

STATES OF JERSEY



DRAFT STATES OF JERSEY (TRANSFER OF FUNCTIONS No. 8) (MISCELLANEOUS TRANSFERS) (JERSEY) REGULATIONS 201- (P.46/2015): COMMENTS

**Presented to the States on 4th December 2015
by the Corporate Services Scrutiny Panel**

STATES GREFFE

COMMENTS

These Comments relate to *P.46/2015 Draft States of Jersey (Transfer of Functions No. 8) (Miscellaneous Transfers) (Jersey) Regulations 201-*. The review of P.46/2015 has been broken down into sections with relevant Scrutiny being undertaken separately by Corporate Services and the Economic Development Scrutiny Panels. These Comments focus solely on the transfer of Fisheries and Aquatic Resources from the Minister for Economic Development to the Minister for the Environment.

The Panel requested sight of the business case and/or feasibility study to support the transfer and was highly concerned to find that neither document existed. In the absence of any such supporting documentation, the Panel elected to write to stakeholders to ask their views on the proposed transfer.

In total, the Panel wrote to 10 stakeholders and received 5 responses, all of which were supportive. A summary of these responses are detailed below –

Current Situation

- Complexity in management and regulation.
- Marine Resources section understaffed.
- Manpower cuts in recent years have gone too far.
- Promised reviews, strategies and consultations have been missed opportunities.
- Jersey is not currently fishing sustainably – politics and demands of commercial fishermen has often led to scientific evidence in relation to declining fish stocks being ignored in favour of short-term financial gain.
- Having 2 Ministers has led to lengthy delays in concession applications and costly duplication of work.
- Demise in communication and clarity from Fisheries Department.
- Fishing industry has suffered as a result of shared responsibilities – 2 examples given.
- Fisheries has been the ‘poor relation’ in comparison to other ED sectors.

Advantages of Transfer to Environment

- Allow greater degree of sustainable exploitation of resources.
- Increased efficiency, reduced workload for states departments.
- Aligns with key objectives of the Environment Department.
- Better aligned to decision-making and progression of regulation.
- Fishing industry requires a Minister capable of understanding the industry in the context of the broader marine environment and able to offer a more hands on approach.

- More focus on good management practices to ensure sustainable and viable commercial fishery.
- Jersey needs to be more proactive, not just reactive to managing local fish stocks and protecting the marine environment.

Possible Proposals suggested by Stakeholders

- Marine Resources Section should be resourced to deal with significant potential growth for marine economy.
- Effective conservation measures are required: minimum Landing sizes and restrictions on destructive and indiscriminate fishing methods need to be addressed by Minister for Environment.
- Economic advice should stay with EDD.
- There should still be a route to EDD for funding requests in exceptional circumstances.

Although the Panel understands the industry seem to be supportive of the transfer, in the absence of a business case or feasibility study, there is no obvious evidence the transfer is beneficial to the industry. The Panel believe the “follow the man” strategy is being used due to the fact the Minister involved in part of the transfer has had experience working with fisheries and other aquatic resources. Although there is a logic to this understanding, the Panel do not believe it is a sustainable process and has concerns as to what will happen post-election 2018.

The Panel is concerned of the change of emphasis from an economic activity with a high level of export, to an environmental issue.