

Note of Skates and Rays Group meeting held at Friends House, London. Wednesday 15 October 2014.

Seafish skates and rays page – for minutes and further information on skates and rays and the Skates and Rays Group see:

<http://www.seafish.org/responsible-sourcing/discussion-forums/the-skates-and-rays-group>

Attendees

Ali Hood	Shark Trust
Andrew Charles	J. Charles
Andrew Gooch	Ray Gooch Ltd
Andy Matchett	Ocean Fish
Bernadette Clarke	MCS
Bill Lart	Seafish (Chair)
Charlotte Bury	Tesco
Chris Sparkes	Jaines and Son
Clare Dodgson	Seafish Board
Dave Cuthbert	NUTFA
David Parker	Youngs Seafood
Harriet Yates Smith	Blue Marine Foundation
Helen Duggan	Seafish
Jamie Rendell	Defra
Jess Sparks	Seafood Scotland
John Lancaster	University of Swansea
Karen Green	Seafish (Minutes)
Nathan de Rozarieux	Falfish
Peter Richardson	MCS
Rowland Sharp	National Resources Wales
Scott Wharton	S&P Trawlers
Sophy McCully	Cefas
Stuart Hetherington	Cefas
Tony Rutherford	Bideford Fisheries

1. Welcome and apologies

Bill Lart welcomed attendees to the Skates and Rays Group meeting. The aim of the group is to improve communication along the supply chain for skates and rays.

Apologies were received from:

Chris Brown	Asda
Dale Rodmell	NFFO
David Donnan	Scottish Natural Heritage
Huw Thomas	Morrisons
Jane Heywood	Kent and Essex IFCA
Jim Ellis	Cefas
John Butterwith	North Devon Fishermen's Association
John Richardson	Shark Trust
Kirsty McGregor	Defra
Leanne Llewellyn	Welsh Government
Victoria Bendall	Cefas

2. Minutes from the last Skates and Rays Group meeting held on 8 October 2014.

The minutes from the previous meetings were circulated before the meeting and were accepted as a true reflection of the meeting.

Actions arising and reflection

Matters arising from the October 2013 meeting

2.1 Speciation of skates and rays.

Bill Lart to formally write to Marine Scotland as chair of the Skates and Rays Group. BL has discussed this with MMO - they report in their statistics all species from all around UK, but the MMO only report to Commission the landings as specified in the regulations. So it would be Defra's role to request that the landings are reported by all species in the December Council negotiations. Defra confirmed that the species in all landings over 50kg should be reported. Defra is not aware that Marine Scotland is doing anything differently.

2.2.1. Stock status

It was agreed that as there had been a hiatus in the group meeting that a description of the group and its achievements will be included on the headline page of the Skates and Rays Group section of the Seafish website. This has been actioned.

2.3.1. Bycatch regulations.

Defra was to confirm the rules regarding bycatch regulations. This was confirmed that the bycatch rules still in place are a maximum; of 25% rays in vessels of >15 m in European waters of Division IIa and Sub Area IV; see page 23 of <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:023:0001:0053:EN:PDF>

Defra reported that the MMO was not aware of any problems with catch composition but need to be aware that there will be changes to fisheries legislation under the landings obligation and it is unclear as yet how such catch composition measures will fit.

Action: Jamie Rendell requested that attendees contact him after the meeting if this catch composition rule was an issue in order to feedback to the MMO and factor in to future negotiations.

2.3.2. and 2.3.3. Communication from Defra and the Shark Trust on regulatory guidance.

Defra has contacted the MMO to confirm PO's are included on the elasmobranch guidance mailing list, and the Shark Trust confirmed they have a broad circulation list for their fisheries advisories. These are now produced in A5 and poster size. Shark Trust is also looking to move towards a downloadable format.

2.3.4. Seafish circulation list.

It was agreed that the skates and rays circulation list would be retained by Seafish.

2.4.1. Consider how the Skates and Rays Group could facilitate communication on different regional issues concerning MLS.

Bill Lart has been working with John Butterwith on this.

2.4.2. Voluntary agreement on ray MLS.

John Butterwith will supply information to Welsh Government regarding the voluntary agreement on ray Minimum Landing Sizes agreed with the Belgian Fishermen's Association. It was assumed this had happened.

2.4.3. Cefas to provide information on length to wingtip conversion factors.

This was covered in the recent article in the ICES journal.

2.6.1. ICES WGEF

CEFAS to provide update on response to request to ICES WGEF on use of commercial catch data when it becomes available. Not discussed.

