

Scottish Seabird Centre

Response to the Scottish Government Consultation on Future Catching Policy – May 2026

About Scottish Seabird Centre

The Scottish Seabird Centre is a marine conservation and education charity, driven by the mission to save seabirds, restore Scotland's seas and inspire change through conservation, learning, and unforgettable experiences. We manage globally significant islands including Bass Rock, which is home to one of the world's largest gannet colonies. Our award-winning centre welcomes over 170,000 visitors each year.

Questions

Do you agree that the current framework could benefit from being streamlined?

Yes

The Scottish Seabird Centre agrees in principle that the existing framework of technical measures could be streamlined, but this must be achieved in a way that maintains or improves environmental outcomes.

The current legislative landscape is fragmented and challenging to navigate, thus requiring a clearer, more coherent framework to benefit fisheries and managers. The streamlining process should be an opportunity to identify gaps and improve join ups between various policies including fishing policies, Marine Protected Areas (MPA) management measures, and climate targets. The Scottish Government should also provide further clarity on how they intend to conduct the streamlining process, as well as how it would be monitored and enforced.

Our support for streamlining the framework is however on the condition that ecological outcomes are not undermined. The scale of by-catch and illegal discarding demand urgent action, and, while streamlining could make the rules clearer and more effective it must not reduce ecological safeguards or obligations on operators. Any review of existing measures should apply clear tests to ensure that the change maintains or improves environmental outcomes.

As a member organisation of Scottish Environment LINK, we share their view that the consultation is framed largely around reducing unwanted catches and fails to meet the Scottish Government's legal obligations. The UK Fisheries Act 2020 ecosystem objective requires that "incidental catch of sensitive species is minimised and, where possible, **eliminated**". Similarly, the Joint Fisheries Statement (JFS), which is legally binding on Scottish Ministers, commits to "minimising, and where possible eliminating" the

unwanted bycatch and entanglement of sensitive species including cetaceans, seals, seabirds and elasmobranchs. We are concerned that the FCP consultation refers only to reduction, and request that the revised policy be clearly focused on where possible eliminating bycatch.

The consultation also falls short on considering spatial management, which should be explicitly integrated into the FCP alongside technical gear measures, and should be aligned with the MPA network and protection of Priority Marine Features (PMFs). The FCP should also set out how it will contribute to the achievement of Good Environmental Status (GES) under the Marine Strategy Framework Directive, which requires that the collective pressure of human activities is kept within levels compatible with the achievement of GES.

The Joint Fisheries Statement commits to putting in place spatial measures designed to reduce unwanted catch where required, including area closures to protect spawning fish. The current consultation does not deliver on this commitment in any substantive way.

Question - Do you agree that Scottish fishing vessels that already submit E-logs (vessels 12m and over in length) should report their catches on a haul-by-haul basis?

Not sure

We agree that a more granular approach to collecting spatial and temporal data on hauls would be valuable for stock assessment, real-time fisheries management, and enforcement. We remain concerned, however, about the adequacy of this measure in isolation, and we believe it is essential to view haul-by-haul reporting within the broader context of independent, objective monitoring. These measures, whether haul-by-haul or day by day, still rely entirely on self-reported data. Such a system needs strong monitoring to be effective.

The proposals made in this consultation are based on self-reported data that cannot be independently verified without Remote Electronic Monitoring (REM) across the demersal and mixed fleet. The demersal fleet segments that have the highest risks relating to discarding bycatch, and Landing Obligation compliance remain largely unmonitored by independent means. We are doubtful that, without REM in operation for this fleet, many of the proposals in this consultation can be verifiable in practice.

We believe that the roll-out of REM to the whole fleet would be the most effective way forward in terms of both minimising administrative burden and ensuring environmental and fishery management objectives are achieved. REM would not require fishers to submit individual E-logs, thus simplifying the reporting requirements and regulatory burden for fishers.

