Consultation on remote electronic monitoring

9 October 2023

Wildlife and Countryside Link (Link) is the largest environment and wildlife coalition in England, bringing together 80 organisations to use their strong joint voice for the protection of nature. Our members campaign to conserve, enhance and access our landscapes, animals, plants, habitats, rivers and seas. Together we have the support of over eight million people in the UK and directly protect over 750,000 hectares of land and 800 miles of coastline. This response is supported by the following Link members:

- Angling Trust
- Blue Marine Foundation
- Client Earth
- EIA
- IFAW UK
- Institute of Fisheries Management
- Marine Conservation Society
- Oceana
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- Seal Research Trust
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Summary

Remote Electronic Monitoring (REM) with cameras is a tool for monitoring fishing activity and providing important data for management and scientific uses. REM projects have been conducted within the UK since at least 2009, with trials undertaken across several fisheries using various suppliers of REM technology from around the world. The results of these trials are clear; REM is a cost-effective means of delivering fully documented fisheries. Indeed, the Marine Management Organisation (MMO) has confirmed the effectiveness of REM for monitoring and improving the accuracy of catch recording by fishers.[1]

Action to achieve fully documented fisheries is essential given the poor state of our seas. Recent mass die-offs of crustaceans in the North-East of England reveal a highly degraded ecosystem; elements of the fisheries sector are operating unsustainably (for 2022, 51 of the 79 baseline Total Allowable Catches were evaluated as inconsistent with ICES' scientific

1 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1148133/MMO1281_Future_Fisheries_Implementation_of_REM_Report.pdf

advice);[2] and an Environment, Food and Rural Affairs (EFRA) Committee inquiry recently highlighted bycatch as the "biggest single threat" to whales and dolphins. Our internationally important seabird populations, which are clear indicators of ocean health, are also experiencing worrying declines and a backdrop of increasing threats. Overall, the Government has failed in its obligation to achieve Good Environmental Status (GES) at sea, with failures across 11 of the 15 targets in the most recent assessment.

To achieve its goals of "world-class, sustainable management of fisheries" and "fully documented fisheries", the Government must go further and faster in expanding the use of REM in English waters. Our primary concerns are focused on the exclusion of smaller fishing boats, the reliance on voluntary take-up, and the unambitious timeline for implementation.

The blanket exclusion of the under-10m fleet, which accounts for 85% of English fishing vessels, means the programme is far less comprehensive than necessary. It means that many vessels which operate with highly damaging scallop dredgers or other trawls, or using gillnets with a high risk of bycatch, will continue without effective monitoring. This risks the continued damage or destruction of benthic habitats through damaging fishing techniques and the deaths of seabirds, harbour porpoise, seals, elasmobranchs and other migratory fish, among other important species, from entanglement in gillnets.

The reliance on voluntary adoption of REM is also problematic as it will likely result in limited take-up from fishers and prevent the achievement of a number of Fisheries Act objectives, most notably ecosystem and bycatch.[3] A genuinely world-leading approach would mandate REM from the outset of the programme, demonstrating a clear direction of travel and an ambitious timescale. This would also avoid a situation where vessels without REM can continue to operate without any monitoring, while the REM-equipped vessels which are abiding by all rules, may then be at a commercial disadvantage.

Further, the timelines for the programme should be significantly more ambitious. We note that the Government's call for evidence opened in October 2020, yet by 2028 REM is only 'likely' to be mandatory in two fisheries. This painfully slow implementation fails to grasp the urgency of restoring our marine environment to health. Every year of delay is a missed opportunity in terms of this important management tool, and its goal to enhance compliance and data collection. It also harms the Government's goal to protect and manage 30% of the sea for nature by 2030 (30x30). Inaction fundamentally undermines the ability of our seas to thrive and support wildlife and livelihoods.

REM can supplement existing bycatch monitoring programmes to offer better, unbiased coverage at a fraction of the cost. REM has been successfully trialled for monitoring cetacean bycatch in Denmark and the Netherlands, where bycatch rates were found to be higher than those documented by visual observers. Introducing REM as standard practice

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2 https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1061261/Assessing_negotiated_catch_limits_2020_to_2022.pdf

3 See https://www.legislation.gov.uk/ukpga/2020/22/crossheading/fisheries-objectives-fisheries-statements-and-fisheries-management-plans/enacted

offers the chance to improve fisheries management and lead the way in monitoring bycatch as well as ensuring wider fisheries sustainability and accountability. The monitoring required to collect information on wildlife bycatch events will likely differ given the need for cameras and sensors to be effectively positioned to collect data on bycatch rates and mitigation use, and due to the sometimes unpredictable or rare nature of bycatch events.[4]

Overall, REM would bring the fisheries sector into line with other areas of society which are safeguarded through the use of cameras. It is an approach used in a number of sectors as diverse as slaughterhouses, supermarkets, banks, public transport, streets, houses, offices, and road junctions. A rapid, full-scale adoption of REM would demonstrate global leadership in fisheries management and we urge the Government to revise these proposals to reflect their serious intent to address the current crisis of biodiversity decline.