2.8. Skates and Rays group

It was agreed that the Skates and Rays Group would be reconvened, a web page would be developed and Seafish to introduce an adhoc news alert on skates and rays news to include updates on the progress of research projects and management initiatives. This has all been actioned and there was a comment that the group emails have been very helpful in keeping the group up-to-date with developments.

3. Summary of new ICES advice published 9 October 2014. Sophy McCully, Cefas. http://www.seafish.org/media/1324916/s_rgroup_oct2014_cefas_icesscientificadvice.pdf

Sophy explained that skate advice is constrained by the data limited stocks approach adopted by ICES, where the application of the precautionary buffer in the face of uncertainty leads to proposed cuts in TAC. There are difficulties with the need for seven years standardised data and quantifying discards, therefore landings data only are used in instances where fishery-independent survey trends are not available. There is new ICES advice for 16 skates stocks in October 2014 for the Celtic Sea ecoregion (Total landings in the ecoregion of 7,507 t in 2013. 22% (1,650 t) of these landings are from the UK (exc. Scottish) vessels. 93-100% of landings are now to species level, depending on area. There is no new ICES advice for the North Sea which is assumed to be the same as last year (SALY).

There was new advice for 16 skate stocks in the Celtic Seas ecoregion (Oct 2014). These are categorised as data limited where there are no population assessments from which catch options can be derived using the existing MSY framework. A category 3 assessment was used if there are fishery independent survey data on abundance (e.g. CPUE over time). For the survey based assessments (category 3), recent changes in CPUE indices and recent species-specific landings data were used to propose landings for each individual skate stock. This means a consistent increase in CPUE implies an increase in landings, to a maximum of +20%, and any declining CPUE index implying a decrease of no more than -20% in the landings. Where there is uncertainty about the stock status and its exploitation rate, a precautionary buffer may be applied; which involves a one-off 20% reduction in advised landings. As a worse-case scenario, a declining CPUE index of 20% or more combined with a precautionary buffer can lead to a recommendation to reduce landings by 36%.

For a category 5 assessment, which only uses landings data from several previous years' landings, this was averaged and where negative trends were found, a 20% reduction made through the application of the precautionary buffer. Since these assessments are made bi-annually, and the precautionary buffer should be fixed for 3-5 years to allow the stock to respond, the TAC was expected to remain the same the following year (2016). The data limited framework does not calculate biomass or fishing mortality reference points.

This is the first year that the survey trends have been applied to the estimated landings data by stock to provide advice as recommended landings by stock. With the exception of thornback rays in VI and VIIa, f and g, ICES advice is for a reduction in landings in 2015/6, with suggested reductions ranging from 4-36%, depending on the stock. Only two stocks had advice for reducing landings by more than 20%. Most stocks have stable or increasing CPUE trends in the trawl survey but, as exploitation rates and stock status are unknown, ICES applied the precautionary buffer. In terms of stocks in the North Sea ecoregion, no new advice was provided and the advice from 2012 is valid for 2015, with skates in this ecoregion being re-assessed next year.

Discussion

- There were questions over where the data was coming from, and the assessments. There was a view that this method was 'flawed'. The result has meant quotas being reduced year-on-year, with the effect of reduced revenue for fishermen and local businesses dependent on them. There were also questions over whether anyone has

looked at the landings data by species that has been provided. The North Devon Fishermen's Association (NDFA) has been providing data for eight years and has provided everything that has been asked for. These data have shown stable catches and yet the quota has been cut year-on-year. Despite a significant reduction in effort (there has been a 50% reduction in the fleet has been in the last 10 years) there is no recognition by management. The fishermen know that the stocks are plentiful but they are not being listened to. NDFA has also been working with MCS and Morrisons to improve practices.