It is also important to note that the failure of the Landing Obligation was not primarily a failure of the reporting framework, but rather of monitoring and enforcement. The Obligation required fishers to change the way they operate but was not accompanied by robust monitoring to ensure uptake. This gave it little chance of success from the outset; and many saw this coming. A lack of effective at-sea monitoring meant there was little incentive to use highly selective gears or to report catches accurately, and the policy became unenforceable in practice. Haul-by-haul self-reporting risks repeating this pattern if it is not underpinned by independent monitoring.

Question- If a fisher were to experience a marine mammal bycatch incident, do you feel that this fisher could confidently report this incident without fear of negative repercussions to themselves personally or to their wider fleet?

We note with concern that no marine mammal bycatch has been reported to the Marine Mammal Organisation and that this should not be interpreted as evidence that no bycatch is occurring. Indeed, the scientific literature is clear that self-reported bycatch data systematically underestimates true bycatch rates, and because these self-reporting rates can be low, the use of such data typically results in biased estimates of bycatch (Tubbs and Berggren, 2024). The Scottish Entanglement Alliance provides direct evidence that bycatch in Scottish waters is occurring in creel fisheries at a scale not captured by official reporting (MacLennan et al, 2021). Rather than relying on self-reporting, which is inevitably limited in its efficacy, we believe that the focus should be on REM.

Question - Is there anything that could increase trust in the reporting system, noting that reporting is a legal requirement?

implementing REM across the fleet would provide an objective, consistent record that can be independently reviewed and can remove the burden of self-reporting from fishers while also their reducing concerns about data being used against them.

As mentioned in the response submitted by Scottish Environment LINK members, the Scottish Entanglement Alliance model partnership between industry, conservation, researchers and regulators demonstrates that data sharing is possible when the governance structure is trusted by all parties.

An independent review process for bycatch reports, separate from enforcement authorities is also more likely to be trusted by all parties.

Question- Do you think the current bycatch reporting requirement should be extended to include seabirds?

Yes

The Scottish Seabird Centre strongly supports extending bycatch reporting to include seabirds.

We are deeply concerned about the lack of monitoring for seabirds accidentally caught in fishing gear. Fully documented fisheries, with all catches recorded and accounted for, are a necessary first step to understanding and addressing bycatch.

Scotland is of global importance for seabirds, with 5 million breeding on our coasts. As top predators, seabirds are vital for marine ecosystems functioning. However, the recent seabird census shows dramatic population decline, with about 70% of Scottish Seabird species in decline.

As seabirds are wide-ranging foragers, they face a cumulation of pressures and interact with a variety of fishing gears across different stages of their life cycles. Scientific evidence identifies bycatch as one of the biggest threats for seabirds, driving population decline worldwide ([Dias, et al, 2019](#) ; Richards C., 2024). Global assessments have identified bycatch as one of the top three drivers to seabird decline along with invasive species and climate change ([Dias et al., 2019](#)). Other research has suggested that bycatch is the second most important threat to seabirds in terms of number of species affected, and the threat with the greatest average impact (Ramirez et al. 2024).

The main barrier to fully understanding seabird bycatch and implementing appropriate mitigation measures in Scottish waters remains the lack of data and reporting from significant segments of the fishing fleet.

Of the little data that does exist relating to seabird mortality from bycatch, we understand that it likely underestimates actual numbers. For example, recent assessments that find that 195,000 birds are killed in fishing gear every year in European waters clearly indicate that this figure is almost certainly an underestimation of the true toll. The highest-risk area is the longline fleet operating in Northeast Atlantic, overlapping with north and west Scottish waters (also known as the Gran Sol fleet) (Ramirez et al. 2024). Gillnets are identified as the highest risk fishing method for seabird by-catch, and long-line as the second. Similarly, the [DEFRA Bycatch Mitigation Programme](#) estimates that bycatch from UK vessels in longline, gillnet and midwater trawl fisheries may account for thousands of seabird deaths each year ([Northridge et al., 2020](#)). Northridge et al, 2020 shows that the most affected species are guillemot (in gillnets and midwater trawls) and fulmar (in longlines), followed by cormorants (in gillnets and midwater trawls).

