



Department of  
**Agriculture, Environment  
and Rural Affairs**

**Statement by the Department of Agriculture, Environment and Rural Affairs in response to the Position Paper by the Committee for Agriculture, Environment and Rural Affairs (Mandate 2017-22) on the Draft Joint Fisheries Statement.**

**Laid at the Northern Ireland Assembly in accordance with paragraph 3(3) of Part 1 of Schedule 1 to the Fisheries Act 2020.**



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## Context

1. The UK fisheries policy authorities published a consultation draft of the Joint Fisheries Statement (JFS) on 18 January 2022 in accordance with Paragraph 2(1) of Part 1 of Schedule 1 to the Fisheries Act 2020. The public consultation concluded on 12 April 2022.
2. This consultation draft of the JFS set out the policies of the UK's fisheries policy authorities (of which the Department of Agriculture, Environment and Rural Affairs is one) for achieving, or contributing to the achievement of, the fisheries objectives in the Fisheries Act 2020.
3. The Northern Ireland Assembly's Committee for Agriculture, Environment and Rural Affairs published a [Position Paper Draft Joint Fisheries Statement & Fisheries Management and Support Common Framework](#) in March 2022. This report, *inter alia*, outlined the Committee's views on the consultation draft of the JFS.
4. The Department is appreciative of the report in relation to the consultation draft of the JFS. It notes that: "Broadly the Committee welcomes the draft JFS and its overarching objectives to facilitate a high-quality, sustainable, resilient and vibrant sea fishing sector; and key stakeholders evidently support, in principle, its proposed remit and aims."
5. The Committee's report also highlighted points of issue and clarity in relation to the consultation draft of the JFS. Therefore, the purpose of this statement is to lay before the Northern Ireland Assembly the Department's response to those issues in accordance with paragraph 3(3) of Part 1 of Schedule 1 to the Fisheries Act 2020.
6. The Department asks readers to note that the UK fisheries policy authorities published a separate UK-wide Government response to the consultation draft of the JFS and a final JFS on 23 November 2022.

## **Department's response to the Committee for Agriculture, Environment and Rural Affairs 'Position Paper Draft Joint Fisheries Statement & Fisheries Management and Support Common Framework' (mandate 2017-22)**

### **Committee View 1**

**UK-only fishing opportunities:** as drafted, the DEFRA Secretary of State will have the authority to designate these on an annual basis through Quota Management Rules. It is imperative that the local fishing sector is not disadvantaged in terms of access to stocks and that any methodology for allocating opportunities should not be based solely on geographical catch area. Clarity should be provided on how a dispute/disagreement in terms of proposed fishing opportunities will be managed under the auspices of the Framework.

### **Department's Response**

The Department acknowledges the Committee's view that the Northern Ireland fleet should not be disadvantaged by any change to the Quota Management Rules (QMRs), which are reviewed annually with the four UK fishing authorities and in consultation with representatives of the fishing industry.

The draft JFS reaffirms the requirement for the Secretary of State to consult with the other national fisheries authorities - and with industry, other stakeholders and the wider public, where appropriate - when updating the QMRs. This includes the methodology for allocating the UK's fishing opportunities.

The Fisheries Management and Support Common Framework provides a vehicle for delivering fisheries functions across the UK and working with the other Administrations. The Framework Memorandum of Understanding (MOU) commits the UK's fisheries policy authorities to a number of principles, one of which is on dispute resolution. It states that: "all fisheries policy authorities respect the dispute resolution procedure set out in the Framework, while efforts are made to resolve any differences or disagreements informally and at a working level if possible".

### **Committee View 2**

**Resource for research:** the Committee acknowledges the need to enhance and build the evidence-base across different localities for some of the proposed policy areas in the draft JFS and that this will have a resource requirement. It is unclear as to how funding will be allocated and prioritised for such activities and to what extent jurisdictions will be required to work together to optimise resource utilisation.

## **Department's Response**

The Department recognises the absolute requirement to use resources effectively, and to work collaboratively with the UK's other fisheries policy authorities wherever possible to that end.

The draft JFS commits the UK's fisheries policy authorities to ensuring the continuity and consistency of fisheries and aquaculture data collection and sharing that is necessary to meet the UK's commitments and needs. This will be delivered through a specific UK Work Plan for data collection in the fisheries and aquaculture sectors.

To ensure this continuity and consistency of fisheries and aquaculture data collection in the short term, and to meet the scientific evidence objective in the Fisheries Act 2020, the UK will follow the Data Collection Framework (DCF), where each fisheries Administration may establish a multiannual programme for the collection and management of fisheries data. It should be noted that the current multiannual programme has been extended to 31 December 2024.

