



# Environment, Housing and Infrastructure Scrutiny

## Panel

U.K.-T.E.C.A. Fisheries Review

**Witness: Jersey Fishermen's Association**

Tuesday, 26th January 2021

**Panel:**

Connétable M.K. Jackson of St. Brelade (Chair)

Connétable J.E. Le Maistre of Grouville (Vice-Chair)

Deputy I. Gardiner of St. Helier

Deputy S.G. Luce of St. Martin

Deputy G.J. Truscott of St. Brelade

**Witness:**

Mr. D. Thompson, President, Jersey Fishermen's Association

[14:04]

**Connétable M.K. Jackson of St. Brelade (Chair):**

This is the Environment, Housing and Infrastructure Panel and we are holding a public hearing with the Jersey Fishermen's Association, represented by Don Thompson. I am Constable Mike Jackson, chair of the panel. We have the vice-chair, Connétable John Le Maistre from Grouville, the Constable of St. Saviour, Sadie Rennard, and Deputy Inna Gardiner, Deputy Luce and Deputy Truscott. Don, I am going to kick off by asking you just to outline the present situation today. We are fairly well-versed, I think, with the general situation regarding the T.E.C.A. (Trade and Economic Co-operation Agreement) and the problems which it has caused. Would you outline the position of the J.F.A. (Jersey Fishermen's Association) as of today?

**President, Jersey Fishermen's Association:**

Thank you, Mike, and good afternoon, everybody, and thank you for the opportunity to meet with the panel. I think as far as the position of the J.F.A., there are 4 different elements that would be good if we could cover today but if the question really is what is the situation on the ground, I would say, without any exaggeration, that the T.E.C.A. has involved Jersey or implies that Jersey gives access to our marine resources, to our fish, to foreign vessels, to French vessels with a track record, in return for frictionless and free trade. We have seen that it is anything but frictionless at the moment. Some of it could be called teething problems but when we see that, for instance, the N.E.A.F.C. (North-East Atlantic Fisheries Commission), the designated ports, the submission of an online document there that just replicates all the other documents that have to go in, where there are real glitches for that form we would have thought that French officials might have taken a bit of a lenient approach to allowing fishermen ... if a conversion factor for instance for live products and gutted fish, where it jumps back to default if they do not put the correct conversion factor in, considering that all the details of the catch, the weight, et cetera, is recorded on all the other forms that they would take a lenient approach to it. But it is almost a case of if a full stop is in the wrong place or something is spelt wrong they jump on it really quickly. We are seeing continued difficulties with getting boats through to land. As far as export goes, there is a little bit of export going on Saturdays with the Commodore Clipper down to Saint-Malo but all export through the more normal route, through Granville, has been stopped for, I think, fairly legitimate reasons to some extent in that it does not hold the right status for border inspection. I will stop at that. But that effectively gives the situation, as it is on the ground.

**The Connétable of St. Brelade:**

Has there been any exploration with regard to landing in Cherbourg at all?

**President, Jersey Fishermen's Association:**

Not really. In answer to that, Cherbourg, as far as our small freight boats go, there are 3 freight boats - there are 2 Jersey boats, the Thora and the Normandy Trader, and the one French boat, which is the favoured option at the moment, the Chausiaise - Cherbourg is pretty much out of range for all of them. As far as the average size of our fishing vessel here in Jersey, much smaller nowadays, whereas it used to be our main port of landing, it is just out of range for our boats. So Cherbourg is not something we would see as an option. It is just not a practical option.

**The Connétable of St. Brelade:**

Is it an approved port from the hygiene point of view or the regulation point of view, given that Granville is not fully approved?

**President, Jersey Fishermen's Association:**

My understanding is that Saint-Malo have the correct status, as do Cherbourg, but I think there is a new term for border inspection post now. I am not sure what it is. Our understanding is that you do not specifically need a physical border inspection post. It is more of a designation and I think we would have expected that our Minister for External Relations, given that he seems to have quite good lines of communication with Marc Lefevre, might have put a little bit of pressure on to insist that that status could be gained but all we are seeing is correspondence from effectively the port authorities in Granville saying until they have seen a document that says that Granville has the correct status, that there can be no freight coming through Granville.

