

Have your say!

The Scottish Government is canvassing views on its proposals for the imminent Aquaculture and Fisheries Bill. *Andrew Graham-Stewart* urges *T&S* readers to respond



Andrew Graham-Stewart has been responsible for *T&S's* North Highland fishing reports since 1998 and is author of *The Salmon Rivers of the North Highlands and the Outer Hebrides* (2005).

ONE RAMIFICATION of Scottish devolution is the amount of time that the Parliament, which does not have powers to deal with areas such as economic matters (by and large), defence and foreign policy, has to devote to matters that struggle to register on the Westminster radar. Thus salmon and freshwater fisheries featured in Scottish legislation in both 2003 and 2007 and we are promised a new Bill this year.

An extensive consultation document for the forthcoming Aquaculture and Fisheries Bill was published in December, inviting responses from anyone interested in the future of our freshwater fisheries. Scottish Government has a laudable record of consulting widely before legislating – seeking the views and input not only of relevant NGOs but also individuals. In other words the consultation offers an opportunity for *T&S* readers who fish in Scotland – no matter where they live – to have their say on what looks set to be important legislation, covering or affecting many of the issues that feature so regularly on the editorial and letters pages.

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Indeed, on the basis of the consultation paper, the indications are that the Bill will include several measures on aquaculture and netting that wild-fish interests will welcome. Inevitably the Government’s backing and enthusiasm for aquaculture is restated – “we want to help it to continue to flourish, and to grow, on a sustainable basis” – but there are

signs that it intends to tighten the regulatory framework with some potential benefits for wild migratory fish (such as stricter limits on sea-lice on farms). It is revealing that Government sees interactions between aquaculture and wild fish as presenting “management challenges”. The policy statement of a “presumption against marine finfish farm developments on the north and east coasts, as a precautionary measure to safeguard migratory fish species” is reaffirmed (which begs the question: why was the precautionary principle never applied to the west coast?).

The consultation, broken down into five sections (Aquaculture, Shellfish, Fish Farming and Wild Salmonid Interactions, Fisheries Management, Enforcement Provisions) consists of a series of short commentaries outlining the Government’s thinking and rationale on a particular topic followed by a question to which responses are solicited. Scottish Government says that “responses will be systematically analysed and reported”. Here I have focused on a small selection of some of the more pertinent questions.

Collection and publication of sea-lice data (pages 12/13 of the consultation)

What in your view is the most appropriate approach to be taken to the collection and publication of sea-lice data?

All of us concerned with the impact of sea-lice emanating from salmon farms on wild salmon and sea-trout smolts believe that lice levels on farms should be readily available and not hidden away, as is currently the case, behind a fig-leaf of “commercial confidentiality”. Surely publication should at



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the very least mirror the situation in Norway (after all, Norwegian companies dominate Scottish salmon farming), where, as the preamble notes, “sea-lice statistics are published on a webpage each month, with a public report published by the Norwegian Food Safety Authorities approximately quarterly. Data are published at a County level, although further detail may be made available on request under FOI arrangements”.

Thresholds triggering sea-lice treatments (pages 22/23)

Do you agree that there is a case for giving Scottish Ministers powers to determine a lower threshold above which remedial action needs to be taken in appropriate circumstances and potentially as part of a wider suite of protection measures?

The salmon farming industry’s Code of Good Practice (which is no more than an advisory document) suggests the criterion for triggering sea-lice treatments on farms between February 1 and June 30 should be an average of 0.5 adult female lice per fish and between July 1 and January 31 an average of 1.0 adult female lice per fish – the objective being to minimise lice on

farmed fish in the spring, when wild salmon and sea-trout smolts migrate to sea. However, with individual farms now holding hundreds of thousands of fish, an average of 0.5 adult female lice per fish adds up to a vast number of lice producing many millions of larvae capable of attaching themselves to passing wild smolts with potentially fatal consequences. Yes, we certainly need lower (and statutory) treatment thresholds than the industry’s (flawed) recommendations.

Tracing escapes (pages 25/26)

Do you agree that there should be additional powers for Scottish Ministers to take or require samples of fish from fish farms, for tracing purposes?

Escapes from freshwater salmon smolt farms in particular have serious implications for the genetic integrity of wild fish. The operators of these farms typically deny losing any fish. The proposed new powers would have the potential to enable genetic testing, thus opening up the possibility that the source of any introgression of foreign strains into our native wild fish could be pinpointed.

A numbered carcass-tagging scheme would provide far greater confidence in the veracity of Scottish net catches.

Modernising the operation of district salmon fishery boards (pages 28/29)

Do you agree that we should introduce a specific duty on Boards to act fairly and transparently?

Do you agree that there should be a Code of Good Practice for wild salmon and freshwater fisheries?

If yes, do you think such a Code of Good Practice should be statutory or non-statutory?

Scottish Government’s preamble to this section is emphatic that it wants to see boards “fit for purpose in the 21st Century” and ensure “that the principles and practices of good governance are demonstrated by boards in the operation of their functions in their local communities”. It envisages a Code of Good Practice that recommends holding board meetings in public (unless there is good reason not to), making available reports or minutes of meetings and generally being transparent. The Association of Salmon Fishery Boards has developed such a code, which will be published shortly. The indications are that Government is concerned about the inscrutable nature of a small minority of boards, run, as one insider put it, along the lines of “gentlemen’s clubs”.

The introduction suggests that if these boards are not pro-active in reforming themselves (and becoming transparent), then the Government (with its commanding Parliamentary majority) will step in: “We see them” (the proposals) “as the first step towards modernising and improving arrangements for managing our salmon and freshwater fisheries.”

Statutory carcass-tagging (pages 30/31)

Do you agree that Scottish Ministers should have powers to introduce a statutory system of carcass-tagging for wild Atlantic salmon and sea-trout?

It is vital that Scotland falls into line with the statutory numbered carcass-tagging schemes that already operate in the rest of the UK. This would essentially remove the loophole that currently enables fish caught illegally in England and Northern Ireland to be laundered through Scotland. Furthermore, a

numbered carcass-tagging scheme would provide far greater confidence in the veracity of declared Scottish net catches.

I was recently shown actual catch records for a major netting operation in the 1970s and 1980s; they were very significantly different from the official declared catches.

If we are to manage salmon and sea-trout stocks effectively, it is imperative that we have accurate catch figures.

The Salmon Net Fishing Association of Scotland opposes the introduction of any numbered carcass-tagging scheme (it favours voluntary tagging schemes – without numbers – which are nothing more than marketing tools) because of the additional administrative burden; it seems rather odd that netsmen elsewhere in the UK have little difficulty in applying numbered tags and keeping the necessary records but apparently north of the Border their counterparts are adamant that they would be incapable of performing this simple task!

Fish sampling (page 32)

Do you agree that Scottish Ministers should have powers to take or require fish and/or samples for genetic or other analysis?

Such a measure is important if the origin of fish killed in mixed-stock net fisheries (recognised by all wild-fish non-government organisations as a threat to the effective and responsible conservation and management of salmon) is to be established.

Some netting operations have refused to allow such sampling. Genetic analysis will enable an informed assessment regarding which river stocks particular mixed-stock fisheries are exploiting; this will enable rational management decisions on net fisheries to be made, especially where they exploit fish from fragile populations.

■ *The consultation is on the Scottish Government’s website: www.scotland.gov.uk/Publications/2011/12/06081229/0 For a hard copy, or for help with the website, phone Catriona Graham on 0131 244 6243. The deadline for responses is March 2.*

SALMON & TROUT ASSOCIATION



In Norway sea-lice statistics are published on a webpage each month.