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An Comhchoiste um Iascach agus Gnóthaí Muirí

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Joint Committee on Fisheries and Maritime Affairs

Report on Sea-Fisheries Protection

May 2026

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Foreword

This year marks the 20th anniversary of the Sea-Fisheries and Maritime Jurisdiction Act 2006. The Joint Committee on Fisheries and Maritime Affairs believe it is timely to review and amend that legislation to reflect the lessons of the last two decades.

A key provision of this legislation was to establish the Sea Fisheries Protection Authority (SFPA).

While the Irish fishing and seafood industry readily support the need for a regulator to enforce Irish and European Union laws related to sustainable fisheries, they have repeatedly expressed their serious concerns about how those laws are enforced and called for amendments to the 2006 Act, on several grounds.

They have called for the SFPA to be accountable to an independent oversight body or ombudsman and they have sought an enforcement framework that doesn't automatically lead to criminal sanctions, even for minor infringements.

They have further called for a harmonised approach to control measures across the European Union and sought to strengthen the role of the SFPA's Consultative Committee.

Our committee have listened to the voices of this industry and found their calls to be compelling and reasonable.

We publish our report and recommendations and we trust that they will be considered and acted upon by the government in tandem with the findings of the forthcoming independent review of the Sea-Fisheries and Maritime Jurisdiction Act 2006, to be commenced in the second half of this year, as confirmed to our committee by the Minister of State with responsibility for fisheries, Timmy Dooley, T.D.



Pádraig Mac Lochlainn TD

Rapporteur

26 May 2026



Conor D McGuinness TD

Cathaoirleach

26 May 2026

Executive Summary

Sea-fisheries protection is an important enabler for a sustainable fishing industry. The need for a credible, proportionate and consistent approach to sea fisheries protection has been an important theme in the Committee's work since its establishment and the Committee, therefore, agreed to carry out detailed examination on this topic. In doing so, the Committee hopes to gain insights into the current state of sea-fisheries protection and to make recommendations to Government accordingly.

The Committee has held four public hearings into this topic and has received one written submission. It has also commissioned research. Collectively this forms the evidence base for this report.

The Committee makes 14 recommendations, across several themes such as legislative review, administrative sanctions, the role of the consultative committee, and SFPA governance and accountability.

Recommendations

Topic/Theme	Recommendation
Legislative review/ Reset	<ol style="list-style-type: none"> 1. The Committee recommends that the forthcoming legislative review of sea fisheries protection should encompass representation of the fishing industry. 2. The Committee recommends that the Minister undertake a process of consolidating legislation, statutory instruments, and other regulations within the fisheries sector. 3. The Committee believes, to restore confidence between the agencies of the State and the fisheries, aquaculture, and processing sectors, that a new chapter of engagement, mutual rights and services, and accountability is driven by the Minister. The social contract is so strained and broken between the industry and those agencies and the Department of the Marine, that a reset and significant rebuilding of relationships is required.
Administrative sanctions	<ol style="list-style-type: none"> 4. The Committee recommends that the SFPA be afforded discretion to apply non-criminal penalties to misdemeanours and marginal or accidental breaches. 5. The Committee recommends the cessation of a dual sanction regime whereby both criminal and administrative sanctions can be applied to the same offence.
Consultative Committee	<ol style="list-style-type: none"> 6. The Committee recommends that the role of the Sea-Fisheries Protection Consultative Committee be strengthened and that the Committee be empowered to engage in meaningful two-way consultation with the SFPA, as recommended in the 2020 PWC Report. 7. The Committee recommends that the SFPA, either through its consultative committee or through other appropriate structures, engage in a specific programme of meaningful stakeholder engagement in relation to its role in the implementation of marine protected areas.