**Deputy S.G. Luce of St. Martin:**

I am just going to say something and I would like you to react to it. It seems to me that since Brexit we have had a couple of phases of different things happening. To start off with, it was quite difficult to get in with product into France. There were various excuses being made. Then we did seem to go through a spell where a couple of boats managed to get into Granville, we had a couple of boats into Carteret and we have, as you said, some product being put through Saint-Malo. But it seems now that there was a threat of some industrial action, if you like, in some of these ports and that fishermen were unhappy. But both those things seem to have gone away now, as far as I can see, but you may well correct me. Do you think it is right to say that the biggest headache facing our fishermen at this moment now are the problems that they are encountering with the paperwork? I will leave it as simple as that.

**President, Jersey Fishermen's Association:**

I understand the question, Steve. Yes, effectively the hurdles or barriers being created at official level seem to be the major obstacles but there have been meetings. We have been keeping really close tabs on various fishermen's meetings, et cetera. Not only direct fishermen and their representatives, such as the one that was held at the Granville on Friday, but their meetings with the Mayor, Madame Annick Girardin, and there is a certain amount of pressure being put on by French fishermen to try to ... initially it was to try to get back to the situation where the Granville Bay Treaty was going to hopefully be reinstated but it became obvious that there is absolutely zero chance of that happening, and I can explain the reasons why. There is the official line that: "Everything has to be absolutely correct otherwise we will make it as difficult as possible for you." But there is most certainly pressure coming from the fishermen to which the officials seem to be reacting. I sense, and I think I am pretty accurate in saying this, that it is no longer about the treaty. There is a realisation that that is not going to happen. It is now about simply maximising the number of vessels that can fish in our waters. I think the latest figures are that 57 permits have been issued. There are another 115 pending and the French fishermen are certainly driving to get all of those 115 extras through.

**The Deputy of St. Martin:**

But are you confident in the system inasmuch as the E.U. (European Union) have been very clear that any French fishermen, in order to gain a permit to fish in Jersey waters issued by Jersey, would have to demonstrate properly a track record?

**President, Jersey Fishermen's Association:**

Those are the terms of the T.E.C.A., Steve, and that was not written by Jersey, nor was it written by the U.K. (United Kingdom). That condition was effectively created as part of the deal by the E.U. Commission and it most certainly catches us, as well as it catches French fishermen. There is supposed to be reciprocal access.

[14:15]

We are aware of one vessel in Carteret, certainly one or 2 in Granville, and another one in Saint-Malo. These are new vessels which missed the track record criteria, which cut off at 31st January. For instance, a boat by the name of Le Pearl in Granville, we believe a lot of it was grant money from the E.U., but there is 3 million euros been spent on putting that boat in the water. She has 900 horsepower. She is a very powerful vessel. The owner of that one is really upset. But we have a fisherman, many of you will know, [REDACTED], a lifelong fisherman in our fleet. His licence alone cost him just short of £250,000. The boat was built within the track record period but it was not launched because of the cost of finding a licence for it. So [REDACTED] is one of our few fishermen that has ever used the access that we have to some French waters. But [REDACTED] misses the track record period as well. So on both sides everybody has to accept that the criteria is the criteria and it is not Jersey that is making it difficult. It just is the criteria.

**Connétable J.E. Le Maistre of Grouville:**

When we met you once before you were worried about the fact that under the Bay of Granville Treaty the French could licence many more boats than were actually using the waters. Presumably with this latest agreement, the T.E.C.A. agreement, only vessels that were fishing in our waters would be allowed to continue. Is that a positive thing?