The UK Work Plan 2022 commits the Department to working closely with the UK's other fisheries policy authorities to continue monitoring key stocks of interest and deliver improvements where possible to the existing evidence base. In this regard, the Department's focus will be on delivering stock surveys to support the ongoing management of key species in Northern Ireland. The Department will also be scoping potential collaborations and wider UK funding availability to support policy development and close any further, identified evidence gaps.

The Department can advise that, through the European Maritime and Fisheries Fund, it has provided the Agri-Food and Biosciences Institute (AFBI) with, on average, £1 million per annum to fulfil its obligations under the DCF, and the same level of support has been provided through repatriated funding provided by HM Treasury over the past 2 years. This support is additional to that provided through other Departmental fisheries funding lines to AFBI for projects that enhance, and build, stocks data for decision making.

The Department would also like to draw attention to its 'Outline Strategy for Future Marine and Fisheries Support 2023 – 2028', which was the subject of public consultation (29 November 2022 – 3 February 2023). This proposes that any new application for funding associated with the Strategy should clearly demonstrate the extent to which it delivers on the fisheries objectives in the Fisheries Act 2020.

## **Committee View 3**

Clarity should be provided as to how fishing authorities, including DAERA, will finance proposed activities within the Joint Fisheries Statement and whether additional funding will be provided by the UK Government for these activities.

## **Department's Response**

The Department advises that HM Treasury has confirmed that a similar level of financial support (£3.1 million per annum), as delivered under the European Maritime and Fisheries Fund and the current Maritime and Fisheries Fund (NI) Programmes, will be available to NI for 2023/24 and 2024/25 as part of a three-year budget settlement.

In addition, the Department has identified the opportunity to utilise “Green Growth” funding to support the fishing industry, and has submitted a bid as indicated in its ‘Outline Strategy for Future Marine and Fisheries Support 2023-2028’ consultation document.

#### **Committee View 4**

DAERA should outline if it currently has sufficient staff and expertise to deliver on its obligations as outlined in the draft JFS.

#### **Department’s Response**

The Department reviews its targets and objectives regularly, and at all levels of the organisation, as part of its routine business planning processes. It is committed to ensuring that it has sufficient staff and expertise in place to implement the JFS, and to meeting its statutory obligations under the Fisheries Act 2020.

#### **Committee View 5**

The role of devolved legislatures in terms of appraising progress against the JFS policies is unclear, and this should be clearly outlined in the document to include, for example, if competent authorities should liaise with their corresponding scrutiny Committees at regular intervals to provide updates.

#### **Department’s Response**

Section 11 of the [Fisheries Act 2020](#) places a requirement on the UK’s fisheries policy authorities, acting jointly, to prepare and publish a report on the extent to which the policies set out in a JFS have been implemented; and have achieved, or contributed to the achievement of, the fisheries objectives.

This report would also include details on the extent to which the policies contained in a relevant fisheries management plan have been implemented and have affected the levels of stocks of sea fish.

The Department will lay a copy of this report in the Northern Ireland Assembly three years after the JFS is first published (23 November 2022), and each three-year period thereafter.

In addition to this statutory requirement, the Department would expect to be in regular contact with the Committee during the JFS’s implementation.

## **Committee View 6**

There is a lack of detail regarding the potential consequences for a local authority of not fulfilling its expected role and obligations under the draft JFS and whether sanctions will be made accordingly (and by whom).

## **Department's Response**

The JFS is a high-level, strategic policy document which sets out how the UK's fisheries policy authorities, through their policies, will achieve, or contribute to the achievement of, the fisheries objectives in the Fisheries Act 2020.

It is only the UK's fisheries policy authorities, of which the Department is one, that are subject to the relevant provisions in the Fisheries Act 2020.

Notwithstanding this, the JFS would not be an appropriate document in which to ascribe detailed roles and responsibilities and sanctions, not least because of its high-level nature and the fact that it should be for each UK fisheries policy authority to implement its policies and practices within their respective area of competence.

## **Committee View 7**

The draft JFS references a co-ordinated approach across the fisheries authorities and externally to develop and procure scientific advice. However, it is unclear who will be responsible for this and how it will be managed.

## **Department's Response**

The UK Data Coordination Group – which includes the Agri-Food and Biosciences Institute as the representative for Northern Ireland - produces a 'United Kingdom Work Plan for data collection in the fisheries and aquaculture sectors'.

