



Northern Ireland  
Assembly

Committee for Agriculture, Environment and  
Rural Affairs

# OFFICIAL REPORT (Hansard)

Fisheries Bill: Department of Agriculture,  
Environment and Rural Affairs

5 March 2020

# NORTHERN IRELAND ASSEMBLY

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**Members present for all or part of the proceedings:**

Mr Declan McAleer (Chairperson)  
Mr Philip McGuigan (Deputy Chairperson)  
Ms Clare Bailey  
Mr Maurice Bradley  
Mr Harry Harvey  
Mr William Irwin

**Witnesses:**

Mr Paddy Campbell	Department of Agriculture, Environment and Rural Affairs
Mr Patrick Smith	Department of Agriculture, Environment and Rural Affairs
Ms Claire Vincent	Department of Agriculture, Environment and Rural Affairs

**The Deputy Chairperson (Mr McGuigan):** I welcome Claire Vincent, grade 5 and acting director of the marine fisheries division; Paddy Campbell, deputy principal and head of sea fisheries policy; and Patrick Smith, deputy principal on sea fisheries policy and grants. I invite you to brief the Committee, after which we will take questions.

**Ms Claire Vincent (Department of Agriculture, Environment and Rural Affairs):** Thank you very much, Chair, for the invitation to the Committee to give evidence on the Fisheries Bill. Chair, if you are content, I intend to use these opening remarks to summarise the briefing paper that we sent to you and is in your packs, and then we are happy to take any questions that you and members would like to ask.

As was mentioned in the previous briefing, the Fisheries Bill was introduced in the House of Lords on 29 January. The Bill's Second Reading in the House of Lords was on 11 February, and it began its Committee stage this week on 2 March. The Bill provides the legal framework for the UK to operate as an independent coastal state under the UN Convention on the Law of the Sea, which is from 1982, after the UK has left the EU and the common fisheries policy.

The Fisheries Bill describes eight high-level fisheries objectives that the UK Government and the devolved Administrations must achieve, and, while some of those objectives originate from the EU common fisheries policy, they have been added to and strengthened to suit the needs of the UK as an independent coastal state. You have heard about some of those eight objectives already, and they are the sustainability objective; the precautionary objective; the ecosystem objective; the scientific evidence objective; the by-catch objective; the equal access objective; the national benefit objective; and the climate change objective. The Secretary of State and the devolved Administrations are

required to publish a joint fisheries statement that will set out their policies for achieving the objectives. The joint fisheries statement may omit Secretary of State policies that involve the exercise of a fishing quota function or a reserved function, so anything that is reserved is omitted and would be taken forward by the Secretary of State. In those circumstances, the Secretary of State may choose to set out additional policies in a separate statement.

The Bill also requires the production of a fisheries management plan that can be developed on either a stock-by-stock basis or on a mixed fishery basis to ensure that stocks are maintained at or are recovered to the levels consistent with maximum sustainable yield, as was explained in the previous briefing. Through the adoption of common high-level objectives and the publication of policies and management plans to achieve the objectives, the Secretary of State and the devolved Administrations will ensure a joint approach to sustainable sea fishing while allowing for divergence that is appropriate to local circumstances.

The Bill contains 51 clauses and 10 schedules, the majority of which extend to Northern Ireland. The consent of the Northern Ireland Assembly will be sought in regard to the Fisheries Bill. Of those 51 clauses, 45 extend to Northern Ireland, and, therefore, legislative consent is required for 41 of those. The four clauses for which consent is not required are those that are around reserved matters: the Secretary of State's fisheries statement, which is two clauses, and the Secretary of State will determine the fishing opportunities, which is another two clauses. I will say a bit more about that later. Of the Bill's 10 schedules, eight extend to Northern Ireland, and legislative consent will be required for those eight. The two schedules that do not require legislative consent are schedule 5, which is around the sale of Welsh fishing opportunities for a calendar year, and schedule 9, which is about amendments to specific parts of the Marine and Coastal Access Act that just apply to England, Scotland and Wales.

