

UNITED KINGDOM PROFILE

Main seafood products and exports

The most recent official data available is from the 2013 report of the Marine Management Organisation (MMO) on UK fisheries¹. In 2013, UK vessels landed 624,000 tonnes of sea fish (including shellfish) into the UK and abroad, with a total value of UK£ 718 million. This represented a 1% decrease in quantity and a 7% decrease in value compared with 2012, with falls in average prices across all species groups. Demersal fish accounted for 42% of all landings by value, with pelagic and shellfish comprising 25% and 37% respectively. The Scottish fleet's share of total landings was 59%, and the English fleet's share was 31%.

As regards particular species, falling catches of cod and haddock has contributed to the large reduction in demersal landings over the past two decades. In 2013, the UK fleet landed 29,000 tonnes of cod, and 40,000 tonnes of haddock, 164,000 tonnes of mackerel were landed in 2013. Herring landings were 94,000 tonnes in 2013. As for shellfish, 2013 saw the landing of 28,000 tonnes of *Nephrops*, 32,000 tonnes of crabs, and 50,000 tonnes of scallops.

In 2013, exports of fish and fish preparations by weight were 453,000 tonnes. The main exports were salmon, mackerel and herring.

A Seafish document² provides figures for value by the main export species, and also the main export markets, in 2013. In this year the five top export species were salmon (£584 million), mackerel (£100 million), scallops (£ 93 million), *Nephrops* (£ 93 million), and shrimp and prawns (£86 million). The top export markets were France (£ 345 million), the US (£ 216 million), Ireland (£ 130 million), Spain (£ 120 million) and Italy (£ 88 million).

Employment in seafood

MMO reports that in 2013 the UK fishing industry had 6,399 fishing vessels, compared with 7,096 a decade previously (a reduction of ten per cent). The fleet in 2013 comprised 5,036 vessels of 10 metres and under, and 1,363 vessels of more than 10 metres.

There were some 12,150 fishers in 2013, 7% less than a decade ago. Of these, around 5,600 were based in England, 5,000 in Scotland, 810 in Northern Ireland and 730 in Wales. Part-time fishers accounted for 15% of the total.

¹ UK Sea Fisheries Statistics 2013, MMO, 2014.

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/358342/UK_Sea_Fisheries_Statistics_2013_online_version.pdf

² Seafish, "UK Seafood Industry 2013".

http://www.seafish.org/media/publications/Seafood_Industry_Factsheet_2015.pdf

A 2014 Seafish ethics briefing³ provides details of the nationality of fishermen working on UK vessels. According to the Fishermen's Mission migrant workers represent just under 10% of fishermen active in the UK. The Scottish White Fish Producers Association (SWFPA) members employ around 350 foreign workers, predominantly from such South East Asian countries as Indonesia and the Philippines, and more recently from Ghana and Sri Lanka. The Scottish Fishermen's Federation reports that migrant workers are employed on 600 vessels in Scotland.

A 2014 survey by Seafish provided figures for employment in the UK fish processing industry⁴. In that year there were 403 fish processing units (1% lower compared to 2012 and 29% lower compared to 2008), generating full time equivalent (FTE) employment for 19,511 persons (1% higher than in 2012 and 7% lower than in 2008). In 2014 approximately 83% of processing units and 73% of FTE jobs were engaged in sea fish (i.e. saltwater or seafood) processing; 15% of units and 24% of employment were in salmon processing, with the remainder being accounted for by other freshwater fish processors. In 2014 65% of FTEs were concentrated in just 13% of processing units, that each had more than 100 FTEs.

Human trafficking and forced labour: rankings, indicators and reports

The UK is ranked at Tier 1 (the most favourable ranking) in the U.S. Government's 2015 Trafficking in Persons⁵ (TIP) report. The report observes that migrant workers in the UK are subjected to forced labour in agriculture, construction, food processing, factories, domestic service, nail salons, food services, car washes, and on fishing boats. No more specific details are provided.