**President, Jersey Fishermen's Association:**

That was an issue in that the treaty was written in a way that it was meant to retain access or maintain access for the benefit of those ports surrounding the Granville Bay area. It specifically stated in the treaty the ports in Des Iles(?) around to Ile-de-Brehat for the benefit of those fishing communities from Jersey and those surrounding ports. We knew pretty much what the numbers of vessels were but somehow the numbers on the French side were grossly exaggerated so that they claimed 680 vessels. At the time that the treaty was signed there was probably only around 30 or

40 French vessels properly accessing our waters. We now have really good records of around 70 French vessels that visit our waters on any sort of basis and probably only half of those have genuine, what you would call, economic links to our waters. In other words, that rely on our waters for their livelihood. We have always respected that whatever arrangement we ended up with out of the T.E.C.A. or post-Brexit that we would need to respect those rights. So our understanding is that we would end up with at least 40 or 50 genuine cases, another perhaps 20 to 30 to make up 70, that we have a record of, that do access our waters from time to time. But we look like now having this problem on our hands where the French are claiming that there is another 115 that they want to have access. Just to elaborate on that a little bit. From the T.E.C.A., the French administration are meant to look at all the applications. They are meant to look at whether there is proof of track record that they have spent time in our waters and logged that down in their daily logbook, which they are meant to do after submission of data, so that ... the French administration are then meant to forward that list that they have already vetted, that they have already had a look at, to see that those boats on the list do come with a track record. They supply that list to the Commission. The Commission supplies it to London. London have a look at it and then supply the list to Jersey. That is not what has happened. They have effectively just made up a list of everybody that wants to have access to our waters. The problem here is that the accusations are that the list that has come forward is the correct list when it is not - it has not been vetted. - and that it is just Jersey that is making it difficult. This is the line that has been pushed by French fishermen, leaders, is just Jersey being difficult. As you will have heard from the media reports from John Young, any boat that has an application and any owner that has an application in with the correct track record proof gets his permit issued quite swiftly, and 57 have already done that and completed that process.

**The Connétable of Grouville:**

Those 57 have shown that they have fished within the last 3 years to the required level or are there some, do you think, that have not been fishing and have merely applied for a licence and got one?

**President, Jersey Fishermen's Association:**

We are a little bit suspicious of a few on there. The 57 did not necessarily prove that they ... did not provide the track record proof. It was just a case of the first list that came through our Fisheries Department had noted from their patrols, from V.M.S. (vessel monitoring systems), they had records of those boats having access to our waters. There are one or 2 particularly big powerful vessels we know from Saint-Malo that I can remember from my big boat days when I worked the Celtic Sea, and areas like that, those boats, that is where they live. That is where they belong down there. If they perhaps have a dip in our waters once in a blue moon, when it is blowing a force 10 before they can get to where they are going, we do not see that that constitutes a proper track record. Effectively, we have 57 boats that might not necessarily have proven their track record but the Fisheries Department team recognise that those boats will have had some V.M.S. data or something, or the

department itself had a record of them of sightings or boardings of those boats. So those were just processed very quickly I think to keep everything as calm as possible. That is my understanding of that situation.

**Deputy G.J. Truscott of St. Brelade:**

If I was an airline pilot I would have to log every flight that I had taken and show my hours in the air, et cetera. Excuse my naivety here, I am not a fisherman, but if you are a commercial fisherman, then you go out to sea, do you have to log as well? This is French fishermen and Jersey fishermen, do you have a logbook for your daily catch, et cetera, and where you were? Does the same thing apply?

**President, Jersey Fishermen's Association:**

That is an interesting perspective there. There are several different levels. One is that all vessels over 15 metres have to carry both V.M.S. satellite monitoring equipment on board as well as A.I.S. (automatic identification system) effectively to corroborate - I think is the word - the V.M.S. data so that in case of an enforcement action that a fisheries inspection team, enforcement team, would have 2 sets of data to prove exactly where the boat was fishing. There is that that exists for the over-15s plus since, I think, 2010 they have had to carry electronic logbooks on board and that has to be completed by 2400 hours midnight every night, which includes the position of the vessel, where she has fished for the day, what her catch is, et cetera. Then it is a slightly different situation for the under-15s that do not require A.I.S. or V.M.S., but they do have to record their catch and the area that it comes from. So the requirement to submit logbook data has been a ... I cannot even remember how long ago that was, it was well back into the 1980s, if I remember correctly. I will just go one step further to say that it was written into the treaty, very specifically, that the treaty being all about sustainable management of the shared stocks, that each side had to submit data from their boats on an annual basis. Jersey asked for 18 years for the data from the French side and never, ever received the data from an official level. The administration claim that they could not separate the data coming from the Granville Bay area from the rest of the areas that the boats access, which is a bit of a poor excuse considering they had 20 years of the Granville Bay Treaty to sort that out. Yes, there should have been data and that would have been a really easy way to verify whether vessels had a track record or not.

