

destroying a sustainable fishery –14th October 2019

To Fergus.Ewing.MSP@parliament.scot

Cc Scottish.ministers@gov.scot

Subject: At least 100 tonnes of crabs and lobsters lost to ghost fishing every year from unchecked fishing gear vandalism off the East Coast of Scotland.

Cabinet Secretary,

I am a lobster fisherman and recently had 600 creels cut and dumped on the seabed by scallop dredgers wanting access to the large breeding stock of scallops otherwise protected by my fleets of creels.

Over the last 15 years, I have had 2,100 creels cut and dumped by visiting mobile sector vessels, of which I have only been able to recover a very small percentage of the creels myself as the scallop dredger Skippers never tell us where they dump our gear.

Taking a straw poll from other static gear fishermen on the East Coast, we estimate the mobile sector are responsible for cutting and dumping an average of 900 creels each year. This year it will be 1,500 in our area alone, I hate to think what the figures are for the whole of Scotland.

We mark our fleets of creels with large buoys and weight our rope to avoid entanglement risk as well as anchor the creels against being lost to bad weather. In the unlikely event they shift we'd find them again and not leave them on the seabed. Fishermen cannot get insurance for creels so we have to find our creels or pay for new ones costing £120 each on average. Scallop dredge Skippers claim the creels they lift in their gear were already abandoned but this is pure fabrication. We do not lose gear unless it has been towed.

Given that only a handful of creels are ever recovered, my colleagues and I estimate that 62kg of adult and juvenile crab and lobster are wasted per creel each year. When you consider that each creel will ghost fish for at least three years, there is at least 1,800 creels ghost fishing in our area alone amounting to over 100 tonnes wasted per annum.

As Cabinet Secretary for the Rural Economy, do you share our concern about the sustainability of fisheries from ghost fishing?

I note that you want to introduce TAC for lobsters and crabs - how many tonnes of quota are you going to allocate for ghost fishing 500 tonnes?

You will know that this is not a new matter as myself and other victims of targeted gear vandalism campaigned for many years until the Scottish Government set up a Gear Conflict Task Force in 2013. However, I am not aware that any of the recommendations in the Outcome Report have been implemented. Nor have any of the recommendations made by the Regional Inshore Fishing Group I participated in until I became fed up with Marine Scotland saying "we can do nothing, it's a police matter".

In an earlier email to Roseanna Cunningham regards 6 tonnes of plastic contained in those 900 creels being dumped per annum, I queried if it is

true that Marine Scotland can do nothing as it appears that it is the responsibility of Scottish Ministers to refer gear vandalism incidents to the Procurator Fiscal for prosecution.

Having said that, on this occasion I have been able to get the CID to investigate but Marine Scotland Compliance have dragged their heels taking 3 weeks to provide only some of the available evidence and they continue to withhold the most compelling piece of evidence. Strange behaviour from the people employed to uphold law and regulations:

<https://www.legislation.gov.uk/asp/2010/5/contents>

<https://www2.gov.scot/Topics/marine/Licensing/FVLS/licencevariations>

<https://www2.gov.scot/Resource/0042/00421676.pdf>

<https://www2.gov.scot/Resource/Doc/46951/0028706.pdf>

But, even if gear vandalism is a police matter regards business loss, Scottish Ministers and Marine Scotland are responsible and accountable for protecting the marine environment from plastic pollution and protecting stocks from ghost fishing. Scottish Ministers and Marine Scotland have been failing to address these consequences of unchecked gear vandalism for many years and should not now fail to instruct that Spatial Separation Orders are urgently implemented for all gear and spatial conflict hotspot areas.

Marine Scotland, are again trying to avoid dealing with this situation, by saying they can't do anything while a police investigation is going on.

When I contacted M/S originally when my gear was towed.

The response I got was we can't do anything this is a matter for Police Scotland.

It seems the people of Scotland are paying £58.7 Million pounds a year for people who can't do anything Shocking.

I contacted Police Scotland who informed me that their case was for Gear Vandalism only reported by Ian Mathieson.

Any destruction to the marine environment caused by dumping of gear and plastic is not part of their case and is a matter for Marine Scotland to deal with.

Regards

Ian Mathieson

MFV Dalwhinnie