



The UK Scallop Fisheries Time for a fundamental review The law

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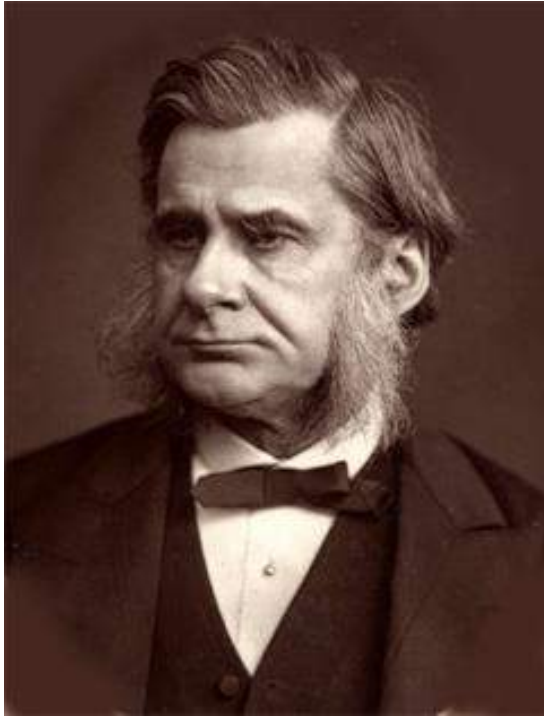
Scallop Dredging

Under international law whose fishery is it?



cc licence Maya Ibuki

The default position is for the sea to be a fishery



Thomas Huxley

“Oyster fisheries may be exhaustible for those which lie outside the territorial limit [3 miles] no real protection is possible”

Inaugural Address to the Great Fisheries Exhibition, London - 1883

What are fishing rights in law?

Probably a *profit a prendre* in gross held by the public

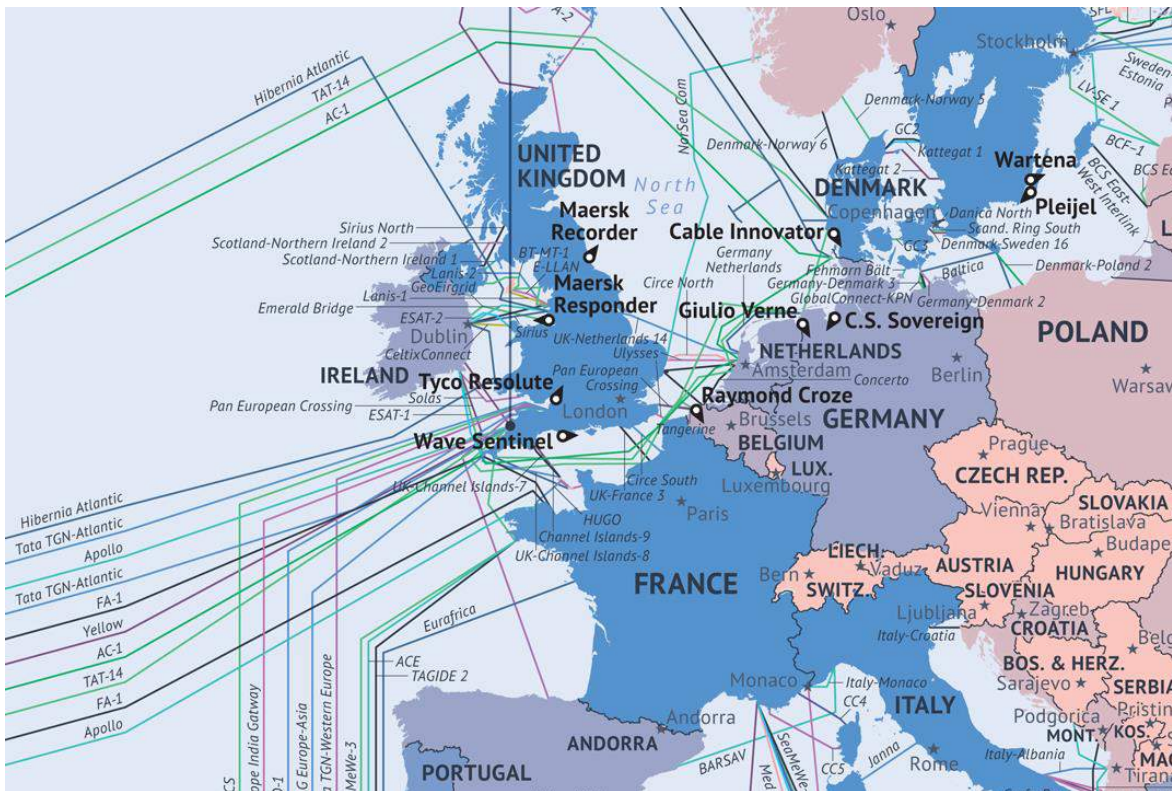
It is 'untrammelled' but at some level would constitute a trespass to the seabed owner