**Deputy G.J. Truscott:**

That is the whole point I am making really. It is that information should be there and hopefully the proper authorities have access to it, to be able to grant licences going forward, which is only fair and equitable really. Thank you.

**The Connétable of St. Brelade:**

Just before I go to Inna. On that point, Don, are you aware of whether the French have access to our data going the other way round?

**President, Jersey Fishermen's Association:**

Our data not only has it been offered every year but it is published online, the annual Marine Resources report is published on an annual basis and it records numbers of vessels, types of vessels, quantity of catch, where it comes from, species, the whole works. I think Steve will certainly verify, and I think yourself, from your past experience will be aware of that.

**The Connétable of St. Brelade:**

I am just wondering, in fact, if the French are being covert about this. I am surprised that none of their data is online, like ours is. It seems curious. But maybe that is something for us to investigate.

**Deputy I. Gardiner of St. Helier:**

It is also about the data. I would like to follow up your answer about 57 permits that were already granted. I understand that with vessels over 15 you have a track record, they can prove, it is all recorded. It is no problem with bigger vessels. The challenges are with smaller vessels under 15. From 57 that were granted they did not submit the evidence, I understood from your answer; that the department checked various satellite patrols and put together and granted the permit. Now, going forward, from the best of your knowledge, do you think we created a precedent that other 100 vessels that it is not our responsibility, it is Jersey's responsibility to prove that we did not access the water? Or we still can go back and say: "If you do not prove we are not granting", so what is your understanding of the situation?

**President, Jersey Fishermen's Association:**

I understand the question well. I cannot say 100 per cent what the full process followed by our department was for the 57 vessels. We do know that there are a percentage of those vessels that are not over 15 metres, so some of the boats that have been licensed already will have just been on the back of records from sightings and boardings that the Fisheries Department had. But nevertheless you are correct in assuming that it could be argued that they set a precedent by allowing those boats through without having those owners, those boats, without the need for those to provide the evidence. That could be an issue but nevertheless the criteria is quite clear, that all French applicants have to provide the proof of having fished in our waters for 11 days in any one of the 3 years in the track record period.

[14:30]

That is very clear. We have been through that process ourselves when Guernsey's licensing authority was extended from 3 to 12 miles. A really similar situation. Whereas previously Jersey boats just had automatic access to those waters we had to prove a track record. At the time there were 165 fishing vessels in Jersey and only 18 managed to provide sufficient proof. I was one of the ones that had spent practically a lifetime of fishing in the bailiwick waters and that was mostly up around the Caskets in Alderney, which are part of the bailiwick waters. Almost my entire livelihood in the winter was spent here and I just did not get it across the line. We have been through that and we have seen that a licensing authority does have that ability to make it a condition that you do have to provide the evidence. I do not think there is an argument that because 57 have got through that the other 115 can automatically just expect Jersey to find their data for them.

**Deputy I. Gardiner:**

One more quick follow-up, following your statement at the beginning of the public hearing. If you can please bullet point what 4 elements you think we need to raise or discuss during the public hearing. What are those 4 elements from your perspective? Like in bullet point one, 2, 3, 4.