Northern Ireland does not currently have full devolved competency for marine conservation, and the Minister has written to his DEFRA counterpart to highlight that issue and to ask that consideration be given to fully devolved marine conservation in Northern Ireland through the Fisheries Bill. In addition to the wider fisheries objectives and the fisheries statements that set out how the devolved Administrations will achieve them, the Bill contains provisions for Northern Ireland in regard to other fisheries-related matters. Those are in your briefing pack, and I will highlight four of them. The first is access to non-UK vessels, the second is fishing opportunities, the third is around cost recovery, and the fourth is around financial assistance.

I will start with access to and licensing of foreign vessels in UK waters. I know that we have had some difficulties with this terminology in Committee. We thought that it was useful to highlight that, in licensing legislation, the term "foreign fishing vessels" is used across the world in most legislatures to define vessels that are not registered in that country. We have taken the examples of Canada, New Zealand and the Republic of Ireland. The licensing legislation that applies in each of those jurisdictions provides that a "foreign fishing vessel" is one that is not registered there. We are aware of your concerns on that and welcome your thoughts on alternative terms. We should warn you that, in the Fisheries Bill, the term "foreign fishing vessel" occurs 53 times. We have picked that matter up with our DEFRA colleagues and explained the issue to them, but, as I said, in the Bill that is with the House of Lords, the term is mentioned 53 times.

I will explain a little about that, although you have probably heard some of this in our previous appearances at the Committee. The Bill provides for control of access of foreign fishing vessels by licensing individual boats rather than managing access by country. The Bill provides that foreign fishing vessels will have to be licensed by a UK authority to fish in UK waters. That means that the same rules can then be applied to foreign vessels in our waters as those that apply to UK boats. It is a really important piece to ensure that any conservation measures are applied to and adhered to by any non-UK vessels that come into our waters. It is an important piece.

The second one is fishing opportunities, which, again, has been mentioned. The Bill creates a new power for the UK to set fishing opportunities, which are fishing limits measured by quotas or according to fishing effort. As an independent coastal state, the UK will be responsible for negotiating with other coastal states, such as the EU, Norway, Iceland and the Faroe Islands, to agree the total allowable catch and shares for stocks that are shared across each other's waters. Although those negotiations are led for the UK by DEFRA, as the UK head of delegation, they have always been conducted in a very collaborative way to acknowledge the efforts and the issues of each devolved Administration. We expect that to continue and can give you some assurance that, although the head of delegation piece is reserved for the UK Government, they have always been very inclusive in those discussions. There are a lot of pre-meetings before any of the negotiations take place. I hope that that gives you a little

comfort. The Department expects to be directly involved with the UK's head of delegation when it comes to considering, in particular, the Irish Sea and the main grounds of the Northern Ireland fleet.

The third one that I want to pick up on is cost recovery. The Bill extends the cost-recovery powers of the Marine Management Organisation to enable it to charge for the services that it provides to the fishing industry. Schedule 7 to the Bill creates equivalent powers for Northern Ireland and other devolved Administrations.

The fourth one is financial assistance, which we have mentioned a bit. The Bill creates updated powers to introduce schemes of financial assistance to the fishing and aquaculture industries, matching the breadth of what is funded under the European Maritime and Fisheries Fund (EMFF). We may pick up on some of that shortly.

Subject to the Minister's approval, we expect to have a legislative consent memorandum with the Assembly's Business Office in the week commencing 9 March. Officials in DEFRA have advised that it would need to have the outcome of the Assembly's legislative consent motion before the Fisheries Bill completes its final amending stage — Third Reading — in the House of Lords. It is expected that the Third Reading in the House of Lords will be after the Easter recess. If we work backwards, the intention is to have an Assembly motion on the legislative consent for the Fisheries Bill as quickly as possible after the Committee has reported and after the Assembly returns from its Easter recess. Similarly, you will be expecting that the Scottish Government and Welsh Assembly Government are also working to that timetable for their legislative consent.

That is our introduction. We are happy to try to answer as many of your questions as possible.