Regulatory Burden and Landing of Catch	8. The Committee acknowledges that sampling is a requirement but recommends that the Department and the SFPA explore opportunities to simplify the regulatory burden on vessels landing catch in Irish ports, such as through deployment of new technologies and consolidating multiple paper forms into a single streamlined digital process.
Estimation of Catch Composition	9. The Committee recommends the removal of requirements to estimate landing compositions on the basis of a 25kg sample in instances where the landing will be comprehensively weighed in a factory setting within a reasonable timeframe.
At-sea inspections	10. The Committee recommends that the Minister review the sea-fisheries protection enforcement framework as applied to non-Irish vessels fishing in Ireland's EEZ with a view to ensuring that high standards of enforcement are applied.
Governance and accountability of SFPA	<p>11. In order to fully implement its statutory role in scrutinising the performance of the SFPA, the Committee will request the SFPA's attendance at the Committee at least every six months and recommends that the forthcoming legislative review of sea fisheries protection examine Section 68 of the Sea-Fisheries and Maritime Jurisdiction Act 2006 with a view to rebalancing the SFPA's prohibitions on discussing ongoing matters against its requirements to account for operational matters to the Joint Committee on Fisheries and Maritime Affairs.</p> <p>12. The Committee recommends the establishment of an appropriate Ombudsman or other supervisory body which is empowered to consider complaints and to interrogate the effectiveness of the SFPA. We further recommend that this Ombudsman or other supervisory body have oversight of all agencies tasked with fisheries matters.</p> <p>13. The Committee recommends that SFPA review its procedures relating to quality assurance of evidence in files passed to the Director of Public Prosecutions.</p>

14. The Committee recommends that an immediate assessment is carried out at the various fishery harbour centres across the State as we are concerned that unfair and disproportionate application of regulations are being applied by the SFPA in some locations.

Witnesses and Transcripts

Date	Witnesses	Official record
1 July 2025	<p data-bbox="470 398 813 432">Seafood Ireland Alliance</p> <ul data-bbox="518 454 989 1070" style="list-style-type: none"> <li data-bbox="518 454 989 589">▪ Brendan Byrne, CEO of the Irish Fish Processors and Exporters Association <li data-bbox="518 611 989 745">▪ John Lynch, CEO of the Irish South and East Fish Producers Organisation <li data-bbox="518 768 989 902">▪ Patrick Murphy, CEO of the Irish South and West Fish Producers Organisation <li data-bbox="518 925 989 1059">▪ Dominic Rihan, CEO of the Killybegs Fishermen’s Association <p data-bbox="470 1093 909 1126">Irish Fishing & Seafood Alliance</p> <ul data-bbox="518 1149 893 1182" style="list-style-type: none"> <li data-bbox="518 1149 893 1182">▪ Cormac Burke, Chairman 	Transcript
18 November 2025	<p data-bbox="470 1227 949 1261">Sea-Fisheries Protection Authority</p> <ul data-bbox="518 1283 989 1798" style="list-style-type: none"> <li data-bbox="518 1283 989 1373">▪ Paschal Hayes, Executive Chairperson <li data-bbox="518 1395 989 1529">▪ Michael Finn, Authority member and Senior Executive Manager for Operations <li data-bbox="518 1552 989 1686">▪ Louise Murphy, Senior Executive Manager for Corporate Services / Director of Finance <li data-bbox="518 1709 989 1798">▪ Mr Barry Murphy, Executive Manager of Legal Services 	Transcript
3 March 2026	<p data-bbox="470 1843 973 1933">Minister of State with Responsibility for Fisheries, Timmy Dooley T.D.</p>	Transcript

24 March 2026

**Irish Fish Processors and Exporters
Association**

[Transcript](#)

- Mr Brendan Byrne, CEO
 - Mr Kenny Ward, Chairperson
-

Written submissions received

Submissions

[Fair Seas](#)

Legislative and Policy Context

Founding the SFPA

The Common Fisheries Policy (CFP) of the European Union (EU) was substantially reformed in 2002, with increased emphasis on coordinating actions to safeguard sea-fish stocks and to secure sustainable sea-fishing activity throughout the EU as well as beyond it.

Ireland responded in 2006 by updating its series of Fisheries Acts and Maritime Jurisdiction Acts, which dated from 1959, into one consolidated *Sea-Fisheries and Maritime Jurisdiction Act*. Founding the Sea-Fisheries Protection Authority (SFPA) was a key provision of the 2006 Act. The legislators aimed to protect the sustainability of fish stocks by having the new regulations and penalties enforced in a consistent way across the EU.