Q1. What do you think about our vision for remote electronic monitoring?

We strongly welcome the vision of "fully documented fisheries in English waters", however, this will be essentially impossible to deliver under the current proposals. Measures which are voluntary and planned over such an extended timeline will fail to ensure that REM is implemented across the English fishing fleet and fail to help meet the UKs obligations to protect and restore marine species.

Q2. Do you agree with:

A. Taking a targeted approach beginning with specific priority fisheries

We agree that a targeted approach prioritising specific fisheries first is sensible for the initial roll out of REM, however, the current proposals are flawed and a firm timetable and commitment to roll out REM to all vessels is needed.

Firstly, the blanket exclusion of the under-10m fleet means that some smaller vessels which pose a known high level of protected species bycatch risk will not be included in the plans. For example, most of the UK gill netting fleet consists of smaller vessels, with research having identified potential gillnet bycatch risk hotspots for diving seabirds along the Cornish, Northumbrian and North Yorkshire coasts.[5] REM would have significant advantages in these fisheries, including cost savings, improved data, addressing observer bias and improving accuracy of self-reporting and compliance. In addition, many vessels under 10m tow trawls or scallop dredging gear which are highly damaging, adversely impacting seabed habitats as well as resulting in a disproportionately significant level of bycatch of non-target species.

Secondly, if a degree of prioritisation is needed across larger vessels, REM should first be rolled out onboard known high-risk vessels (e.g. those at high risk of non-compliance, those targeting data-deficient fisheries, stocks that are already depleted, or those that have a

[4] 100% reviewing of data will likely be required and using a fast forward screening of footage can be applied. Technological advances, including AI, are developing and should be able to help with this in time.

[5] https://www.int-res.com/abstracts/meps/v684/p157-179

higher risk of incidental bycatch of target and non-target species). There will likely be a period needed during which alterations can be made to optimise application.

With regards to protected species bycatch, REM should be applied initially to known high-risk vessels, including demersal trawlers, gillnetters and midwater trawlers, such as pair trawlers, known to entangle common and other dolphin species, and floated demersal longlines for seabirds. It is also likely that, for a period after the adoption of REM, human observers should be retained for purposes of verifying that the REM system is optimised for purposes of detecting wildlife bycatch events. Where the focus is discard monitoring the recommendations made by EFCA should be used as guidance.[6]

B. Not including vessels under-10m at this stage

We strongly reject the exclusion of under-10m vessels from these proposals. While they represent a smaller proportion of the total catch, 81.8% of the English fleet is 10 metres or under in length.[7] The under-10m fleet therefore represents a huge proportion of overall fishing activity (including many very powerful vessels) and, as noted above, includes high bycatch risk fisheries such as gill netters, bottom-towed trawls and scallop dredgers.

In addition, as a result of the continued lack of iVMS across the fleet, low monitoring coverage[8] and historic monitoring failures, there is currently very poor data and understanding of many activities of the under-10m fleet (including geographical presence, fishing effort, soak times etc). This is a problem that can only be solved through REM. One example of this is the bass authorisation, where some boats are targeting low value species to allow them to catch more of the higher value bass. Use of REM would resolve this issue.

C. Working together with the fishing industry, and setting up steering groups to design remote electronic monitoring programmes

While we support engagement with the fishing industry, there is a risk that the proposed steering groups become an industry pressure group, with commercial interests taking precedence over other stakeholder views and wider governmental policy objectives (including environmental ones). To ensure that the groups support the achievement of the Government's environmental goals, there must be a balanced and representative membership across industry, academia, environmental NGO representatives, and other stakeholders, and carefully facilitated engagement between stakeholders. Further, there should be effective integration and coordination with other groups and programmes such as the Bycatch Monitoring Programme and the proposed Bycatch Technical Advisory Group to ensure knowledge exchange and consistency of approach towards common goals.

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[6] https://www.efca.europa.eu/sites/default/files/2023-03/Technical%20guidelines%20and%20specifications%20for%20the%20implementation%20of%20Remote%20Electronic%20Monitoring%20%28REM%29%20in%20EU%20fisheries.pdf

[7] At the end of 2021 https://researchbriefings.files.parliament.uk/documents/SN02788/SN02788.pdf

[8] https://sciencesearch.defra.gov.uk/ProjectDetails?ProjectId=20461 - "Annual sampling coverage under the BMP has been <1% of total annual UK static net effort, 1-2% of annual UK longline effort and roughly 5% of annual UK midwater trawl effort."