**The Deputy Chairperson (Mr McGuigan):** Thank you, and thanks for the presentation. I will abuse my power now, since Declan has not returned, and go first.

You pointed out the issue that we have with the term "foreign vessel". I accept that it is a term that may be used in other parts of the world. The issue we have here is that some of us do not see vessels from the South as foreign. At a previous Committee meeting, we made a few suggestions for other terminology that could be used. We may want to discuss that later.

There is another point, raised earlier this morning, that I want to ask about. What is the impact of the new immigration proposals on the industry? What problems could we have with the fishing industry in the North? What are the implications of the protocol with regard to the processing industry in particular? We are at an early stage. We are just setting out the high-level aspects, and a lot of the detail has to be worked out. Are you content that the Bill sits properly with the Ireland protocol?

The last thing that I want to point up is the — I hope that I pronounce it properly — voisinage protocol. It seems that it works well with fishing vessels on the island. Given what was said earlier, are you of the opinion that it can continue? Does it need to go into the Bill? Who makes the decision? Can it be separate and continue outside the negotiations that may be taking place with the EU?

**Ms Vincent:** I will start with the labour point. Industry representatives will be before you this afternoon, and they will give you more detail on that. They will be able to answer all your questions. We are very aware that the industry in Northern Ireland relies in particular on the Filipino and Ghanaian labour markets. The industry is pushing around that whole issue. Those labourers are currently classified as non-skilled, which presents problems. We are aware of the issue, but, as you heard in the RaISe briefing, some of that is for the Home Office to take forward.

**Mr Paddy Campbell (Department of Agriculture, Environment and Rural Affairs):** It is a reserved matter. The Minister met the industry in the last few weeks, and the issue was brought to his attention. He is willing to look at it. Some industry representatives might be able to propose solutions that they want to see. However, it is a reserved matter and will have to be taken up with the Home Office.

**Ms Vincent:** The second issue is around the Bill and the protocol and how the two sit together.

**Mr Campbell:** The Bill gives us enabling powers. It enables us to introduce new legislation. The protocol may limit our flexibility to do things that other places in the UK are doing. Scotland may be able to do some things on marketing standards or minimum landing sizes that we may not be able to do because we are tied in with having to stay aligned to the EU on certain issues.

The Bill is compatible with the protocol in the sense that it gives us the powers to make laws, but we might have to refer back to the protocol to see how far we can go. We cannot do anything that would require us to be aligned to the EU. It reduces our flexibility in some ways.

*(The Chairperson [Mr McAleer] in the Chair)*

We have been looking into the voisinage issue. The voisinage agreement predates the London Fisheries Convention 1964. It goes right back to the establishment of Northern Ireland. There has been this reciprocal access all the way through. It is terminology; it is a neighbourhood agreement. There is precedent for other neighbourhood agreements to be negotiated outside of the general access. Our position with the UK Government is that we would like to keep voisinage separate from the overall general fisheries agreement with the EU. They have accepted that. There does not seem to be any obstacle to us continuing with voisinage, or coming up with a separate neighbourhood agreement. Even if there is no general fisheries agreement with the EU, we do not believe that that would preclude us from coming up with a new neighbourhood agreement.

The RaISe briefing highlighted the vagueness of the exchange of letters back in the 1960s. It was simply an exchange of letters between two officials that said that we would allow reciprocal fishing access. That has been regulated properly in the Republic, but that is not the case here. A similar neighbourhood agreement exists between Guernsey and France; it is a formal international treaty. Our preference is to come up with a more formal agreement like that that sets out what types of vessels and what sort of fisheries will enjoy reciprocal access. We would maybe tie it down a little bit. It is a very loose arrangement at the minute. Any vessel can go into a nought-to-six-mile area. They are required, at a high level, to comply with local laws. That is set out clearly in the Republic of Ireland but less so here. We simply have an option: if a vessel breaks a rule here, we default to the fact that there is no access agreement, so we expel them from our waters. We need something more formal by way of a treaty that ties all that down.