The UK is ranked No. 149 (a highly favourable ranking) in the Australia-based Walk Free Foundation's 2014 *Global Slavery Index*⁶, with an estimated 8,300 persons (or 0.013% of the total population) in modern slavery. The UK also receives an excellent (No. 8) for the government response to modern slavery.

Alleged cases of forced labour and human trafficking in the UK fishing industry have at time come to the attention of criminal law enforcement agencies. For example, a document of the Organised Crime Task Force (covering the period between 2009 and 2013)⁷, observes that 26% of potential victims in Northern Ireland had an asylum claim or were exploited within the fishing industry. Potential victims of labour exploitation figures were greatly impacted by eight cases involving individuals employed in the fishing industry. Moreover, the National Crime Agency's strategic

³ "The legal framework for working on UK fishing vessels", Seafish, December 2014.

http://www.seafish.org/media/Publications/SeafishBriefing_LabourIssues_WorkingonUKfishingvessels_201412.pdf

⁴ "2014 UK Seafood Processing Industry Report", Seafish, 2014.

http://www.seafish.org/media/publications/2014_Seafood_Processing_Industry_Report.pdf

⁵ United States Trafficking in Persons Report 2015 <http://www.state.gov/j/tip/rls/tiprpt/>

⁶ Global Slavery Index 2014 http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/11/Global_Slavery_Index_2014_final_lowres.pdf

⁷ "Strategic Profile - Potential Victims of Human Trafficking recovered in Northern Ireland, April 2009-August 2013", Organised Crime Task Force, February 2015.

<http://www.octf.gov.uk/OCTF/media/OCTF/images/publications/Report-on-PVOTs-recovered-in-NI-120215-FINAL.pdf?ext=.pdf>

assessment of human trafficking cases for 2013⁸ detects 24 victims of trafficking for labour exploitation in the UK maritime sector (3% of all labour trafficking victims). Most of these were from Ghana. As observed in the NCA assessment, “Seafarers working in the fishing industry continue to find employment via recruitment agencies, largely based in the Philippines or Ghana. Once on board the vessel they experience poor treatment and working conditions and are not paid the salary originally contracted. It is not known how complicit in the exploitation process these agencies are”.

Furthermore, there have been sporadic media reports of forced labour and human trafficking on UK vessels. In late 2014, for example, *The Independent* newspaper reported that police were investigating allegations of human trafficking and slavery in parts of Britain’s fishing fleet. Among the claims, as this newspaper reported, were allegations that “foreign fishermen suffering from exhaustion and malnutrition on UK-owned boats have leapt into the sea off the coast of Britain to escape abusive treatment on board”⁹.

In February 2015 moreover, the BBC reported on the role of UK visa regulations, in allowing some foreign workers to be “trapped on vessels just outside British waters”. The report highlighted the differences between the pay and conditions that had been promised to the workers in their countries of origin, and those that were experienced in practice on the UK vessels¹⁰.

Ratification of international human rights instruments

United Nations treaties and procedures

The UK has ratified all the main international human rights instruments of the UN system. These are, with their date of ratification:

- International Convention on the Elimination of All Forms of Racial Discrimination (1969)
- International Covenant on Civil and Political Rights (1976)
- International Covenant on Economic, Social and Cultural Rights (1976)
- Convention on the Elimination of All Forms of Discrimination against Women (1986)
- Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (1988)
- Convention on the Rights of the Child (1991).

The UK has also ratified optional protocols to several of the above instruments, and has accepted a number of country visits by the UN’s Special Procedures. In 2009, for example, it accepted a visit by the UN Special Rapporteur on the rights of migrants.