**President, Jersey Fishermen's Association:**

Thank you for the opportunity. I have had a look, I think there is something like 35 comments or submissions, letters to the Scrutiny Panel. Most of them have come from commercial fishermen, there are a few in there that are not but most of them have. They are mostly letters with a bit of an emotive side to it, that fishermen feel that it is unfair that here we are with our small boats trying to make a living from our waters against a very powerful fleet of well-subsidised vessels using European grants to build bigger, more powerful newer boats. They just cannot compete. There is that side of it but there is the legal side of it - I guess you could call it legal - where the vote that was taken on 27th December by the States Assembly, effectively it does bind the States to apply the T.E.C.A. exactly as it says, as per the terms of the T.E.C.A. That means applying international law of the sea. It implies the States will use the S.M.E.F.F. (Sustainable Management of External Fisheries Fleets) in external waters. They will use that framework to issue the permits and we see that that is not happening. So without going too long on this, the 4 elements that we picked up on. First, there is intended to be a non-discriminatory aspect to the new framework that we use to permit foreign access but we see that that should cut both ways. We are looking at our boats having any number of conditions and the one that is the most obvious is the 12-metre rule, where our fishermen have been prevented from bringing vessels over 12 metres into the fishery for the last 18 months. That we see around about 30 of the vessels that have been permitted so far are anything from 15 right up to 24 metres and 1,000 horsepower, so we are struggling to get our head around why it is that we have not applied or why Jersey has not applied conditions the same on French boats as on Jersey boats. So there is a discriminatory element of it. The second one is the cost of access. Current rates for a young Jersey fisherman, or any Jersey fisherman, to come into the fishery, not



for the boat, just for a piece of paper to give him the right of access to the fishery - we call it a fishing licence - is £450 per kilowatt of engine power and so for the example I used of [REDACTED] with a boat called [REDACTED], it cost [REDACTED] £225,000. [REDACTED] is on the brink of going bankrupt. He is a brilliant, absolutely wonderful fisherman but he is just not able to meet the terms of his repayment. We see that the permits are being issued really to the French and there is no economic benefit from the fish that they take from our waters, so we are struggling to see how that gets over the line in terms of non-discriminatory. Then the third one, which is possibly the biggest one, is the 3-nautical mile fisheries limits. We have written to all States Members, so you will be familiar with the letter that we wrote, and I have subsequently met with the law officers where I expected to hear that we have missed something but it is absolutely now even more clear for me that Jersey is just not drawing our fisheries limits as per intended in U.N.C.L.O.S. (United Nations Convention on the Law of the Sea). That is the third one. The fourth one is the one that we already touched on, which is that access to our waters was meant to be the reciprocal and what was offered in return was friction free trade, and that is certainly not happening at the moment. Apologies if I made that a bit long but hopefully the 4 points are clear.

**The Connétable of St. Brelade:**

That is great, thank you, Don. Steve, you have a question.

**The Deputy of St. Martin:**

I just want to go back a couple of steps if I can, and I am pleased you mentioned non-discriminatory things. But the first thing I just wanted to say was that I think we are all agreed, I know there have been 57 licences been issued but I would hope we would all agree that they are temporary licences until such time as they are made more permanent. If there are some problems with the way they were issued, one would hope that there may be ways to address that when they come to issue them more permanently. But the thing I wanted to concentrate is on the non-discriminatory thing and I had written it down before you even mentioned it. But would you agree with me that in issuing a licence the Minister should be being absolutely 100 per cent certain that there will be licence conditions, which make it non-discriminatory, so any evidence provided by our own fishermen for their catch must be met by the French and that any rules and regulations that apply to our fishermen must apply to the French fishermen exactly the same.

**President, Jersey Fishermen's Association:**

The response we get to that question when we ask either Senator Gorst, John Young or Gregory Guida at the moment is that they are concerned about spooking the French. When you were Fisheries Minister, Steve, and when we went through the process of the review of the treaty, you were always keen that we were straight upfront with what we were trying to achieve. What it was that we wanted and the reasons for it. I think that has stood us in good stead right from the beginning

that we did not have an agenda behind the scenes or something that we came in with later on, that we were always upfront. I really think that is what we should be doing now. The various conventions that apply when you are issuing a permit, the one right at the forefront is: "Are you you?" and illegal, unregulated, unreported, unmanaged fishing on the high seas or in external waters, as it happens. That is what all of the online documents, the Jersey fishermen, the N.E.A.F.C. form, the catch recording form, the catch reporting forms, the various different forms that have to be submitted online by a Jersey fisherman to get his catch into the E.U., first and foremost it is to comply with the I.U.U. (illegal, unreported and unregulated fishing) regulations to make sure that it comes from a fishery that is managed and controlled. When you issue a permit to a French boat with no condition on it, it means that that boat comes into our waters and has no obligation to record his catch, to report it to Jersey or anybody else, and what we are seeing at the moment is unmanaged fishing that does not comply with I.U.U. That is not just my perspective on it, that is a fact. We have an illegal, unregulated fishery going on in our own waters. That is by way of the fact that there is no condition on the licence for the French fisherman to report his catch or any other condition, as it happens. I think Jersey is already on the wrong side of the, if you like, legal terms of the T.E.C.A.