In short, if we want to take forward reciprocal access by the Republic of Ireland and Northern Ireland, we do not believe that there would be any impediment if no overall fisheries agreement is worked out. However, we probably need to put something more formal in place that gives a similar assurance to that in the Republic of Ireland.

**The Chairperson (Mr McAleer):** Leaving the common fisheries policy will also mean leaving the EMFF. Will there be a successor to the EMFF? Is there certainty or clarity around its future funding?

**Mr Campbell:** The Conservatives' manifesto undertakes to continue support for the fishing industry. Our understanding from the Treasury is that they wish to see each devolved Administration come forward with plans for funding and what they would like to spend money on. We will do that. We will draw up our future plans and produce an outline business case for those. They will first have to be cleared by the Department of Finance and then go to Treasury. At this stage, we have seen nothing in black and white from Treasury that guarantees that there will be funding. They say that it is subject to the spending review. That is all that I can tell you at the moment. They indicated previously that they anticipate that the level of funding will be similar to what was available under the EMFF from the EU.

**The Chairperson (Mr McAleer):** Will that continue under the protocol? Will that continue to be under EU state aid rules?

**Mr Campbell:** We are seeking clarification on that. There is specific mention of agriculture funding in the protocol, but not fisheries. If there was an exemption for fishing, we could fund only things that, say, future European funds were funding. Otherwise, everything would be subject to state aid.

**Mr Irwin:** Thank you for your presentation. I do not want to be critical, but I believe that, if the Department had explained the issue around foreign vessels a wee bit better, it would have been easier for people to make up their minds. My mind was easily made up, but some people had issues with it. Had it been explained properly, I do not think that there would have been an issue. I am certain about that, because one member told me so.

Has the Department been asked for its input to the negotiations on the common fisheries policy? Have you been given the opportunity to make an input to Northern Ireland's current needs?

**Ms Vincent:** We are constantly working with DEFRA colleagues and colleagues from the Scottish and Welsh Governments. Paddy is very much our lead man on all that. We are constantly being asked

about our priorities on setting out the rules of engagement. The DEFRA team is very good to work with, and there is a real recognition of the importance, particularly of fish and fishing. The fish do not know the boundaries between the countries, so there is a real need to work together on a lot of those issues. The DEFRA team is very good at establishing a combined UK position on priorities and all those things.

**Mr Irwin:** I am delighted to hear that that is the case, because I was not sure that it was. That is certainly progress, which is a big help.

**Mr M Bradley:** You mentioned licensing. Can a vessel be based in the Republic of Ireland and licensed in the UK? Can boats from a non-UK destination be licensed locally? Are there any barriers or can you envisage any hold-ups or drawbacks if that were the case?

**Ms Vincent:** It is a good question. I will hand it over to Paddy.

**Mr Campbell:** Currently, it is permissible for any country to establish itself in the UK, acquire a fishing boat and get a UK licence. Specifically, in relation to the Republic of Ireland, you can buy a UK licence and, provided you can satisfy, not us but the Registry of Shipping and Seamen in the UK, that you have a link to the UK, it will register you as a UK fishing boat and, after that, we will license it if a licence is transferred to that vessel. At the moment, there is a lack of clarity as to whether the registry is making any changes on exit that will limit those rules for other companies to come in. I am not sure whether it will remain the case going forward or whether any extra rules will be brought into play.

**Mr M Bradley:** What is the mortality rate of the by-catch? It is a terrible waste to catch a fish and then throw it back into the sea.

**Mr Campbell:** How long is a piece of string? It depends on the species that we are dealing with, and it depends on the fishing method. Currently, for example, there is an exemption for prawns. Prawns can still be returned to the sea as there is an exemption under the current landing obligation, because prawns have a survival rate of 40%, which is considered acceptable. It is better to return those prawns to the sea rather than bring them ashore because they will contribute to the stock. Some flatfish have very high survivability, as do some shark species, so they are allowed to be returned to the sea. Fish such as haddock and cod have swim bladders: if you bring them up from the bottom of a sea, they are dead when they land on the boat and would be dead going back into the sea. They are the worst-affected fish.