EU Points System

The EU Control Regulation 2023/2482 amending EU Control Regulation 1224/2009 requires all member states to establish a system of penalty points for serious fisheries offences by the year 2012. These points would accrue on fishing licences and lead to suspensions or eventual revocation if enough repeated infringements were detected by any competent authority across the EU.

Two Irish attempts to implement the points system via Statutory Instrument (S.I.) were struck down in court, in 2014 and 2016, and a third attempt was annulled by the Dáil in 2018. An amended S.I. was enacted in 2020 and remains in force today, having solved the legal issues by establishing a Determination Panel of independent legal professionals who rule on whether points should be assigned by the SFPA or not. Their determinations may additionally be scrutinised by a separate Appeals Officer appointed by the Minister.

However, the industry would contest the independence of this process and are calling for the S.I of 2020 to be fully redrafted, in conjunction with amendments to the 2006 Act that would introduce a new administrative sanctions system.

As mandated by the EU Regulations, the SFPA has responsibility for assigning points to Irish licences, including for infringements detected by authorities in another jurisdiction, and similarly it will notify other member states when it detects offences by foreign licence-holders in the Irish jurisdiction.

The EU Regulations also set out that points remain with a vessel's licence after it is sold, that three years without further infringement is the timeframe for points to expire, and that suspensions occur every 18 points accumulated, up to a maximum of 90 (incurring permanent withdrawal).

The CFP was reformed again in 2013, and the EU Commission continues to revise the Fisheries Control Regulation, most recently requiring all members (since January 2026) to create a national registration of penalty points for masters, aiming at further harmonisation across members' systems.

In Ireland, the penalty points system operates alongside the legal deterrents set out in the *Sea-Fisheries and Maritime Jurisdiction Act 2006*, in some cases meaning that points and a criminal sanction may be applied for the same offence.

Weighing Derogation

In 2012 the Irish Government negotiated a special allowance or 'derogation' from the EU Commission: large-scale Irish vessels in the pelagic (deep-sea) sector could now transport their catches to processing factories before weighing them. This was in recognition of the fact that Irish harbour infrastructure had not developed at the same pace as the Irish fleet, and some catches from the largest vessels were now too big to be handled on the piers. Comparable vessels in other EU Member States continued to be required, as per the normal regulations, to weigh catches immediately at pier-side.

In 2015 the EU Commission's Directorate-General for Maritime Affairs and Fisheries (DG MARE) ran a routine audit series: "Assessment of the systems in place to control weighing and the traceability of fisheries products (up to first sale) in the Atlantic Member States." Concerning findings about the capabilities of the SFPA to function and perform as the competent authority, in the weighing of fish in factories, resulted in a second, more detailed, audit "to assess the system in place to control the weighing of fish up to the first sale – pelagic fisheries, and to assess the system in place to control catches of tuna, in particular bluefin tuna."

The second audit, published in 2018 and known as the Wolff Report, highlighted “severe and significant weaknesses in the Irish control system, in particular regarding the unquantified and so far unaccounted for historical underreporting of catches of pelagic species by the Irish fleet”, as well as a “lack of effective enforcement and sanctioning of non-compliance” and “concerns regarding the reliability of the established procedure for the weighing of pelagic catches after transport in premises.”¹

Despite “extensive measures ... being implemented by the SFPA to enhance control of factory weighing”, such as installing CCTV, Ireland did not achieve compliance in time and the EU Commission revoked its derogation in 2021. The SFPA’s new Control Plan, which requires factories to fit cameras and checking systems, then successfully apply for a ‘weigh permit’, was approved by the Commission in January 2023 and saw the return of Ireland’s weighing derogation with one caveat: one in every 20 catches, or 5%, must be weighed on the pier as an additional security².