Monitoring seabird bycatch is a necessary requirement to achieve and maintain Good Environmental Status (GES). Recent [UK Marine Strategy Part One assessments](#) show that UK administrations have failed to reach GES for many indicators, including birds. It is worrying that seabird bycatch remains unassessed under the UKMS Part One. Without comprehensive monitoring and reduction of bycatch, the UK will not achieve GES. Failing

to address bycatch will also impact the ability to achieve abundance targets. Actions on bycatch is also built into the Scottish Seabird Action Plan (SSCAP) as follows:

- “Develop and adopt effective technical measures for the long-line fleet to reduce seabird bycatch”;
- “Develop spatial or technical measures to minimise bycatch in other fisheries where necessary, working collaboratively with the sector”;
- “Implement static gear fisheries management measures, where necessary in seabird MPAs (not including creels).”
- “Support bycatch monitoring programmes, including the use of remote electronic monitoring, to identify high-risk areas and/or gear types associated with seabird bycatch and to assess the effectiveness of any management measures.”

The [OSPAR Convention Recommendation 2024/02](#) requires contracting parties (including Scotland) to consider developing a national plan to minimise and where possible, eliminate marine birds’ bycatch. Such a plan should contain a programme of data collection on bycatch to assess and monitor accidental capture of marine birds.

While we support including seabirds in bycatch report requirements, it must be accompanied by appropriate monitoring to ensure compliance. To achieve this effectively, we recommend the fleet-wide rollout of REM. This approach would simplify the process for fishers and fisheries compliance officers by automating vessel activity and catch reporting. REM would provide valuable support to future research, helping identify and flag any inaccurate data, reducing the reporting burden, and eliminating duplication of reporting effort. We also believe that REM should be routinely checked to ensure compliance and accountability. Without independent review, infringements might still not be detected if the relevant authorities do not receive an alert or are not on duty.

Do you agree with the proposed measures set out above for longlines to reduce sensitive species bycatch?

Yes

We support introducing a requirement for the longline fleet to use bird-scaring lines (BSL). This measure aligns with the Scottish Seabird Conservation Action Plan priority to develop and adopt effective technical measures for the long-line fleet to reduce seabird bycatch. However, we believe it should be part of a broader suite of requirements to minimising seabird bycatch, including appropriately weighted hooks and night setting (([Rouxel, 2022](#); [Bell et al., 2025](#); [ACAP, 2024](#)).

As outlined in our response to question 22, seabird bycatch is a significant threat to seabirds in Scottish waters and in the world, with pelagic longlines causing population-

level impact to species including Northern Fulmar (Clegg et al., 2025). This is particularly relevant to Scotland, as studies estimate the longline fleet off the north and west of Scotland might be responsible for the accidental catch of thousands of fulmars each year (Northridge et al., 2023).

Visual deterrents, such as streamer lines, are widely demonstrated by scientific evidence and practical experience in fisheries worldwide to be affordable, easy to implement, and highly effective at reducing seabird bycatch (Da Rocha et al., 2021). BSL are now globally recognised as best practice in the Agreement on the Conservation of Albatrosses and Petrels (ACAP).

While we support making BSL a requirement, this measure alone will not be sufficient. It must be part of a broader best practice approach. Research shows that mitigation measures are much less effective when deployed in isolation. A mix of measures, including BSLs in conjunction with night setting and weighted hooks, is proven to be the most effective (Rouxel, 2022; Bell et al., 2025; ACAP, 2024). It is critical for longlines to be weighted, ensuring the baited hooks rapidly sink out of seabird feeding range. When the hook sinks too slowly, it remains accessible to seabirds for longer, increasing the risk of bycatch. This is particularly relevant for the Scottish demersal longline fleet, with Rouxel, 2022, indicating that the average sinking speed of floated-demersal longlines is significantly slower than the ACAP recommendation.

Are there other measures that you think should be included as best practice, or that require further trialling?

Global assessments and ACAP review of mitigation measures (ACAP, 2024) recommend combining multiple mitigation measures, rather than using them individually. For longlines, the most effective measures to mitigate bycatch are the use of bird-scaring line, alongside weighted lines and night setting (Melvin et al., 2014; ACAP, 2024).