**The Deputy of St. Martin:**

I do not know if this is going to be a question but it is more of an observation, and you are very kind about when we worked together in my time as Minister but notwithstanding that, when I deal with matters like this I get a feeling in the middle of my chest sometimes and I get a feeling about a French fishing boat fishing alongside a Jersey fishing boat, inside Jersey waters, being able to take that catch back to its own port in the E.U., having come from outside of the E.U. without any paperwork, and that Jersey boat not being allowed to do or able to do exactly the same thing. I think it fundamentally comes down to what we were saying before about access to trade. Moving forward, we have to find a way for everybody to be treated the same. That is on both sides of the fence, not only Jersey but the French as well. A Frenchman can land into French ports so must Jersey. If Jersey has rules on French boats, the Jersey boats must comply with the same rules. But I cannot get over this fundamental pain I get in the middle of my chest when we know that whether it is a scalloper or whelker, or what have you. Boats are working alongside each other at sea and are allowed to do very different things with exactly the same shellfish or fish, whatever they are, wet fish, that come out of the waters. That is a fundamental issue that somebody has to address and we have to get over so that everybody is treated fairly and everybody is treated the same.

**President, Jersey Fishermen's Association:**

Can I just make a comment on that one? The most obvious example of that, the S.P.S. (sanitary and phytosanitary) conditions, that is the phytosanitary or animal health sanitary conditions. I can understand where, for instance, an Australian firm or a New Zealand firm or a Canadian firm wanting to send live products such as scallops, would be a good example, from waters really remote from

European waters, where they have to prove that the fishery is a clean fishery. That the product meets those phytosanitary conditions. We have a situation here where French boats right now today are fishing scallops in our waters. Our Jersey boats cannot fish those same grounds, our own grounds, and land the catch into the E.U. because we are not yet compliant with phytosanitary measures. So our boats are being prevented from exporting product into the E.U. and yet the E.U. boats or French boats are fishing those same scallops on our grounds and going freely about their business of landing them into the E.U. I just do not follow why we could not, as a Government, pick up on that and say that is discriminatory. If the fishery needs to be surveyed and health checks done on the fishery, so that the product is proven to meet phytosanitary conditions, so be it. But then neither Jersey nor French boats would be fishing the grounds and those scallops would be there to catch at some other point. But it is really difficult to see how we can allow the current situation where our scallop boats are tied up watching French boats fishing happily away on our scallop grounds.

**The Connétable of St. Brelade:**

Just to go on to the legal side of things, and particularly the demarcation between, shall we say, the Minkies and Chausey, I suppose, and the Ecréhous in France. What is your take on the line in those areas at the moment, and that question is led by the fact that we have a meeting with the law officers a bit later? I would appreciate your take on that at the moment.

[14:45]

**President, Jersey Fishermen's Association:**

Effectively we are talking about the boundary agreement, which replaced the old A to K line, for those that go back that far. The A to K line dates from 1839. It effectively draws a median line where our 3 miles to the east of the Ecréhous and to the east of the Minkies overlaps with French territory. In legal terms it might not really still exist but there is no reason not to observe that boundary agreement. But that has no relevance whatsoever on Jersey using the lowest drying elevation, as it says in 1982 U.N.C.L.O.S., to delineate our fisheries limit.

**The Connétable of St. Brelade:**

Where is the lowest delineation at the Minkies, for instance; to the east side of it obviously?

**President, Jersey Fishermen's Association:**

To the east side of it, somewhere down on the east side of the Coq passage there. But the boundary agreement is not a straight line; it is a line that hooks around the Ecréhous to some extent and it does a similar thing down to the south-east of the Minkies. I do not think there is any problem in

recognising the boundary agreement but that does not in any way remove our responsibility to draw the 3 nautical miles correctly.