- Cefas indicated that whilst the picture may be showing a stable stock, which can also be seen in the fishery independent survey trends, or landings, then under the ICES data-limited stocks approach, if the exploitation level is uncertain then a precautionary reduction of 20% is applied. The announcement on Friday by the Marine Management Organisation of the closure of the area VI and VII skates and rays fishery to all fishing vessels administered by the MMO until the end of the year (possibly) due to quota exhaustion will have severe repercussions. No rays will now be landed this side of Christmas. There was a question mark over 100 t of rays quota not allocated correctly. A letter from John Butterwith to the Minister was due to appear in *Fishing News* on 17 October.
- There were questions over what the Skates and Rays Group had achieved. The group is a communication forum and brings people together, but the industry has to work within the rules and the group has a limited ability to change or influence them.
- It was realised very early on that there was a deficiency of information and an imbalance between what the scientists need and what the fishermen are providing and this group hoped to help address this. It is crucial that this group has a role in trying to influence the right people. It was recognised that this group cannot change the rules but can at least communicate the shared frustration and strength of feeling over the MMO announcement.
- There was disappointment expressed that after years of the Group meeting we have reached this point. The Seafish court case meant that the group did not meet for three years and lost momentum.
- There was real concern about why the data that has been produced was not apparently being used within ICES, and as a result quotas were being cut. With the landings obligation looming this will only make matters worse. Does this mean that ICES is not using all the data that is available to them? And if so, are they able to explain what data they are able to use and what data are not used. The Cefas response was that survey data were used where available but for some stocks landings data was the main source of data used in the assessments.
- There was debate over the rules concerning the precautionary buffer and talk surrounding 'the rules'. Why can't the rules be changed and why can't we influence that process? Is there any mechanism to bypass the precautionary buffer approach and what evidence is needed?
- The question was posed as to whether ICES could be challenged on how they are using and interpreting the data on the grounds of mismanagement and a flawed assessment, and whether a formal approach to WK LIFE was possible. The view was that this was an industry in crisis and it is important to know who to lobby.
- What could be achieved at the WK LIFE workshop was discussed. It was explained that the ICES Working Groups (WG) are made up of experts who run the assessment models. The supporting workshops (WK) are more open to different skills to enable a diversity of skills to be brought to bear aimed at improving the methods.
- The Working Group drafted the initial advice but it then it had to pass through an Advice Drafting Group, and then ACOM¹, before finally being published. The advice

¹ ACOM; ICES Advisory Committee see www.ices.dk

and the language can change during this process. It was indicated that Defra could potentially write to ACOM but would need a clear argument. This is advice that is used to inform the December Council. Defra can't be seen to be arguing against the science, but if there was a clear example showing where the advice of the Working Group had not been followed, or where the language has been changed, this could be used.

- The discussion on possible solutions/approaches has focussed on the medium or long-term, but in the short-term this is an acute problem now and we really need to know what the Minister will say at the December Council. The Defra response was that in the last two years UK Government has opposed quota cuts and has had some success in reducing the size of the cuts. The question was asked as to whether all Member States have to comply with the precautionary buffer 20% quota reduction, with the response that all those who utilise the stock have to comply.
- The importance of using data from the fishing industry to balance the ICES position was emphasised. The Shark Trust will be producing guides to address these discrepancies and have stepped up many times to support the industry. It is important that the industry petitions the right person at ICES and we need to determine that the group as a whole feels that the advice is over-precautionary. Cefas did emphasise that the draft advice from the Working Group is not necessarily what is published and that in some instances members of the Elasmobranch Working Group may not necessarily agree with the final advice.
- The role of Seafish is to facilitate the Skates and Rays Group and through the group to communicate specific industry concerns, but this must be evidence-based. There is a need to identify evidence gaps and highlight what data is available, what is needed and how it should be provided. We need to determine what we can do that is practical and short-term.

Actions

- 3.1 Jamie Rendell to contact the MMO to find out more information about the VI and VII skates and rays fishery closure to see whether this is permanent or temporary, where the problem lies, and if there is an issue with data collection..
- 3.2. Seafish would produce a report entitled 'Overview of the evolution of the assessment and management of the European skates and rays fishery'. This will include: Management concepts for skates and rays stocks, based on ICES and other information; A précis of the ICES data limited stock method and how it has been applied; Other sources of information such as the Seafish SW Ecological Risk Assessment, Project Inshore, academic literature and industry and government sources; and a discussion of the current status and management strategies for the fishery and their implications as far as possible. This would be sent by the Skates and Rays Group to Defra with a covering letter. Defra would welcome this and would ensure industry concerns were raised with the EU Commission.
- 3.3. Bill Lart would feed back the strength of feeling from the group at the ICES WKLIFE meeting at the end of the month. A simulation of a skates and rays fishery has been suggested for this October meeting
- 3.4. The Shark Trust to produce a statement to reinforce their support of the industry and to write to Government in advance of the December Council to raise concerns about the precautionary buffer approach.

4. Defra/Cefas projects. Jamie Rendell, Defra/Stuart Hetherington, Cefas

4.1 Shark ByWatch/Skate surveys on the South Coast

There was a report on Shark By-Watch UK (1) to improve knowledge of shark and ray bycatch and discarding in the inshore fisheries of the southern North Sea (ICES area IVc), with a view to improving fishing and handling practices that will support more sustainable shark and ray fisheries. The fishermen chose to look at the current status of the Thames Estuary thornback ray and lost and forgotten shark and ray fisheries off the East Anglian

coast. Through improved handling practices during fishery-dependent surveys, post capture vitality was deemed to be high (>90%) for thornback rays, across a variety of gear types (longlines, otter trawl & fixed nets). However seasonal variation was evident, with thornback ray appearing more sluggish in spring and summer compared to the autumn and winter months.