Reform of the SFPA

Following the 2018 audit, SFPA staffing was raised to 121 and an independent review was commissioned by Government. The PwC Report was published in 2020 with an implementation plan to “reset the SFPA on a significant programme of renewal and refocusing”, involving 46 recommendations in total. This led to significant budget and staffing increases for the Authority: €13.8m and 134 staff in 2019, €17.36m in 2020, and 166 staff by 2022.³

Internal reorganisation and digitisation were other key objectives, as was reconfirming the role of the Consultative Committee (a liaison body within the SFPA for the sea-fisheries and seafood sectors). As per recommendation, an additional Advisory Board was established to assist SFPA management in strengthening the organisation’s capabilities, and the Authority reports that by 2023 it had completed implementation of the PwC plan. Concerns remain among industry representatives that reconfirming the Consultative Committee’s role was

¹ https://www.friendsoftheirishenvironment.org/images/Final_Audit_report_IE-D4-2018-01-A_pelagic_weighg_BFT.pdf

² <https://www.sfpa.ie/LinkClick.aspx?fileticket=U01xaufCiFw%3d&portalid=0&resourceView=1;>
<https://www.sfpa.ie/LinkClick.aspx?fileticket=fHUeGikVQgM%3d&portalid=0&resourceView=1>

³ https://data.oireachtas.ie/ie/oireachtas/debates/questions/supportingDocumentation/2020-10-15_pq303-15-10-20_en.pdf

not enough, and that its recommendations ought to be binding in the same way as the new Advisory Board's.

The Contemporary SFPA

The Authority currently has 191 staff, including 88 Sea-Fisheries Protection Officers (SFPOs) and a further 9 Senior Port Officers. Their 2025 budget was €25.534m, rising slightly to €25.929 million for 2026.

According to their 2024 Annual Report, giving the most recent complete numbers, the SFPA inspected 2,071 vessels while they were landing catch, or 4.55% of the 45,511 total landings into Irish ports that year. This rises to 5% of the total when at-sea inspections are included. A total of 108 case files were opened, meaning 4.7% of inspections detected a possible infringement. Their digital system 'VALID' recorded an overall compliance rate of 80.7% (up from 77.4% in 2022). The SFPA's remit extends significantly beyond fisheries enforcement, including sanitary survey work for aquaculture sites, and inspection of seafood producers on behalf of the Food Safety Authority.

Stakeholder Perspectives

Sanction regime

Penalty points

Stakeholders representing the fisheries industry state that it is too difficult to have penalty points removed from a licence: the Irish Seafood Alliance states that EU mandates that licence-holders must go three years without a single offence before their points expire. This contrasts with penalty points for Irish driving licences, where points expire after three years regardless of any offences detected since.

The Irish Seafood Alliance further states that sanctions should be harmonised across the EU. It cites other EU states' approaches to penalty points, stating that Sweden is the only other country which has assigned penalty points to minor offences and ceased the practice within ten to fifteen months, and that in Spain there is a much narrower range of offences considered "serious" than in Ireland. Irish Seafood Alliance states that the issue is with the strictness of the Irish system rather than the permissiveness of other member states, and that Irish standards "will destroy an industry because it is not practical". The Irish Seafood and Fishing Alliance cites the example of a Swedish vessel that received a small fine and warning for an offence that if prosecuted in Ireland would have resulted in a court case, penalty points and large financial sanction.

Administrative versus criminal sanctions

Stakeholders representing the fishing industry state that the Irish criminal justice system is slow, costly for all involved including the State, and ultimately ineffective as a deterrent. The Irish Seafood Alliance instead calls for a system of administrative sanctions, noting that such sanctions would afford the SFPA flexibility dealing with minor and initial cases. The Irish Fish Processors and Exporters Association states that the 2006 Act overly focusses on criminal sanctions and that there is no other sector of the economy subject to such scrutiny.

Producer organisations note the inconsistent standards of evidence applied to civil and criminal sanctions for sea fisheries protection issues. Representatives of the Irish Seafood Alliance note that in some cases a licence holder may be acquitted in court for a criminal offence while having to retain the penalty points for the same offence. The Irish Seafood Alliance cites the contrast between the administrative sanctions applied to food safety

standards and the criminal sanctions applied to sea fisheries protection standards, both of which are enforced by the SFPA.

Processing

The Irish Seafood Alliance questions the need to make estimations on species captured on-pier when more appropriate in-factory facilities are available to do so, noting the potential for criminal sanctions for inaccurate estimations. It also questions EU requirements for 5% of pelagic landings to be weighed on-pier, noting the practice of draining water storage tanks for pier-weighing damages the value and human consumption of Blue Whiting.