**Mr M Bradley:** The point of my question is that fish such as dogfish can be put back in the water. When you catch a flatfish, it seems to live forever. You are right about the swim bladder, which swells up and comes out of a fish's mouth, and they are dead. What is the point of putting them back in the water?

**Mr Campbell:** Generally, under the by-catch reduction objective and the EU landing objective, the principle is that you must land, except if there is an exemption. The main exemption is survivability. If the fish has a reasonable chance of survival, you are allowed to put it back, but everything else has to be landed.

**Mr M Bradley:** That clears that up. Thank you.

**Ms Bailey:** Thank you very much. We know that our marine habitats and ecosystems are under threat. Are you content that what is contained in this Bill does not conflict with the commitments contained in the Environment Bill?

**Ms Vincent:** The ecosystem objective links up with all the marine environment protection legislation. They all work to an ecosystem objective. The answer is yes; the objective in both systems overlaps. The maximum sustainable yield (MSY) and the precautionary principle are in the Environment Bill and the marine strategy regulations. Managing the marine environment and fisheries is moving closer together all the time; that is a good thing.

**Ms Bailey:** Great. Following on from that, what is the Department doing, or are there plans to do anything, to try to update the data collection? We heard earlier that the most recent data-collection figures go back to 2017. Is anything being planned to try to look at that?

**Ms Vincent:** Was that on the —?

**Mr Campbell:** There are various states of data collection, depending on fish stocks. There is generally very good data for most fish quota stocks. There is a data-collection programme that is currently funded by the EU and will be funded by the UK Government in future. AFBI will be involved in that. We see that continuing. I think that RaISe referred to the International Council for the Exploration of the Sea, which does stock assessments. At the moment, the UK policy is that we will continue to contribute to that process and contribute science to it. There are data gaps in some areas. We published an inshore fisheries strategy some years ago, and one of the things in that strategy was that we had poor data for a lot of our inshore stocks like crabs and lobsters. That is being addressed; we have funded extra work to gather extra data on those stocks. Wherever there is a data gap, and where our funding resources permit, we will try to fill it. Certainly, for fisheries management, it is vital that we have as complete data as possible on all our stocks so that we know how much we can take.

**Ms Vincent:** I think that RaISe mentioned, on the aquaculture data, that it was able to get data back only to 2012, but there is certainly more up-to-date information than that in the Department. As Paddy said, we are aware that, for the non-quota species, the data collection needs to improve, but we definitely have more up-to-date data than what he cited.

**Ms Bailey:** We also heard that there has been a rapid recent expansion of unregulated oyster fishing up in Lough Foyle. Is the Department doing anything about that?

**Ms Vincent:** Illegal trestles were coming up on "our side" of the lough, if you will. We took enforcement action on that, I think, last year or the year before. It is managed as a wild fishery at the moment. We were able to do that because the area was being accessed on the Longfield bank side of Lough Foyle. I think that we also alerted the Republic of Ireland authorities to what we had done. We let them know that we had done that. It was accessed from Northern Ireland roads. I do not think that we had to take enforcement action; we just pointed out to them that they would need a licence to proceed with that activity, and those trestles were removed. The same thing is not happening on those sites accessed from the Donegal roads, and that is a concern, but we would not go to the Donegal side to do that.

**Ms Bailey:** Is that the same for more inland areas? I am thinking of Lough Neagh and the fishing that goes on there. Is that unregulated as well?

**Mr Campbell:** It is regulated. The problem with Lough Foyle is the jurisdictional issues and the ability of the Loughs Agency to exercise its powers.

**Ms Bailey:** I understand that.

**Mr Campbell:** It has been a long-standing problem.

**Ms Bailey:** But all the fishing that goes on in Lough Neagh and our inland areas all regulated?

**Ms Vincent:** Yes.

**Mr Harvey:** I have two wee questions. One is for clarity, seeing that the word "foreign" was mentioned. I am nearly sure that I read somewhere that, if an English vessel is fishing in NI waters, it requires a licence from NI to do so and is looked on as a foreign vessel. Is that right?