This Work Plan commits the UK to following what is more commonly known as the Data Collection Framework, under which each fisheries Administration may establish a multiannual programme for the collection and management of fisheries data. The current multiannual programme, which has been extended to 31 December 2024, sets out in detail the data collection activities to be undertaken. It also identifies who has responsibility for that data collection.

In addition, and as part of the overall framework, the UK-wide Fisheries Science and Evidence Steering Group (FSESG) has a role in seeking agreement across each of the fisheries Administrations should any be unable to fulfil a data collection activity set out in the Work Plan. In turn, the FSESG can seek advice from the UK Fisheries Science Advisory Panel as required.

The Department is committed to a continuation of this strong collaborative working with the other fisheries Administrations on data collection and scientific advice. Furthermore, the UK plays an active role on the International Council for the Exploration of the Seas at all levels of its advisory process and through participation in expert groups.

## **Committee View 8**

The JFS outlines that the devolved competence of each authority to deliver an evidence base to meet the JFS objectives will be respected.

- Will authorities be expected to collate evidence independently or will there be opportunities to enhance data collection via cross-jurisdiction work?
- Will additional resources be made available to enable this?

## **Department's Response**

There is no expectation that the UK's fisheries policy authorities, of which the Department is one, should collect evidence independently. There may be occasions where this will be the case, but as fish are a shared resource, there will be opportunities, as there are already, to work collaboratively with the UK's other fisheries policy authorities and with other jurisdictions. This can include the coastal State negotiations and the Specialised Committee on Fisheries.

On the second point, the Department reviews its targets and objectives regularly, and at all levels of the organisation, as part of its routine business planning processes. It is committed to ensuring that it has sufficient staff and expertise in place to implement the JFS, and to meeting its statutory obligations under the Fisheries Act 2020. This includes having the necessary resources in place to deliver the evidence base needed to meet the JFS's objectives.

## **Committee View 9**

**Precautionary Approach:** if there is a lack of data in terms of sustainable catch levels for certain stocks could this mean that no fishing is carried out? In the absence of an MSY, what criteria will be used to determine whether it is worthwhile to collate additional data and how will this be resourced?

## **Department's Response**

The JFS commits the UK's fisheries policy authorities to take a precautionary approach to fisheries management in accordance with the precautionary objective in the Fisheries Act 2020. The aim of the fisheries policy authorities is for fishing within sustainable limits based on the best available scientific advice.

This includes using the Maximum Sustainable Yield where available, or the use of appropriate proxies where sufficient scientific data are available. Fishing will not be prohibited where there is a lack of data, but this will not be a reason for failing to take appropriate pre-emptive steps to manage or address the risk to stocks and/or the marine environment.

The International Council for the Exploration of the Sea can, of course, be requested to provide advice on any stock where no such advice exists.

The need for further resource to collate any additional data requirements would be considered as part of the Department's routine business planning processes.



## **Committee View 10**

**Greenhouse Gas Emissions:** is current data and methodologies effective to estimate the carbon emissions from the sea fishing industry across the UK and in NI specifically?

### **Department's Response**

Emissions from fishing vessels are estimated in the Northern Ireland Greenhouse Gas Inventory using methodologies that are consistent with the Intergovernmental Panel on Climate Change (IPCC) 2006 Guidelines. Each year the inventory is updated to include the latest data. Improvements to the methodology are backdated as necessary to ensure a consistent time series.

The JFS sets out the UK's approach to implementing the climate change objective in the Fisheries Act 2020 by identifying and supporting changes to mitigate and reduce emissions across the fishing industry to support decarbonisation.

The UK's fisheries policy authorities will seek innovative solutions to realise carbon savings from engine upgrades (where these do not increase fleet capacity beyond sustainable levels), gear choices and green technology, as well as identifying opportunities for vessel emission reductions through alternative fuels.

In addition, the Department must develop and publish sectoral plans for the fisheries sector setting out how the sector will contribute to the achievement of the targets on emissions for 2030, 2040 and 2050 respectively. This will include proposals to improve the evidence base for estimating the carbon emissions from the sea fishing industry.

## **Committee View 11**

### **Fisheries Management Plans:**

- Are the proposed FMP publication dates a reference to the timescale for final documents or initial consultation, or both?

### **Department's Response**

The dates in the Annex to the draft JFS, which lists the Fisheries Management Plans (FMPs), are indicative of the timetable for preparation and publication of the respective FMPs. The Department would ask readers to note that the published JFS now reflects revised timescales for FMPs, which also include stakeholder engagement and consultation periods.

- What are the reasons for the window for completion of some of the FMPs being wider? – up to 2025 in some instances.