D. Beginning with voluntary early adopters within priority fisheries moving to mandatory requirements in time

We are strongly opposed to reliance on a voluntary approach. There will be insufficient incentives for fishers to engage in these voluntary schemes. We believe that a mandatory approach is crucial to ensure successful implementation of REM. There is clear evidence of the failure of past voluntary trials such as the Clean Catch programme. It is clear from previous experience that a stronger, mandatory approach will be necessary to ensure effective adoption of the programme and avoid years of lacklustre take-up. It is not acceptable that by 2028 REM will only 'likely' be mandatory in two fisheries.

A genuinely world leading approach would mandate REM from the outset of the programme. This will lead to increased certainty of the scope of monitoring over the coming years and facilitate the development of wider fisheries policy, given the knowledge that improved data will be available at set dates. Indeed, without mandatory REM and entire fleet participation, it will be difficult to achieve fully documented catches and effective reductions in bycatch.

The mandatory use of REM has already been implemented in a number of jurisdictions. For example, the use of REM on certain commercial fishing vessels is mandatory under New Zealand legislation. In addition, The Disposal and Bycatch Law in Chile came into effect on 1 January 2020, setting out a phased implementation scheme focussing initially on vessels over 18 metres in length. These jurisdictions recognise that REM is vital in providing more accurate and up-to-date information to better inform decision-making by Government and the fishing industry and that mandatory use results in a level playing field for fisheries management.

There is a risk that, unless all vessels within a specific fishery or fleet are equipped with REM systems, that an uneven playing field would be created. Vessels without REM could continue existing practices unmonitored, potentially placing the REM-equipped vessels at a commercial disadvantage.

To achieve the Government's 30x30 goals, it is vital that all fisheries are fully documented by 2030. This is essential for delivering management, which ensures that our marine protected areas are genuinely safeguarded from damaging activities, that bycatch is eliminated across our seas, and that overfishing is tackled. Adoption of mandatory REM across the English and wider UK fleet would be a strong example of best practice in terms of fisheries policy and nature protection policy working hand in hand, where they have previously often been siloed to the detriment of the environment and protected marine species.

Effective implementation of REM requires command and control leadership as previous experience reveals that a voluntary approach will miss those vessels most likely to be problematic. The UK should follow the evidence from other countries and make the use of REM mandatory from the outset.

Q3. For each priority fishery, do you agree with the definition? If not, what would you change (gear type/location/vessel size)?

Although priority Fishery A captures pelagic trawls over 24 metres we wanted to emphasise the urgent need for REM to be mandated on vessels targeting sandeels in particular within this classification (given these are characterised as using 'highly specific gears… of a pelagic or semi-pelagic design' and are typically more than 40m). With both the UK and Scottish governments having recently consulted on measures to restrict sandeel fishing in their waters to protect marine ecosystems, it is essential to ensure that any management goes hand in hand with effective monitoring through REM, not least to ensure compliance. Significant conservation concerns around sandeels and sandeel-dependent predators in UK waters, alongside this fleet's poor track record of compliance mean it should be considered as a high risk, priority fishery. The frequent misreporting of sandeel catch data led the Danish fisheries Minister to state "*This situation could probably have been completely avoided if the existing technological possibilities had been better utilised, and for example, the fishermen had had cameras and sensors mounted on their vessels with which they could document their fishing"*.[9] We therefore urge that the outcome of the sandeel consultations and introduction of measures to protect sandeel and the wider marine ecosystem are swiftly implemented, alongside effective monitoring. Essentially this requires the UK Government to mandate that any vessel that has the capacity to target sandeel is required to have REM with cameras when they are in English waters.

Q4. Do you think any other fishery should be prioritised?

<not answered>

Q5. What are your views on the proposed timeline and order of implementation?

As noted above, we disagree with a voluntary approach. Further, the timeline proposed by the Government is exceptionally unambitious. It should not take 5 years for REM to be 'likely mandatory' in two priority fisheries. Rather, a 12-18 month lead in time for mandatory REM is reasonable. As noted above, at the end of 2021, the number of registered English fishing vessels stood at 2,255 vessels of 10 metres or under in length and around 500 vessels over 10 metres in length (18.2%).[10] This is not an unreasonably large number of vessels on which to rapidly install REM technology. Early clarity will provide certainty to the fishers and the industry providing the technology.

Q6. Do you have any additional views on the proposed priority fisheries?