cc licence tbee

Scallop dredging and other public uses of the seabed

Submarine Cable Systems



Source TeleGeography



Scallop Dredging Regulation

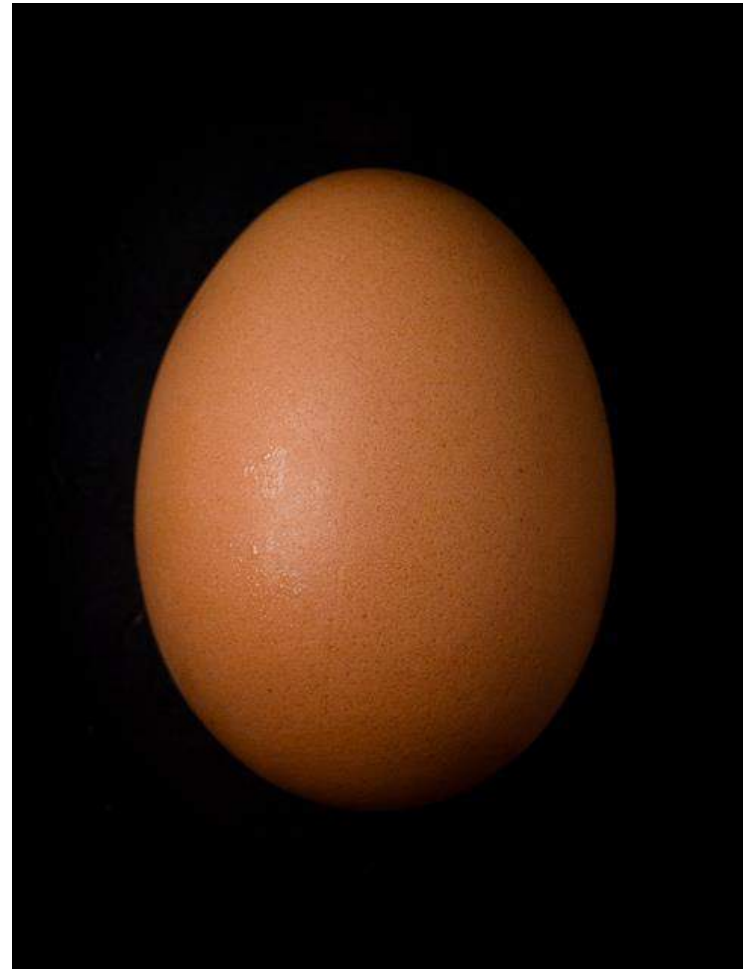
- Vessel licences on over 10m vessels
- Limits on dredge numbers per side
- Minimum landing size
- Days at sea in some areas for over 15ms
- Some spatial closures



cc licence Ostaleri

Starting Point

- No quota
- No initial zonal restrictions



cc licence Silverstack

Conclusion

- The fishery is a public resource
- The current system permits scalloping anywhere until it gets stopped; scalloping is a default fishery
- It has obvious serious negative implications for other marine users
- Is this the right way around for such an intrinsically invasive fishery?



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