**Mr Campbell:** No. The current situation is that we licence each other's vessels. Currently, we licence vessels registered with us and they get, in effect, a UK fishing licence, so they can fish wherever they want. The same applies to Scotland. They get a licence from the Scottish authorities and they can fish anywhere they want in the UK and elsewhere, subject to local restrictions or closed areas wherever they happen to be in place.

**Mr Harvey:** I read that somewhere and I thought that it was strange, so I wanted a bit of clarity on it. Thank you for that. What level of participation does DAERA have in the present negotiations, which will achieve an EU/UK fishery agreement for July 2020?

**Mr Campbell:** Those negotiations began this week, and I think fisheries were on the agenda. We have contributed, along with the other devolved Administrations, to the opening UK negotiating position, so that has been agreed, and the mandate that the delegation went with for the fisheries agreement has been agreed. From the UK's point of view, what they are dealing with for July is a high-level agreement, so it is general terms of how they would conduct annual fishing negotiations. They may get into the territory of agreeing in principle to have reciprocal access. We are not actively involved in that. The UK Government are taking the actual negotiation forward.

After that, if there has been that general fisheries agreement, we would be in a position where you could have the detailed negotiations on fishing opportunities towards the end of the year. That will probably happen around October/November when they start to get into that and decide between ourselves and the other coastal states what shares of our various stocks each of us will get and what access and so on we will provide. We are probably more involved in those negotiations, as Claire pointed out earlier. There is already an established system that has been created for many years when we went off to Europe to do the annual December council negotiations on fishing opportunities. We had this collaborative approach, and you will see that continuing. Again, it will be the UK Government that will be the head of delegation, but we have been assured that, for ourselves and Wales, if anything is being discussed about Irish Sea fishing opportunities, we will be there to support the head of delegation.

**Mr Harvey:** So you will be there, but at present you have no part in it.

**Mr McGuigan:** Following on from Harry's point, it was mentioned earlier that the Bill might be potentially adapted for a no-deal scenario. If there is a trade agreement, will there be a need for a new Bill, or does the current format allow for the eventualities that may come out of a trade agreement?

Secondly, just following on from Clare's point in relation to Lough Foyle, this may not be in DAERA's remit, but it is important that, as you say, we cannot manage Lough Foyle properly. Is there any intention to resolve the issue of Lough Foyle?

**Mr Campbell:** As I tried to explain earlier, the Bill provides us with enabling powers. The clash with the protocol will be if, in other UK policies, they want to do certain things, and we say, "Well, we would quite like to do that too, but we cannot because we have to stay aligned with the protocol". At the moment, I can see nothing that prevents this from complying with the protocol, but there are some uncertainties around the protocol that we are still looking into and investigating. We will be keeping an eye on the situation as the year progresses and, if any alterations need to be made, we will have to raise those matters.

**Ms Vincent:** On Lough Foyle, the Department met the Loughs Agency and the counterpart Republic of Ireland Department last October, and this concern about mismanagement or non-management of the lough was raised. At that point, the permanent secretary took an action to write to, I think, the Northern Ireland Office. Sorry; it is complex, but I think that was the action he took, or agreed to take, on that to raise this from a DAERA point of view and say that we realise that this is really for Department of Foreign Affairs (DFA) in Dublin and the Foreign and Commonwealth Office in the UK. The jurisdiction issue is not devolved. Because we had concerns about the management of the lough, the permanent secretary agreed to write to the NIO at that point to ask it to raise this. Where has that got to after the return of Ministers? I do not know off the top of my head, but I can take that away and we will try to answer that. It is recognised that DAERA needs to raise it, because we have concerns about the Klondiking of trestles and, as you heard in the earlier RaISE briefing, disease and those sorts of things. If it is all right, I will take that away and give an update on where we are with that.