<not answered>

Q7. What are your views on the likely data objectives in Table 2 in each priority fishery?

[9] https://www.google.com/url?q=https://thefishingdaily.com/latest-news/danish-fisheries-authority-set-to-tighten-rules-on-sandeel-fishery/%23:~:text%3D%25E2%2580%259CThis%2520situation%2520could%2520probably%2520have,fishing%252C%25E2%2580%259D%2520says%2520Mogens%2520Jensen&sa=D&source=docs&ust=1696596231387717&usg=AOvVaw1AsYjS805UXdaCu6eVdiml

[10] https://researchbriefings.files.parliament.uk/documents/SN02788/SN02788.pdf

The use of "likely" in describing data objectives leaves room for not achieving the stated goals, and these objectives display inconsistencies across various priority fisheries. In the initial programme, it is crucial to maximise information acquisition by establishing uniform data objectives for REM use across all vessels in the priority fisheries. Furthermore, the consideration of interactions with sensitive species should be a fundamental data objective of all priority fisheries to gain essential insights into the where, when, and extent of bycatch incidents in English waters.

Q8. Are there additional data objectives you think could be useful for each priority fishery?

We note that the marine evidence base is still very poor and marine monitoring is expensive. Fishers, by their very activity, can be construed as conducting additional, frequent long-term monitoring exercises. Many fishers are defensive, but with trust can often provide valuable insights. REM could be promoted to them as a societal benefit they can provide. Data accruing will be very important in terms of delivering more sustainable fisheries management strategies such as the identification of essential fish habitats such as spawning and nursery grounds and the occurrence and distribution of rare species and eco-label certifications. The long-term nature of their activities when monitored through REM can not only inform future fisheries management but will prove vital in monitoring the impacts of climate change over the shorter and longer term.

On the data objectives specifically, there is still not a clear approach, with the consultation documents referring only to ‘‘likely data objectives’. Any data objectives also need to be consistent across the fisheries.

Q9. Do you have any views around how different aspects of remote electronic monitoring should be funded?

The UK Seafood Fund and the Fisheries and Seafood Scheme could be used to finance REM. However, more funding for these schemes will be required to facilitate this.

Generally, we believe that it is reasonable that REM is initially Government funded, but over time funding should become part of standard operational costs. The funding of REM monitoring programmes globally varies. REM programs in Canada and Alaska started under co-funding arrangements provided by the Government and industry, however did eventually move to 100% industry funding.[11] Programmes on the US West Coast are also currently co-funded by government. A number of other fishing industries and some governments are also transitioning to covering only specific costs while industry will provide the bulk of the costs. In Australia a 50% recovery cost is applied. We believe there is merit in the industry contributing to some costings from the outset, particularly hardware, as it is less likely to be damaged if this is equipment that industry themselves have to replace in order to go to sea.

Further, training resources would be welcome prior to the implementation of a REM program. New Zealand created a number of training resources for industry members to

[11] https://onlinelibrary.wiley.com/doi/full/10.1111/faf.12425

support the roll-out of full REM programs during the transition. These included informational videos and a webpage where additional information can be accessed.[12] The UK should look at these and other programmes to see what may best suit UK application.

Q10. Is there anything else you would like to comment on regarding implementation or generally on our plans to expand the use of remote electronic monitoring in English waters, as set out in this consultation?

There are already monitoring systems being put in place (Clean Catch, Orsted Hornsea 4 bycatch trials for example) and if the Government acts slowly with no oversight, there is a risk of reduced interoperability of schemes and a lack of consistency and coordination of data standards, and of how and where the data is stored and managed.

It will be important to consider who has access to the data from REM, balancing privacy with the need for full and effective environmental scrutiny. It is difficult to assess how the Government proposes that data will be handled, with the consultation only noting that it will be reviewed by “designated analysts”. A key consideration for data collection will be to ensure that those reviewing the data have the right level of knowledge to capture the relevant data needed for management purposes. Artificial Intelligence (AI) and machine learning is improving and may be able to help with this in time.

Given the benefits to society through fishing vessels engaging in REM, the joint promotion of REM by regulators and fishers could enable fishers to use their engagement to their own commercial advantage. With the rise in the public interest in the provenance of food and its sustainability, "REM" fishing might become a marque similar to seafood labelling and something the retail sector might pay premium rates for.

In general, we want to reiterate the importance of REM for achieving wider Government objectives and note that it is the underpinning method to achieve the goals of the fisheries management plans (FMPs) and Discards Reform.

[12] https://www.mpi.govt.nz/fishing-aquaculture/commercial-fishing/fisheries-change-programme/electronic-catch-and-position-reporting/