

Consultation on proposed conservation measures to introduce a licensing system for wild salmon in Scotland.

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ACAL is a recognised Scottish charity: No. SC030982, established in 2001 to undertake the charitable work of Animal Concern, founded as the Scottish Anti-Vivisection Society in 1876.

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On behalf of the charities Animal Concern Advice Line (ACAL) and Save Our Seals Fund (SOSF) I offer the following comments and suggestions on the proposed conservation measures to introduce a licensing system for wild salmon in Scotland.

I believe the Scottish Government is acting far too quickly to bring in controls over the number of salmon killed in Scottish waters when what in fact is required is a radical review of all forms of fishing in Scotland. Such a review might take two or three years to complete and in the meantime interim measures such as the ban brought in this year on killing salmon before April 1st would help conserve stocks. An immediate legal fish kill limit on anglers of one salmon per day, mandatory use of barbless hooks and a ban on the use of treble hooks would help conserve fish while better overall regulations on fishing can be considered.

Salmon fishing rights in Scotland are a relic of days when an elite ruled the land. This is most clearly seen in the ban on Sunday fishing which had nothing to do with fish conservation. The gentry and clerics could fish for six days a week and line the river banks with killed fish but ordinary working folk only had free time on the Sabbath so a ban on Sunday fishing for salmon and seatrout kept ordinary people in the pews and off the pools. The persistence of this law, which restricts angling tourism in Scotland, reflects an elitism which persists into the 21st century.

Salmon and seatrout belong to no one yet those who own the rights to fish for them can charge huge prices for the privilege and impose a range of inconsistent rules which vary from water to water. Rather than tinkering with the present archaic feudal system we should be looking at radical reforms to regulate all forms of fishing across the whole country so that no matter where or how they are fishing anglers and commercial fishers know what the law is.

Let us never forget that fish are sentient creatures which feel pain, fear and stress. They are part of a natural food chain and, apart from humans who catch them for profit or fun, animals predate on fish to survive. We should be conserving fish because of their importance in the aquatic ecosystem and not simply for our own selfish purposes.

When it comes to salmon and seatrout the first measure we should take is to ban the netting of salmonids at the estuaries of rivers where tens of thousands of fish are killed every year before they can finish their migration and complete their breeding cycle. We should also remove all fin fish farms from the migration routes of salmonids thus reducing the risk caused to migrating fish by the high levels of sealice at such farms.

Sadly a minority of anglers cause a great deal of environmental damage and have no regard for fish conservation. Some do not have even a basic knowledge of what used to be called the “countryside code”. Many refuse to accept that fish can feel pain and stress. Anglers who deliberately leave their rubbish behind them, fell trees for firewood, let fish suffocate to death, take undersized fish or far more fish than they can use, do not deserve to be called anglers – they are vandals with fishing rods.

I propose the introduction of a national rod license similar to that required in England and Wales but covering coastal waters as well as fresh water. All anglers would pay an annual license fee and be obliged to follow defined conservation and welfare rules wherever they fish and to carry basic tools such as hook disgorgers and priests. Any angler breaching those rules would risk losing permission to fish anywhere in Scotland. The fees raised through the licensing scheme should be ring-fenced and used to pay for administering and policing the scheme and to educate anglers on conservation and the humane handling and killing of fish.

I suggest that angling bodies should never be given the right to kill native animals and birds which might predate on fish. Fish, birds, otters, seals and other animals have survived together for millennia without human interference. Having said that ospreys were made extinct in Scotland by humans “protecting” fish stocks and more recently rotter’s who hunted otters nearly wiped-out another native species. The biggest predator on fish is other fish. Animals and birds which include in their diet those fish which consume the eggs and fry of salmon and seatrout probably do more to conserve salmonid stocks than to damage them.

In response to specific questions in the consultation:

1: This question does not read well. If you are asking that no-one be allowed to catch a wild salmon in Scottish waters without first obtaining a license to do so I would agree but would ask that the license cover both salmon and seatrout. I would also ask that the only method allowed to catch salmon in Scotland is by rod, line and landing net with all other methods including the various forms of coastal netting being made illegal.

2: I think the basic outline of how the system would work is ridiculous and unworkable. If a riparian owner sells 5,000 rod days in a season will you license him or her to kill one fish per rod day to give every angler an equal chance of taking home a salmon? What about fishing clubs which cover several waters and have large memberships plus people fishing on daily or weekly tickets? How do you determine an appropriate number of fish to be killed in that situation? The only way this is going to work is to issue the license direct to the angler allowing them the right, under the conditions of the license, to kill a maximum number of fish in Scotland per day, per week or per year.

The figure could be anything from one per day to five or ten per season. If every license holder is issued with a certain number of identifiable carcass tags (uniform in colour across Scotland each year) these would soon become recognised by all involved. License fees could be different for people who want to kill up to a specific (capped) number of fish per year and much lower for those who adopt a complete catch and release policy.

3: Even without a licensing scheme there should be laws to stop the use of fishing tackle which has a higher risk of causing death or serious injury and to make compulsory the carrying and use of tools to minimise suffering and damage to fish. As a bonus welfare-friendly tackle might also reduce the terrible toll caused to birds and other wildlife by lost or discarded fishing gear.

Compulsory use of barbless hooks is an excellent starting point but I think the use of treble hooks should be totally banned as the design of these hooks makes it more likely for a hook to penetrate the eye or skull of a fish causing death or permanent debility. It might also be worth banning double hooks and specifying the size and shape of hooks used by bait fishers. Anglers should also be required by law to carry hook disgorgers, fish-friendly knotless landing nets, a priest to humanely kill any fish to be kept and a measuring tape and size chart to ensure no undersized fish are killed.

4: Yes. Each angler should be issued with a specific number of carcass tags which can be individually linked to the license holder by an identification number and universally identified by its colour which should be changed each year. If salmon netting stations are to be allowed to continue they should be issued with similar tags but in a different colour. Farmed salmon should also be tagged with a third colour of uniform tag identifying the producer and farm site.

5: The main impact of the new measures would hopefully be to reduce the number of wild salmon and sea trout deliberately killed each year and, through the use of less damaging fishing tackle, reduce the incidence of unintentional injury and death of fish. However given the very complicated nature of the recreational salmon fishing industry in Scotland I do think the proposals are just as likely to create a lot of confusing red tape which could be avoided by establishing a direct central government to angler licensing and fish conservation scheme which riparian owners would have to adapt to rather than manage. While completing the Business and Regulatory Impact Assessment for these proposals it should be remembered that to make positive changes which truly protect wild fish and their environment it may well not be possible to minimise costs and burdens – if something is going to work and work well it usually comes at a cost.

6: I understand this is a long overdue attempt by the Scottish Government to finally make some effort to meet its international obligation to help conserve wild Atlantic Salmon stocks but it is a missed chance to instigate a much wider overhaul of the whole recreational fishing scene in Scotland and bring in policies to protect and enhance all wild fish stocks, minimise damage to the environment and wildlife and to encourage responsible and more humane and sustainable angling practises throughout Scotland.