### **Department's Response**

The timelines for preparation and publication of the FMPs are indicative. A number of steps are still being scoped, and sufficient time has been included to ensure effective stakeholder engagement and development of appropriate data to underpin each plan.

Defra is developing six 'frontrunner' FMPs, that are now being finalised for delivery. These plans will cover the following species:

- Crab and lobster
- Whelk
- King scallop
- Bass
- Channel non-quota demersal stocks
- Southern North Sea and Eastern Channel mixed flatfish

These frontrunners will pilot different ways of preparing FMPs in partnership with industry and other stakeholders. Lessons learned from those projects will help shape future FMP work. Ultimately, it is the lead authority for an FMP that has responsibility for setting the indicative timeframe.

- Why are all three FMPs for which DAERA is the lead authority taking longer to develop – 2021-24?

### **Department's Response**

It is the lead authority for an FMP which is responsible for setting the indicative timeframe for its preparation and publication. The timeframes for two FMPs on which the Department is the lead authority have since been revised to 2022-24.

These indicative timeframes were based on the time estimated to develop underlying datasets and to engage with stakeholders. Except for the Irish Sea Pelagic FMP, which deals exclusively with herring, the table of planned FMPs has also been revised to allow for the necessary impact assessments to be undertaken at regional and national levels.

The Department expects to continue its development of supporting data for the FMPs on which it is the lead authority and to engage with industry and other stakeholders in 2023.

- When will the FMPs for which DAERA is the lead authority be released for public consultation?

### **Department's Response**

The Department intends to commence formal consultation in 2024 on the first of the FMPs for which it is the lead authority. However, prior to this the Department will engage informally with stakeholders on the preparation of those FMPs.

- Will performance indicators be uniform across all FMPs, or will these be tailored based on local/specific areas?

### **Department's Response**

While each FMP should contribute to delivery of the overarching fisheries objectives, an individual plan can set specific indicators for the species and fisheries to which it applies.

- Are there any particular stocks relevant to the FMPs managed by DAERA where there is an absence of an MSY? If so, how will sustainable catch amounts be determined?

### **Department's Response**

In the absence of MSY, an FMP must specify what steps should be taken to obtain the necessary evidence to establish a MSY assessment. Should this not be possible - for instance, where it is not scientifically feasible or economically viable - an FMP must set out how the lead authority will ensure sustainable harvesting. This could be the use of a proxy metric for Nephrops or taking a precautionary approach for Pollack.

## ADDENDUM

The Department is required to lay this statement in the Northern Ireland Assembly in response to the AERA Committee's position paper on the consultation draft of the Joint Fisheries Statement (JFS). In so doing, the Department has complied with the statutory obligation placed on it by paragraph 3(3) of Part 1 of Schedule 1 to the Fisheries Act 2020.

The Department's statement also asks readers to note that the UK fisheries policy authorities, of which the Department is one, published a separate UK-wide Government response to the consultation draft of the JFS and a final JFS on 23 November 2022.

In the interests of transparency, the Department wishes through this addendum to advise readers of its current budgetary position as resourcing was the subject of some of the queries raised by the AERA Committee in its position paper.

### **Department's Budget 2023-24**

The Department's opening Resource Departmental Expenditure Limit allocation for 2023-24 was £579.8 million. This was arrived at following a 1.5% cut of £3.5 million to the non-earmarked HM Treasury resource funding of £233.3 million. However, the Department also has significant other increased statutory obligations and contractual pressures in 2023-24. Initial estimates are that these total £19.0 million on the TB programme, inflation and pay.

Determining how to allocate the reduced non-earmarked resource budget provided to the Department by the Secretary of State has been a very difficult task, especially in a context where inflation and other factors mean that it is costing the Department significantly more to deliver its statutory and contractual obligations than has been the case in previous years.

The Department's approach to funding this cut has been to protect front line services as much as possible. Work is being carried out to generate savings in the Department's own running costs, and each Group has also been asked to find 10% savings totalling £2.8m, with an additional £0.4 million pro-rata 1.5% contribution from the Agri-Food and Biosciences Institute. A further £0.3m is being generated from the alignment of CAFRE tuition fees with levels paid in other Higher Education institutions.

In reducing the pressures to £19.0 million, decisions have already been made to decrease spend on Strategic Environmental Programmes, Forest Service Subsidy, operating costs, and staff costs by not replacing 50 leavers.

The Department will continue to review its budget position throughout the financial year. However, the reality is that it cannot deliver everything that it would like to within the budget allocation provided to it. Therefore, it will be necessary to make exceptionally difficult decisions to ensure that the Department can deliver its statutory obligations and close the current funding gap.