**The Connétable of St. Brelade:**

The other points, in terms of conservation I think it is probably quite a good tool for us to use and how can we develop an understanding from the French point of view that that is high on our agenda? Because, as you say, it is all very well putting conservation measures in place, just to see them run roughshod over by the French, which seems to be the case. Do you see that as a tool in this discussion in any way?

**President, Jersey Fishermen's Association:**

In the context that we are going to be bound by terms of the T.E.C.A. in trying to manage the fishery from 3 to 12 miles, I think we have some good ideas within the Fisheries Department on using what little data we have from the French to control limits or to maintain them at no higher than what they were previously. So there is some scope in the 3 to 12. Whereas when we talk about proper delineation or proper drawing of the 3 nautical miles to include and to recognise the sovereignty of the Minkies and the Ecréhous, that gives Jersey a much stronger hand in managing those waters. It is really worth reading section 5, I think, of U.N.C.L.O.S. of 1982 where it gives the coastal state with the territorial seas in question, the right to explore, exploit, conserve and manage the resources in the waters adjacent to the seabed, is exactly what it says. We would, under those terms, have much more control to stop fishing, such as the prayers(?), where you are using dredgers that dig down probably almost a foot below the seabed to dig the prayers out. It is really not a very environmentally friendly way of fishing.

**The Connétable of St. Brelade:**

Just moving on to Granville and the status down there. Are you aware whether Granville is trying to enhance its status or is it satisfied with the arrangements that presently prevail with the sanitair people, or whatever they call themselves?

**President, Jersey Fishermen's Association:**

The feedback we have on that, Mike, is I would have hoped we would have had that information on that from our External Relations, but the feedback we have is from meetings from [REDACTED], who is the chap that runs the Chausey ferries or who owns the company that runs the Chausey ferries, and who has built the new Chausiaise. He, in fact, has another boat in Turkey being built at the moment. [REDACTED] met with Mark Lefevre, and I am sorry I have forgotten her name, another Deputy in Normandy, to ask why it is that he cannot freight crab and lobster from Jersey into Granville and he has been told that all it needs is a stamp on a piece of paper. If Paris could provide that, then they would be more than happy to see those lines of freight struck

up again because, as I mentioned to you at Christmastime, Mike, it is well over 30 per cent of the total trade that goes through the Port of Granville that is made up of trade in Jersey.

**The Connétable of St. Brelade:**

Indeed. Can you just remind me? La Criée is owned by the Chamber of Commerce now, is it not? Am I correct in saying that?

**President, Jersey Fishermen's Association:**

Yes, I think there has been a little bit of some sort of a change but it is my understanding that La Criée was always managed and controlled by the Chambre du Commerce in Granville and I think that is still the case. It is just there has been a little bit of a change in the Société Porte, , if that is how it is pronounced. The harbour control or port control there. I cannot say that I fully understand it. There have been some changes down there in recent times so that there is a new official level, if you like but, effectively, the management of the port, including La Criée, still comes under the Chambre de Commerce.

**The Connétable of St. Brelade:**

Just going back to their discussions with Paris, do you see the communications between Granville, Normandy and Paris being as they would like it? It seems to me that there may be difficulties in that line as well.

**President, Jersey Fishermen's Association:**

Yes. It is not a direct answer to the question, Mike, but it is rather odd that the Société Porte are saying if the freight boats, such as the Chausiaise or the Normandy Trader or the Thora were to bring freight down including live crab and lobster, they could land it through La Criée and that would be deemed to be acceptable. That is a bit of a contradiction in a way. The port either has the correct status or it does not. We know that La Criée had a loss last year well into the million something euros and we see it as just a bit of a desire down there to get the freight back but to channel it through La Criée, so that La Criée is better supported. I cannot blame them for that but it is a contradiction because there is either the correct status or there is not and most certainly just need to add that La Criée have said under no terms can they accept landings as freight. It has to come from individual boats.

**The Connétable of St. Brelade:**

All right.

