies to other non-quota species for which there are no current plans for an FMP, such as cockles, periwinkles or whelks. We asked about the process that would trigger a new FMP. Your official informed the Committee that stakeholders may approach the Scottish Government about additional management measures or an FMP for non-quota species in a number of ways, including by “chatting to one of our coastal officers, engaging through the regional inshore fisheries groups or writing directly to the Cabinet Secretary or one of the officials”. The official stated that stakeholders’ input is “considered in the round” alongside scientific evidence and “the other priorities that we are working on”.

The Committee notes the Scottish Government is prioritising those FMPs it has already committed to but welcomes the Cabinet Secretary’s commitment to develop FMPs for other stocks if it is agreed one is necessary. The Committee notes the Scottish Government has scope to introduce management measures for wrasse, or any other stock, without the necessity of an FMP.

The Committee would welcome updates on any future Scottish Government plans, or calls from stakeholders, to introduce management measures or FMPs for other stocks.

Yours sincerely,



**Finlay Carson MSP
Convener**