



# The UK Scallop Fisheries Time for a fundamental review The law

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# Scallop Dredging

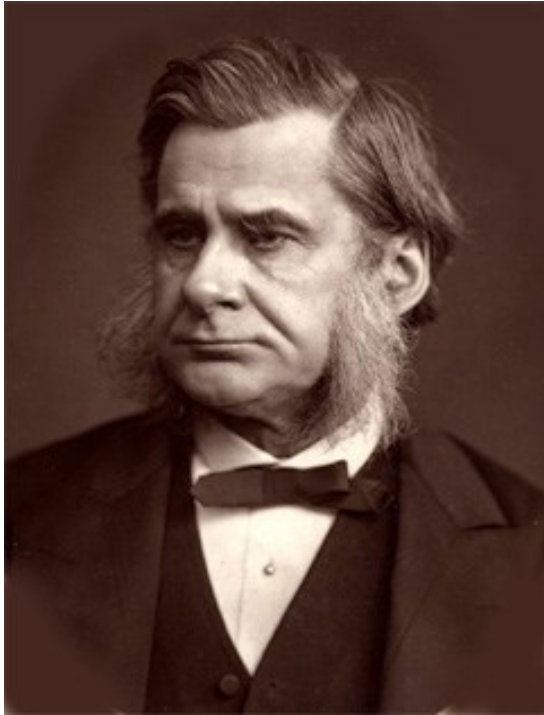


# Under international law whose fishery is it?



*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

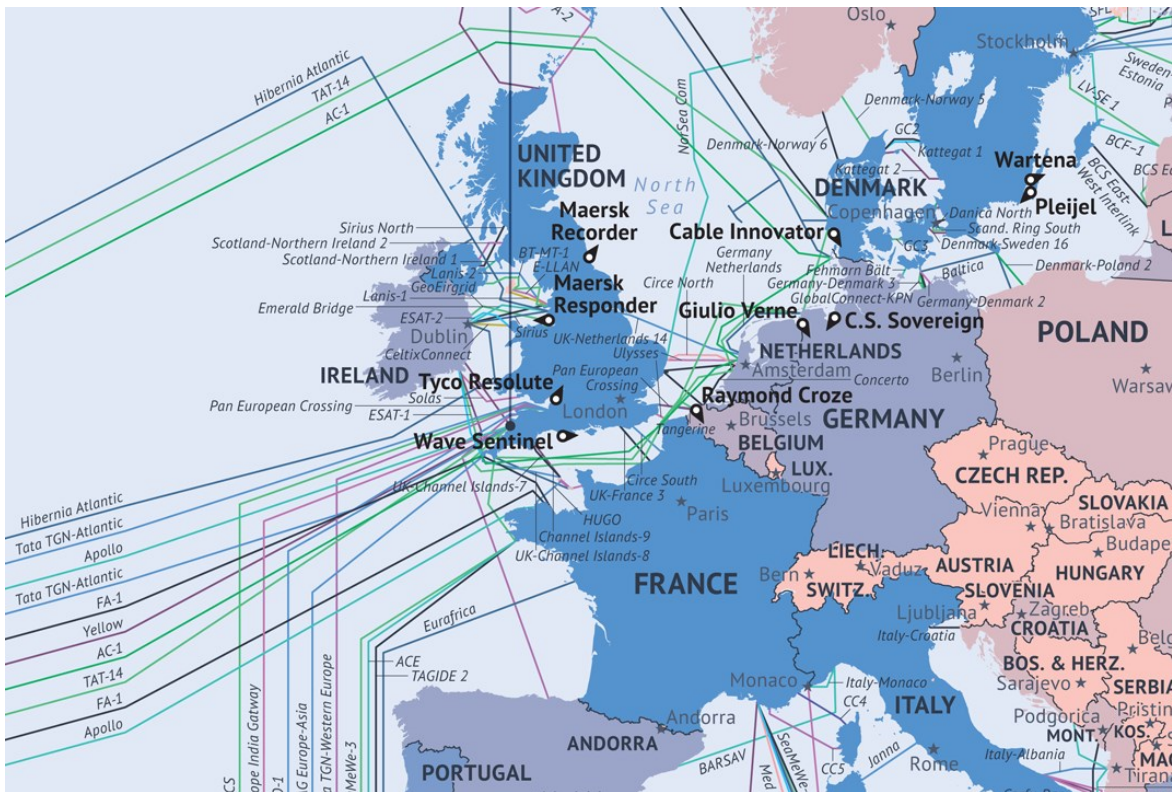
It is 'untrammelled' but at some level would constitute a trespass to the seabed owner



*cc licence tbee*

# Scallop dredging and other public uses of the seabed

## Submarine Cable Systems



Source TeleGeography



# Scallop Dredging Regulation

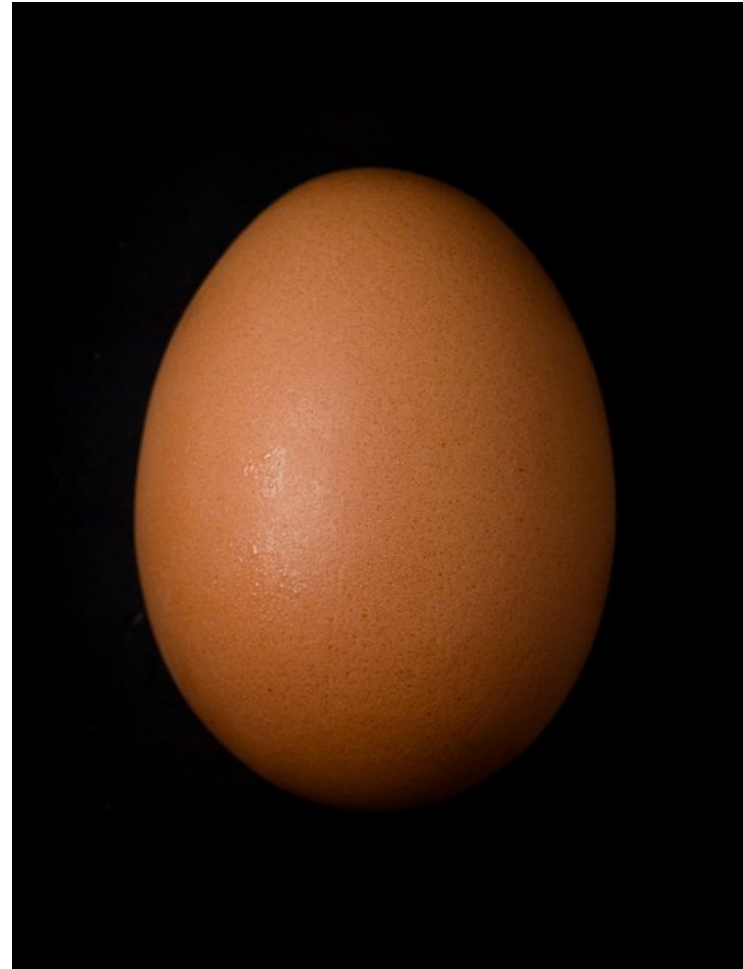
- Vessel licences on over 10m vessels
- Limits on dredge numbers per side
- Minimum landing size
- Days at sea in some areas for over 15ms
- Some spatial closures



*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?



[www.watersecuritynetwork.org](http://www.watersecuritynetwork.org)  
[www.twitter.com/water\\_network](https://www.twitter.com/water_network)

### Acknowledgement

The project is funded by Lloyd's Register Foundation, a charitable foundation helping to protect life and property by supporting engineering-related education, public engagement and the application of research.

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