The Irish Seafood Alliance states that the level of monitoring of processing facilities such as live feed CCTV to the supervisory authority is disproportionate, goes further than EU rules require, and incentivises vessels, particularly factory ships, to land catches in non-Irish ports, citing a 58% reduction in landings in Irish ports in one particular year. The Irish Fish Processor and Exporters Association (IFPEA) states that Killybegs may be the most regulated port in the world for landing of catches and that between the catching and exporting of fish there are at least fifteen separate administrative processes.

The Irish Seafood Alliance further notes that factory ships carrying out processing at sea are not subject to live CCTV monitoring and points to proliferation of on-vessel monitoring as a potential development in this sphere. The IFPEA states that SFPA monitoring of such vessels has been rare.

Serious concerns exist, even within the context of the new draft EU legislation, that pelagic freezer trawlers at sea will not be covered by the new regulatory proposals.

At-sea inspections and monitoring

The Irish Seafood Alliance claims that Irish vessels face greater at-sea scrutiny than foreign vessels fishing in Irish waters. It notes that the SFPA has comprehensive information on each Irish vessel's quota vis-à-vis non-Irish vessels, and that other member states assign quote annually rather than monthly. Irish Seafood Alliance representatives call for greater transparency on how vessels are determined high-risk, and states that "there is a level of heavy-handedness at times."

The Irish Seafood and Fishing Alliance questions the proportionality of the SFPA's presence and activities in the context of the shrinking size of Ireland's fishing fleet. It notes that one

sixth of fishing vessels are SFPA vessels, and that staff numbers have increased. It states that Ireland has significantly more authorised sea fisheries protection officers than other member states.

Fair Seas states that regulatory, compliance and enforcement demands are likely to increase in the context of Government targets to protect 30% of the marine area by 2030 and that the importance of adequately resourced regulators will continue to grow. It states that robust monitoring, control and enforcement systems safeguard marine biodiversity, strengthens ecosystem resilience, provides regulatory certainty and underpins the long-term sustainability of the seafood sector.

SFPA accountability and relationships with stakeholders

The Irish Seafood Alliance states that the 2006 Act dates from an era of self-regulation and is outdated in the context of subsequent changes to the Common Fisheries Policy and the Wolff, PWC and Moran reviews into the SFPA. The Irish Seafood and Fishing Alliance states that the SFPA does not see itself as accountable to Government. The Irish Fish Processors and Exporters Association questions the independence between the SFPA and the Department and raises the possibility of a silo effect in the Department following decentralisation of marine decision makers to Clonakilty.

Irish Seafood Alliance representatives state that while the SFPA's consultative committee facilitates constructive dialogue, many topics are excluded from discussion on the grounds of being "operational". The Irish Seafood Alliance further calls for greater transparency regarding appointments to the Committee.

The Irish Seafood Alliance states that there is potential for stronger engagement between Sea-Fisheries Protection Officers and fishermen and women at local level to avoid accidental infringements, and notes that there are issues with consistency of application. In contrast, the Irish Seafood and Fishing Alliance characterises the relationship between the SFPA and industry as "toxic" and states a preference for a reduced SFPA operating under the control of the Food Safety Authority with Ministerial and Oireachtas Committee accountability.

Fair Seas cites its constructive engagement with the SFPA in recent years, and states that early, transparent and structured stakeholder engagement and participation are essential to

building legitimacy in communities and sectors in the context of the rollout of marine protected areas (MPAs). It states that strong enforcement and strong engagement are not mutually exclusive, and that effective engagement is critical in fostering trust, ensuring clarity around regulatory interpretation and securing the buy-in of industry.

Regulatory Perspectives

Fisheries Control Policy in other EU jurisdictions

Research commissioned by this Committee examining 17 other European states demonstrates each state surveyed has a network of officials empowered to inspect fishing vessels and premises, to record evidence of non-compliance, to seize or detain catch and gear, and to suspend or revoke licenses.⁴⁴ In most countries these officials are part of an independent state body like the SFPA, usually with a reporting relationship to an equivalent of the Department of Agriculture or in some cases Climate. Only in Finland, Greece, Germany and Italy does a division of government deal with fisheries control directly. In Sweden and Italy, the Coast Guard are completely relied upon for inspections and in-person enforcement, but everywhere else there exists a special class of inspector like the Irish SFPO.