**The Deputy of St. Martin:**

Yes, more of an observation though, Don, and I completely agree with you about the importance of Jersey freight to Granville. Since the bulk waste metal and stuff has been taken away down there, the amount of genuine freight that goes through the port is very small and, as we know, the Jersey boats are picking up some of it. Yes, some boats could land directly in Granville but, as you know, it is this border control post status which is the one we need in order to land process fish or oysters and that type of thing. But it is my understanding that Granville and Normandy are very, very much in favour of this and I would like to hope that you would agree with that. I guess it is up to all of us to put as much pressure on France's powers and I guess Brussels at the end of the day to agree that Granville becomes a B.C.P. (Border Control Post) because that immediately makes life an awful lot easier in the first instance for somebody like Aqua-Mar who exports a lot of our crab and lobster on behalf of our smaller boats who are not big enough to get over to the French mainland.

**The Connétable of St. Brelade:**

Any thoughts on that, Don?

**President, Jersey Fishermen's Association:**

Only just to comment that I fully agree. I think there might be a perception here that we, as an association or as a fleet, have gone very anti-French and it is far from the truth. Certainly, from me personally, there is an understanding of the need to respect other fishermen. I think most of our guys have been clear right from the start that, whatever outcome there was from Brexit, we needed to respect not just fishermen's right but the need for trade between Jersey and particularly Granville where it is important to us and it is important to Granville and to see that carry on. There is a lot of anti-sentiment being drummed up particularly by fishermen in France in general or by their leaders and when you look at some of the statements that have been made, some of it is quite far from the truth. I just want to make that comment that there is nothing anti-French here. There is an understanding that that trade needs to be struck up again. It is important to everybody and the sooner we get there, the better.

**The Connétable of St. Brelade:**

Thanks. We are getting near the end of our time. Does anybody else have any further questions or comments to make to Don? It seems not so, Don, thanks very much for that. We will go away and do a little bit more work and hopefully progress the situation, although I cannot promise too much at this stage, as you will probably appreciate. Just a quick one coming from Steve there.

**The Deputy of St. Martin:**

Yes, I did not realise the time was getting on. I just wanted to go back to something we mentioned earlier, Don. In reading the submissions from the fishermen to us, there are a number of threads running through it, but one of them is paperwork and the difficulties of paperwork, access to the

internet at sea and all that type of thing. Could you just give us your thoughts on how Government can help the industry with that subject? There has been some discussion about administrative resource and helping you out generally as the Fisheries Association or as individual fishermen or just appointing somebody to be really good at trying to find a way through all these pieces of paper.

**President, Jersey Fishermen's Association:**

Yes, thanks, Steve. It is a very relevant point at the moment and I am sorry if it sounds a criticism of Government. I feel really frustrated at seeing a number of our Ministers from the Council of Ministers, particularly from External Relations, using the media to push this point that Government understands the difficulties our fleet are going through and that they are offering support, financial and otherwise. There is one really quick and easy way to do that and is to create a role for someone to work in what you might want to call "customs clearance". It is not really customs anymore but in export customs clearance. I am sorry to use an old term but it is just a no-brainer. We put that forward almost from day one that there was going to be a need for somebody to fulfil that role and, as it happens, Dave Yettram who is meant to be the enforcement officer in the Jersey Fisheries Department has been working 7 days a week day and night to try and fulfil that role. It is not his role but he has been doing it and everybody absolutely has a great deal of respect for the work that Dave has put in but it is not his role. He should be working certainly on getting the permits processed. I am really frustrated by the fact that we put that together into a formal proposal at least 10 days ago and it just seems to be we are back in the same situation as we were with the COVID issue last year where everybody agreed that we needed to support the fleet to make sure we had a fleet at the end of it. Everybody agreed that it should happen and nobody had a budget and we are seeing exactly the same problem now.

[15:00]

**The Connétable of St. Brelade:**

Thank you. We will see if we can do some work on that. Does anybody else have anything else for Don? In which case, I will thank you, Don, and we will no doubt be in further contact in due course. So thanks for your time and we really appreciate it. We will speak soon.

**Deputy I. Gardiner:**

Thank you, Don.

**President, Jersey Fishermen's Association:**

Yes, thank you, all.

[15:00]