Shark By-Watch UK (2) will look at discard survival – understanding discard survival of commercially important elasmobranchs of commercial interest for input to the CFP. This will look at vitality on deck, which is not necessarily the same as survivability at sea. It will also look at the use of innovative methods to reduce by-catch and dead discarding of IUCN Red listed elasmobranchs off Cornwall, UK (involving the Kent, Eastern and Cornish IFCAs); and evaluate fishing mortality strategy to achieve a sustainable thornback ray in the Thames estuary, free of regulatory discards, in-line with the aims of UK reform.

4.2 Risk assessment on sharks

TRAFFIC has developed a risk assessment tool based on the intrinsic vulnerability and management in place for shark species, in order to quantify the risk posed by over-exploitation of shark stocks as part of a project funded by the UK's Department for Environment, Food and Rural Affairs (Defra). The technique assesses the biological vulnerability and the level of management in place to manage shark species (M-Risk) in order to identify those species requiring further attention. The outcome is detailed in 'Development of a Rapid Management-Risk Assessment Method for Fish Species through its Application to Sharks: Framework and Results' and covers 46 species.

<http://www.traffic.org/home/2014/4/23/shark-fisheries-management-traffic-develops-new-risk-assessm.html>

4.3 Project NEPTUNE

NEPTUNE is a Defra funded project, comprising of two work packages:

- Bycatch monitoring and mitigation: mapping and reducing elasmobranch bycatch mortality in the Celtic Sea.
- Synthesis of existing knowledge, identification of data gaps and dedicated biological studies.

The bycatch monitoring and mitigation work package is an industry-led, scientific sampling programme that aims to increase understanding of porbeagle, spurdog and common skate distributions in Celtic Sea fisheries (ICES Div. VIIe-j). It provides fishery-dependent data on stocks, allows monitoring of the scale (numbers and weight) of bycatch, provides a limited number of specimens of dead bycatch for biological study while promoting the live release of healthy fish. A Shark and Skate Code of Conduct is being developed by the industry to help improve the release and long-term survival of live incidental capture of vulnerable shark and skate species. The scheme will empower fishermen to adopt good practical handling and discard practices together with self-governing, quick response and avoidance procedures, in order to better protect vulnerable shark and skate stocks and support more sustainable shark and skate fisheries.

The second work package prioritised all UK chondrichthyans (elasmobranchs) based on their conservation interest, commercial importance, biological vulnerability and importance of UK waters to the stock, and then identified important data gaps that could usefully be addressed in order to allow improved assessment and management advice. Biological investigations of primarily starry smooth-hound (*Mustelus asterias*) and some lesser known skate species have been initiated; a review of western Channel elasmobranch species has been undertaken with the aim of incorporating the Q1 southwest ecosystem cruise data into assessments in the future; and a global review of elasmobranch discard survival has been undertaken to identify data gaps, and assist in the consideration of elasmobranchs under the reformed CFP. This project ends in March 2015.

4.4 Spurdog management

http://www.seafish.org/media/1324928/s_rgroup_oct2014_spurdogmanagement.pdf

This is a Fisheries Science Partnership project (FSP) to align spurdog management with the Landing Obligation under the reformed CFP. There is zero TAC for spurdog which has led to high discarding. Spurdog is used as a case study species to illustrate the challenges of implementing the Landing Obligation for zero (or low) TAC species, which have the potential to 'choke' the fishery.

Discussion

- The aspiration is to look at how to manage a potential choke species and provide information to help in the implementation of the landings obligation.
- It is very difficult to manage when such small quotas are in place however quota uplift will help the management issue. It is not clear how the Commission will address this.
- This project is an innovative and exciting approach, and has the support of UK Government. It should help to put industry onto the front foot. The real question is whether this will be accepted by the Commission?

4.5 Undulate rays

This is investigative work on the distribution of Undulate ray in the English Channel with respect to the candidate MCZ zones, in particular Studland Bay and the offshore Overfalls. This work has been undertaken in collaboration with the Southern IFCA, with dedicated surveys for juvenile Undulate ray underway in October.