**Mr McGuigan:** We could have voisinage mark 2.

**Mr Patrick Smith (Department of Agriculture, Environment and Rural Affairs):** Can I just add something on your first point, Philip? Outside the Bill, we are undertaking a scoping exercise with the Departmental Solicitor's Office to map out the extent of the Northern Ireland legislative programme to give effect to whatever legislation applies here and to give effect to the EU regulations in annex 2 of the Northern Ireland protocol. That is a separate piece of subordinate legislation, and we are mapping that out currently.

**Ms Bailey:** I want to come back on one point. The Bill gives DAERA extra enabling powers but, given the likely increase in fishing opportunities, do you feel that the Department needs to do anything more to ensure compliance with conditions under licensing? I am thinking again of Lough Foyle, and I know



that it involves other Departments — DFA, Commonwealth Office, whatever — but if this is going to open up other markets, are you sufficiently ready, if you have enforcement powers, to make sure licensing is complied with?

**Ms Vincent:** Throughout the Brexit process, about 10 different UK working groups have been looking at different aspects, and there is one on control and enforcement going forward and what is needed there. In fact, that UK group is chaired by our Chief Fisheries Officer, Mark McCaughan. We have been looking into the implications of ensuring that UK waters are well protected in future. The whole Lough Foyle bit is probably slightly outside that, because it is limited —.

**Ms Bailey:** It is a bad example to use on that. I understand.

**Ms Vincent:** We have a fisheries protection vessel and a sea fisheries inspectorate, and there are probably lots of challenges moving forward in how their roles will evolve with the new arrangements. We are stepping through that process to try to see if there are additional risks post exit, and we are looking for more resources in that area as well.

**The Chairperson (Mr McAleer):** On the back of what Clare said, has the Department undertaken any assessment of the local fishing industry's ability to take advantage of increased fishing quotas?

**Mr Campbell:** We have mapped out what we expect in an assessment of the benefits arising out of Brexit. We need to be aware that the main fishing opportunities for the fleet landing into Northern Ireland are mainly in the Irish Sea. We will not have the scale of Brexit benefits that Scotland might anticipate getting in the North Sea. They see a bigger imbalance in fishing opportunities.

The prawn fishery is our main fishery. The earlier briefing referred to the way that that is managed under functional units, and we think that that might have to change, but we do not think that our share of nephrops would increase so significantly that we would not be able to take our opportunities. For example, in the last few years, every other year they have maybe taken their full quota of prawns in the Irish Sea. Currently they are not, and in some years they do not take the full fishing opportunity for prawns that is available.

Where we might get some benefit is in some of the white fish stocks — cod and whiting in particular, and perhaps plaice. There is a mechanism in the current EU system called the Hague preference, and the normal UK share is reduced when the Hague preference is applied. The fishermen will probably tell you about it later on, but for many years they have felt that that has been a disadvantage to them. There is a benefit to be gained there by reversing that reduction or not having it applied. That would give them some extra fish but again, as was pointed out in the RaSe briefing, the likes of cod and whiting are by-catch species, so fishermen would not be going out to deliberately target those species, but they would be by-catches in the other fisheries.

It is still important to get higher quotas on those because, if we do not have enough quotas of those species, we would have to stop the main fisheries. The nephrops fishery and the haddock fishery would have to close early if they did not have enough cod or whiting quota. I have no concerns about their ability to take the extra fishing opportunities that would come about. There are one or two species — plaice and sole, for example — which are caught by specialised vessels called beam trawlers, but we do not have any beam trawlers in our fleet. Those fishing opportunities are currently taken by the Belgians. If more of those species came to the UK in the Irish Sea, the industry might see an opportunity to go into that particular fishery, and it might need support to do that. That is something that we need to talk over with the industry.

**The Chairperson (Mr McAleer):** Obviously, as a result of leaving the CFP and the European Maritime and Fisheries Fund (EMFF), and with no certainty from the British Treasury around future funding, it may be challenging for fishing communities and fishermen and fisherwomen to take advantage of those opportunities.

**Mr Campbell:** We are hopeful that there will still be funding available to support the fishing industry. The Conservative Government said that in their manifesto, but at this stage we have not seen the money on the table.

