

E: jill.barber@gov.scot

Don Staniford

By email only: salmonfarmingkills@gmail.com

Our ref: 2019/0021689
20 August 2019

Dear Mr Staniford

2019/0021689 Petition to “Tell Marine Scotland to conduct immediate, unannounced on-the-spot inspections of all Scottish salmon farms to assess fish welfare”

2019/0021617 Protocol and Guidelines for Filming Salmon Farms

2019/0021658 Victoria Quay Protests

2019/0024194 Re Protocol and Guidelines for Filming Salmon Farms

2019/0024338 Letter to Police Scotland re. protocol for filming salmon farms

I am writing to you with regard to the above correspondence sent to Scottish Ministers. As you are aware, fish health and welfare falls within my policy remit and I have been asked to respond on their behalf.

2019/0021689 Petition to “Tell Marine Scotland to conduct immediate, unannounced on-the-spot inspections of all Scottish salmon farms to assess fish welfare”

Thank you for the submission of the SumOfUs petition to “Tell Marine Scotland to conduct immediate, unannounced on-the-spot inspections of all Scottish salmon farms to assess fish welfare” which was accepted by me at Victoria Quay on 22 July 2019. I trust that you will share this response with the 41728 signatories.

I would encourage you to use the well-established transparent Scottish Parliament petition system in future; <https://www.parliament.scot/gettinginvolved/petitions/index.aspx>.

There is no evidence to support your assertions that there is widespread welfare abuse at Scottish salmon farms. It is misleading and irresponsible to make such a claim, which ignores the fact all farms operate within the regulatory framework and the vast majority comply. We do not agree that all fish farms must be subject to immediate unannounced inspections.

Fish farms in Scotland employ dedicated fish health staff and have access to private veterinarian advice. Those vets work to a Code of Professional Conduct. In Scotland, 100% of marine salmon production is produced under the Code of Good Practice For Scottish Finfish Aquaculture. The code is independently audited and a key objective of the code is to ensure the wellbeing of fish. There are also a number of assurance and accreditation schemes in operation, including the RSPCA assured scheme. In Scotland, 70% of the salmon farming industry is accredited under this scheme which assesses farms against RSPCA welfare standards. This is the highest percentage in comparison to any other farming sector.

We do of course take specific fish health and welfare complaints extremely seriously. Marine Scotland's Fish Health Inspectors are responsible for enforcing fish health legislation and will report any significant case of poor welfare to the veterinarians in the Animal and Plant Health Agency. Marine Scotland and the Animal and Plant Health Agency have responded to welfare complaints submitted by you in the past. None of these investigations have required the Animal and Plant Health Agency to enter into enforcement proceedings with regard to The Animal Health and Welfare (Scotland) Act 2006.

**2019/0021617 Protocol and Guidelines for Filming Salmon Farms &
2019/0024338 Letter to Police Scotland re. protocol for filming salmon farms**

Thank you for your letter of 21 July which asks recipients to agree a protocol and guidelines to allow access to fish farms and take samples. The Scottish Government cannot offer you legal advice. Access to fish farms is a matter for Scottish fish farming operators and you should seek appropriate advice from a legal advisor with regard to possession and property law.

As you are aware travelling between fish farms with equipment and entering the cages of a fish farm is a biosecurity risk and entering fish farm cages will in stress and stress behaviour. We can offer no further guidance on biosecurity to that which has previously been supplied to you; <https://www2.gov.scot/Topics/marine/Fish-Shellfish/FHI/healthpractice>.

With regard to fish farms which hold a licence to permit the shooting of seals as a last resort under the Marine (Scotland) Act 2010, and permissions held by fish farms for certain discharges under The Water Environment (Controlled Activities) (Scotland) Regulations 2011, the conditions which must be met by the applicant are included as part of the licence conditions. Fish farms must be able to carry out their functions accordingly and the farms in question currently hold active licences for the above purposes.

- **2019/0021658 Victoria Quay Protests**

You sent us a list of questions with regard to a potential protest at Victoria Quay on 2 September. The Scottish Government is unable to provide you with legal advice. The Scottish Government recognises the right to protest and the importance of peaceful protest in a democratic society. Our security department and Police Scotland are aware of your plans to protest at Victoria Quay. Should your protest be taking place as you suggest, a member of the security team would be happy to engage with you. Please email either darren.cormack@gov.scot or brian.paton@gov.scot.

One of your questions suggested that you might be bringing a toy gun and a pretend bottle of chemicals with you. The Scottish Government's Security and Business Continuity (SBC) Division have liaised with police on this point, and we would advise against this.

Access to the water beside Victoria Quay is a matter for Forth Ports. Animal by products should be disposed of in a timely and bio secure manner in order to protect animal health. We would advise against transport of animal by-products to Scottish Government offices.

I hope this information is helpful to you

Jill Barber

Aquaculture Health, Welfare and Innovation Policy Manager
Scottish Government