4.6 New identification handbook from Seafood Scotland.

The handbook, produced for the Scottish Fisheries Sustainable Accreditation Group (SFSAG) by Seafood Scotland will help vessels to fulfil the requirements of their MSC programme. The handbook is designed to help fishermen improve their identification skills for the various species of skates and ray which they encounter, to have a better understanding of their biology, and to appreciate their environmental status. It will also help them to fulfil their landing and recording requirements for these species, some of which are protected through fisheries legislation, or by EU and international agreements.

<http://www.seafoodscotland.org/es/news-publications/news-releases-new/463-scottish-vessels-committed-to-sustainability.html>

Action: 4.6.1 The document has been produced for this particular industry sector but Jess Sparks will investigate whether it can be circulated further around the Skates and Rays Group.

5. Media roundup of the last year. Karen Green, Seafish

http://www.seafish.org/media/1324919/s_rgroup_oct2014_seafish_mediareview.pdf

This covered three particular instances and the response of Seafish and Skates and Rays Group members.

- The One Show. Monday 13 January 2014. Mike Dilger comment. *Avoid it completely... common skate is critically endangered.....won't find common skate on the menu....will find thornback rays.....slightly smaller....near threatened...don't know what you are getting so avoid completely.*
- July 2014 Welsh media dead sharks on Pwll du Beach in Gower, followed by a further discover on Burry Port beach.
- Daily Mail. July 2014. Alluded to the discovery of the remains (heads and fins of smooth hound sharks) on the Isle of Wight, but when then went on to talk about fish and chip shops misleading the public with regard to the labelling of fish, by calling small shark by the names - rock salmon, huss and rock to name a few.

Discussion

- The group needs to be aware that a lot of effort behind the scenes goes into keeping some stories, based on mis-information, under wraps.

- What is actually printed is not necessarily what was actually said. The Shark Trust was criticised in July for some of the comments that appeared in the press. In reality a lot of factual information was provided and some attributed comments were not made by the Shark Trust.
- There should be recognition of the effort put in by Seafish and the Shark Trust to try to handle this.

6. The Seafish Risk Assessment for Sourcing Seafood (RASS). Bill Lart, Seafish
<http://www.seafish.org/rass/>

This was presented and there was a question over why skates and rays had not been included at the launch, as it was indicated last year that they would. It was explained that Seafish agreed to include some skates and rays in the first batch of profiles, but not necessarily in the first 100 ready for launch. The first batch was the profiles ear-marked for 2014. Thornback ray will be included in October 2014 and the rest will follow by February 2015.

7. Length-width relationships in relation to minimum sizes for ray species. Bill Lart, Seafish

Bill Lart reported on the work undertaken with North Devon Fishermen's Association based on Sophy McCully's paper and ray landings data for 2013/14. The outputs consisted of a spreadsheet which enables:

- The wingspan and length of the fish at the EU and other grading scheme boundaries to be determined;
- And the length and wingspan of the fish as it brought out of the sea to be determined by the measurements of the posterior edge of the fin of wings (certain species only).

This would enable buyers to understand the implications of a particular buying policy in terms of the size of the fish being caught, based on measurements of the wing. Thus enabling communication up and down the supply chain in terms of size specification in relation to landing sizes

There were comments about different species having different wingspans and how this relates to legislation and markets, as well as what will happen under a landings obligation.

8. Marine Conservation Society

- MCS was asked what needs to happen for the MCS to recognise the work that industry is doing/has done to help maintain viable stocks and recognise the value of the entire catch. The response was that the MCS is looking at the possibility of analysing a smaller fishery size and working with more discreet groups, in particular, working with the NDFA.
- At the moment MCS uses ICES data and is constrained when there is little ICES data on the state of the stock. The feeling was that best practice/good management practices were not really being recognised but that RASS could go some way towards addressing this.
- MCS do rely on people approaching them with the information that is available. The MCS methodology is under review with a greater emphasis on management, but the MCS criteria is different to RASS because MCS does come up with an overall score.
- Whereas RASS scored for different components including stock status, management, habitat and bycatch.
- There is a need to find a mechanism for ensure that more anecdotal evidence is used and is in the public domain.

9. Shark Trust. Ali Hood, Shark Trust.

The Shark Trust is very clear on the issues that have been raised today and what needs to be done to try to address them. We recognise that the work on spurdog is very practical and is essential.

10. Date of next meeting

The date of the next meeting was not discussed but if we are to proceed on annual meetings the next meeting would be in October 2015.

Action list

2.3.1. Jamie Rendell will contact MMO to find out whether this regulation has been an issue. It would be useful to hear from Skippers whether this has been an issue.

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