⁸ National Crime Agency (NCA), “NCA Strategic Assessment: The Nature and Scale of Human Trafficking in 2013”, 30 September 2014. <http://www.nationalcrimeagency.gov.uk/publications/399-nca-strategic-assessment-the-nature-and-scale-of-human-trafficking-in-2013/file>

⁹ “Exclusive: Foreign workers are vulnerable to exploitation in a business out of reach of any inspection regime”, *The Independent*, 23 November 2014. <http://www.independent.co.uk/news/uk/crime/police-investigate-claims-of-slavery-in-uk-fishing-fleet-9877879.html>

¹⁰ “The foreign workers trapped on trawlers”, *BBC Magazine*, 20 February 2015. <http://www.bbc.co.uk/news/magazine-31537059>

International Labour Organization (ILO) Conventions¹¹

The UK has ratified a large number of 87 ILO Conventions, of which 55 are currently in force, including all eight of the core human rights Conventions. In August 2013 the UK ratified the Maritime Labour Convention, 2006.

Recent trends in law and policy

Given that the main concerns in the UK fishing industry relate to the possible trafficking and exploitation of migrants workers, comments in this section are limited to these matters.

Legislative framework to work on UK vessels

This subject is covered at length in the above-mentioned Seafish briefing, and can be summarised briefly here.

The main concerns have been reports of labour abuse against migrant fishermen from outside the European Economic Area (non-EEA nationals). These persons are not entitled to work in the UK, either on land or within its territorial waters of 12 nautical miles. However, a transit visa is required for them to enter the UK, to take up a confirmed employment offer outside these territorial waters. The crewmen must remain on board the vessel through the duration of their contract, unless either they possess a valid UK work permit or the Immigration Officer has granted them shore leave. These arrangements mean that the UK's deep sea fleet has been able to bring in non-EEA fishermen without prior permission to work.

The Modern Slavery Act and its maritime provisions¹²

A Modern Slavery Act was adopted by the UK Parliament in late March 2015, and entered into force in August 2015. An important section of the act covers the exploitation of seafarers.

Part 3 of the Act covers maritime enforcement. Clause 35 provides additional powers for law enforcement in England and Wales (the police, port police, British transport police, designated National Crime Agency officers, customs officials, or a member of Her Majesty's Armed Forces) to tackle suspected human trafficking or slavery at sea. Similar powers are established in relation to ships in Scotland and Northern Ireland. As the background to the Act explained before its adoption, "This is an issue because victims are in many cases trafficked illegally on vessels, and also may be the subject of slavery, servitude or forced labour on board vessels. Extending law enforcement powers in relation to modern slavery offences will enable the police and other relevant bodies to better protect suspected victims and bring offenders to justice". The powers are set out in considerable detail, in various subsections of Part 3 of the Act.

Part 6 of the Act, of potential importance to the UK seafood industry, relates to transparency in supply chains. This requires all businesses over a certain threshold to disclose what steps they have taken to ensure that their business and supply chain

¹¹ The International Labour Organization's Fundamental Conventions
http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_095895.pdf

¹² Modern Slavery Act <http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted/data.htm>

are free from slavery. Following a public consultation earlier this year, the government has announced that from October 2015 all commercial organisations carrying on business in the UK with a total turnover of £36m will have to prepare a slavery and human trafficking statement each financial year. Government will be producing statutory guidance that will indicate what needs to be included in the slavery and human trafficking statement. The guidance will be produced and published to coincide with the duty coming into force.

The new UK legislation applies to commercial organisations (corporate bodies and partnerships, wherever incorporated or formed) which carry on a business or part of a business, in any sector, in the UK and which have a turnover over a certain minimum amount.

Overall risk assessment

For certain parts of the UK seafood industry, the risk of labour abuse would now appear to be negligible, and certainly far lower than a decade or so ago. An example is the shellfish industry, including cockles and whelks. The tragic loss of life of 23 irregular Chinese migrants, recruited through “gangmasters”, in Morecambe Bay in February 2003 led to the creation of the Gangmasters Licensing Authority (GLA) the following year. Since then, there have been no further reports of serious labour abuse in this particular sector.