**The Chairperson (Mr McAleer):** I trust that all right. *[Laughter.]* I am very conscious that you are talking about very fresh produce and that 80% of our fish is exported to Britain and other parts of the

EU. Have you any assessment of the impact that any trade barriers or delays, in the event of no deal, would have on the industry?

**Mr Campbell:** The protocol applies to us no matter what happens, whether there is a trade deal or not. That resolves most of the issues around material moving from the North to the South. The trade deal will mainly affect any tariffs that might apply. The further apart the two sides are, then the greater the tariffs there will be on the product. We have consulted with all the main processing companies in Northern Ireland. We did so previously, when there was the threat of a no-deal exit, and we are now doing it again to explain the protocol to them. They are considering how that affects their businesses. We certainly know of one business in Kilkeel that brings in a lot of material from Scotland and England, processes it all in Northern Ireland, and then sends it back out again to GB. It could potentially be significantly impacted by divergence.

**Mr M Bradley:** Thank you very much for your answers so far. Can we go back to Lough Foyle? I am concerned about the oyster beds, where there is potential for disease. Have you monitored the threats? The Foyle is a major Atlantic salmon run, and it is important for sea trout. There is a large population of flat fish in and around there, as you know. Disease there could be catastrophic, not just for the Foyle but for the Strule, the Faughan, the Roe and the Finn, which all rely on salmon migrating through the lough.

**Ms Vincent:** The types of disease we have been talking about are really oyster diseases, such as bonamia, but they are not transmittable to finned fish. Are we looking out for that? Yes, the Loughs Agency does a lot of work on that area. The agency would alert us if there were disease, so we keep a close eye on that. Our fish health inspectorate also plays a role there. The Loughs Agency is on-site, but the fish health inspectorate looks at all the shellfish beds around Northern Ireland and keeps a watch on disease status. However, those shellfish diseases are not transmittable to finned fish.

**Mr M Bradley:** Of course, you would send that information across to Republic as well?

**Ms Vincent:** Yes, we have very close links with the Republic on animal health issues. That is all recognised in the protocol. Animal and plant health status is recognised as a discrete thing for the island of Ireland. We will be required to monitor the health status in the way the EU does.

**The Chairperson (Mr McAleer):** Philip, you are looking back in?

**Mr McGuigan:** It was on your point, Chair. Maybe this is too broad a statement, but there is the potential for the fishing industry here to fish and catch more, which is a positive thing. However, because of the new immigration rules, they may not have the people to do that, which is a negative. You were saying that checks will come in as a result of the protocol and, if there is a bad trade deal or no trade deal, there may be tariffs. We could have a situation where we think it is positive because we can fish more, but because of all those other things, there is actually a greater negative impact on the industry.

**Mr Campbell:** This is the big uncertainty at the moment. We will not know where we are until the end of the year. We are trying to work with businesses to understand them and how they will be affected.

**The Chairperson (Mr McAleer):** Maurice?

**Mr M Bradley:** No, I was —.

**The Chairperson (Mr McAleer):** Sorry. Harry?

**Mr Harvey:** Thank you again, Chair. I would like to think that there will be an increase in the prawn quota. If there is, we can sell and process more, but we would need a good maritime fisheries fund to allow fishermen to improve their fleets. Is that something we can look into?

**Mr Campbell:** The first thing we need to get is funding. The second thing is that — as I explained earlier, we are currently exploring how the Northern Ireland protocol will affect future fisheries funding; it is not mentioned specifically — if we have to align with European funding to get around state aid rules, that might limit it. If Europe did not allow investment in new vessels, we might not be able to

allow it. There is still a lot of uncertainty about that at the moment, so I cannot say whether we could or could not do it at this stage.

**The Chairperson (Mr McAleer):** As no further members indicated that they wish to speak, I want to take the opportunity to thank you, Patrick, Claire and Paddy, for coming here this morning, for answering all our questions and for giving evidence. No doubt we will interact with you in the time ahead. Thank you very much.