While trialling mitigation measures can be valuable in some cases, there is already extensive evidence proving the effectiveness of weighted lines and night setting. Studies also indicate the potential of additional best practice such as offal management to reduce seabird attraction to fishing vessels (Jiménez et al. 2022; ACAP 2024;). We believe the current evidence is strong enough to justify the implementation of these measures.

We also believe that rolling-out REM, especially to the longline fleet, should be a priority.

The consultation and measures proposed should also need to address the cumulative impacts of the Scottish fishing fleet on the marine environment. The present consultation assesses individual gear improvements and fleet-segment measures in

isolation, but the aggregate effect of the fleet on seabed habitats, sensitive species populations, and broader ecosystem function is not considered. Area-based strategies that consider carbon storage potential alongside ecological and fisheries considerations are more likely to deliver co-benefits for long-term ecosystem functioning, the livelihoods of the communities that depend on them, and climate mitigation. We believe that a catching policy that does not assess cumulative pressure cannot claim to take an ecosystem-based approach.

Finally, the Fisheries Management Plans (FMPs) should operationalise the FCP. The delivery of the proposed measures regarding longline bycatch adopted through the FCP should align with and be supported by direct implementation in the FMPs. We believe it should particularly be the case for the Northern Shelf Hake FMP, which was published for consultation earlier this year. Northern Shelf hake is the most important species for longline fisheries ([Scottish Government, 2025](#)). As hake are primarily targeted using demersal longlines and gillnets, this segment of the fleet poses a high bycatch risk, especially for diving species such as guillemot, cormorants and razorbill.

Are you aware of any evidence or studies on sensitive species bycatch in Scottish gillnet fisheries outside of those mentioned above (monitoring through the BMP and in the Outer and Inner Hebrides tanglenet fishery)?

No

We are not aware of other research focussing on Scottish waters, but the absence of evidence or uncertainty does not mean that bycatch is not occurring, nor exempt the Scottish Government from addressing bycatch through fisheries management measures. The UK Fisheries Act 2020 mandates a precautionary approach to fisheries management as “*an approach in which the absence of sufficient scientific information is not used to justify postponing or failing to take management measures to conserve target species, associated or dependent species, non-target species or their environment*”. The lack of evidence related to bycatch in gillnet fishing in Scottish water should not delay measures.

There is abundant literature related to gillnet fishing impact at a global scale, providing valuable insights that are relevant to the Scottish situation (e.g. [Žydelis et al. 2013](#); [Lewison et al. 2014](#); [Martin et al. 2014](#)). A wide evidence base demonstrates that gillnet fisheries pose significant bycatch risk to multiple species including cetaceans and seabirds, particularly diving species such as guillemots and razorbills. Given the wide range of evidence and the lack of monitoring in Scottish waters, it is very likely that existing data in Scottish waters underestimate the actual scale of the issue.

As mentioned in our responses to previous questions, rolling-out REM with camera and gear sensors is an essential requirement to improve understanding of sensitive species bycatch in Scottish gillnet fisheries and encourage best practice.

Are there any measures that you think could improve understanding or knowledge regarding bycatch in gillnet fishing?

Improving understanding of gillnet bycatch in Scottish waters will require a much stronger monitoring framework, better reporting and analysis of data, and a willingness to apply precautionary management. Without improvement of the monitoring system, we doubt it will ever be possible to quantify bycatch and assess gillnet impacts on sensitive marine species.

As stated in our responses to questions above, we believe that rolling-out REM and implementing appropriate monitoring systems is key to get fully documented fisheries and improve our understanding and the full extent of the issue.

Given that inshore MPA fisheries management measures are in development, we believe that the deployment and trialling of best practices should be within or/and near MPAs as a priority. This approach should provide valuable insights and serve as a model for broader implementation.

Do you agree that creel vessels should trial sinking groundlines?

Not sure

While we do not object to trials, we note that significant trials have already been completed through the collaborative Scottish Entanglement Alliance projects with creel fishers on the west coast of Scotland (Calderan et al 2024). The evidence base presented by the Scottish Entanglement alliance is already clear and positive, indicating it is now time to expand implementation of sinking groundlines.