In the UK fishing industry, the main risk relates to the employment of non-EEA nationals working on UK vessels outside UK territorial waters, and therefore not covered by UK immigration law. Working conditions may be governed through industry-led codes of practice, rather than the application of UK employment law. For example, the Scottish Fishermen’s Federation adopted such a code of practice in 2009 for the employment of non-EEA fishing crew, covering among other things conditions of employment. This ensures (for example) that all crew should be paid at least monthly; that repatriation should be paid for by the employer; and that all crew should have adequate minimum rest. As regards contractual conditions, the SFF code of practice¹³ refers to the “Standard Terms and Conditions Governing the Employment of Filipino Seafarers onboard Ocean-going Vessels”, which seems to be in common use and to provide protection for both employer and employee.

Furthermore, the continued existence of this risk highlights the importance of the Seafish Responsible Fishing Scheme (RFS), which has now been updated to incorporate social dimensions, with ample reference to the international standards on human and labour rights (referred to above, and ratified by the UK Government). With extensive application of the RFS to UK vessels in the future, together with the rigorous application of the maritime provisions of the Modern Slavery Act, it should be possible to eliminate the risk of serious labour abuse on UK vessels.

¹³ SFF/Fishermen’s Mission Code of Practice for employment of non-EEA fishing crew.
<http://www.sff.co.uk/sites/default/files/NON-EEA%20CREW%20Code%20of%20Practice.pdf>

For further information

- **United States Trafficking in Persons Report 2015**
<http://www.state.gov/j/tip/rls/tiprpt/>
 The Department places each country in this Report onto one of four tiers, as mandated by the Trafficking Victims Prevention Act (TVPA). This placement is based more on the extent of government action to combat trafficking than on the size of the country's problem. The analyses are based on the extent of governments' efforts to reach compliance with the TVPA's minimum standards. Tier one is the best ranking and Tier 3 the worst.
- **Global Slavery Index 2014**
http://d3mj66ag90b5fy.cloudfront.net/wp-content/uploads/2014/11/Global_Slavery_Index_2014_final_lowres.pdf
 The Global Slavery Index estimates the prevalence of modern slavery country by country, the absolute number by population, how governments are tackling modern slavery, and what factors explain or predict the prevalence of modern slavery. Rankings range from 1 to 167 - with 1 the worst and 167 the best, in terms of the prevalence of the population in modern slavery. This is based on three factors: estimated prevalence of modern slavery by population, levels of child marriage and levels of human trafficking into and out of the country. This gives a 'weighted measure'.
- **The International Labour Organization's Fundamental Conventions**
http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---declaration/documents/publication/wcms_095895.pdf
 Ratifications of fundamental Conventions and Protocols by country
http://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:10011:0::NO::P10011_DISPLAY_BY,P10011_CONVENTION_TYPE_CODE:1,F
- **Modern Slavery Act**
<http://www.legislation.gov.uk/ukpga/2015/30/contents/enacted/data.htm>
 An Act to make provision about slavery, servitude and forced or compulsory labour and about human trafficking, including provision for the protection of victims; to make provision for an Independent Anti-slavery Commissioner; and for connected purposes. Modern Slavery and Supply Chains Government Response
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/448200/Consultation_Government_Response_final_2_pdf.pdf
- **SFF/Fishermen's Mission Code of Practice for employment of non-EEA fishing crew.**
 This covers: contracts for all non EU crew covering wage details, terms and conditions all agreed before agreement to join a vessel; accommodation on board vessels as per EU crew; illness and accident care available under NHS; repatriation accommodated where required with wages paid.
<http://www.sff.co.uk/sites/default/files/NON-EEA%20CREW%20Code%20of%20Practice.pdf>

This is an information service provided by Seafish for industry and key stakeholders. To the best of our knowledge this information is factually correct at the date of publication.

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