Like Ireland, most countries have a system of points applied to captains' and/or vessels' licenses as part of the administrative sanctions for serious infringements, leading to suspension or revocation after repeated offences within a given number of years. In Greece the ship owner is held jointly responsible with the captain. In January 2026 new EU legislative acts will come into force that aim to harmonise fisheries control practices across Member States – one of the key new measures requires every nation to participate in the points system, the stated aim of which is to promote a level playing field.

The Netherlands mention that in response to these new regulations they will begin penalising all fisheries offences through one scaling system of administrative sanctions. This is different to most countries where, as in Ireland, particularly serious infringements also qualify as criminal offences and are prosecuted through the courts. It is unclear whether criminal sanctions replace administrative ones in most countries or are separate and sometimes additional as can be the case in Ireland. Only in Spain is it specified that a person can't be sanctioned through both administrative and criminal means for the same

⁴⁴ Bulgaria, Estonia, Finland, France, Germany, Greece, Italy, Latvia, Lithuania, Netherlands, Poland, Portugal, Romania, Slovenia, Spain and United Kingdom.

infraction. In France the first level of sanctioning is carried out directly by producer organisations who penalise their own members for breaches in their codes of professional conduct – more serious offences, or instances where the PO is failing to administer sanctions, are then dealt with by control agencies.

All countries have an appeals process through the courts, but only a handful have a preceding direct appeals process built into the structure of the control agency as in Ireland. None have an independent Complaints Officer as Ireland does. Only a handful of nations have an Ombudsman to whom higher appeals may be made.

Most countries mention various official channels through which stakeholders are consulted on fisheries policy, but in almost all cases these advisory committees are attached to the Department not the control agency. In a handful of nations (eg. Spain and Romania), the Department handles control directly, but only Sweden has the same combination as Ireland – an independent control agency with its own Consultative Committee attached directly to it (in addition to stakeholder forums that advise the Department).

Staffing and budget comparisons are difficult to make because in many cases the remit of other nation's control agencies is broader than that of the SFPA. Below are a few examples from either end of the scale:

- The Swedish Agency for Marine and Water Management, who rely on the Coast Guard for actual enforcement, have 317 staff and a budget of €129 million to oversee a fishing and aquaculture industry employing 1290 people.
- The Netherlands Food and Consumer Product Safety Authority has 4,000 staff and €622 million to manage (among many other things) 297 fishers and 6,400 fish processing/trade workers.
- Whereas Poland's Chief Inspectorate of Sea Fisheries has 88 staff (42 inspectors) and €4.13 million to monitor 2300 fishers plus 6400 in processing/aquaculture.
- And Bulgaria's Executive Agency for Fisheries and Aquaculture maintains 200 staff with just €3.6 million, overseeing 1,798 fishers, 1,547 in aquaculture, and 1,547 in processing.

Perspective of the Regulator

Decisions to prosecute

The Committee's interrogation of the SFPA's record in achieving prosecutions has been inhibited by legal restrictions on the SFPA's ability to comment to an Oireachtas Committee on matters that may be before the courts. SFPA stated to the Committee that its role in relation to criminal justice is to provide evidence to the Director of Public Prosecutions, who in turn has the role on determining whether to pursue criminal prosecution. It further states it reviews all cases on an ongoing basis.

SFPA has provided data to the Committee outlining that over the period 2015-2025, approximately 32% were directed as no prosecution by DPP, approximately 2% were dismissed in the courts, and approximately 35% resulted in either a conviction or were dealt with through the Probation Act or charitable donation.

At-sea monitoring and inspections

The SFPA has provided data to the Committee noting that it inspects 10% of Irish pelagic landings, 57% of other EU state pelagic landings and 13% of non-EU pelagic landings. It further states that at-sea inspections are generally carried out by the Defence Forces and that while it would welcome onboard monitoring of all vessels active in Ireland's EEZ, implementing this in advance of new EU rules in 2028 will require Government intervention. It stated that only one vessel has agreed to participate in a pilot onboard observer scheme. SFPA states that the European Fisheries Control Agency is also active in Ireland's EEZ and that the SFPA provides an inspector of EFCA vessels when they are in Ireland's EEZ.

The SFPA has provided statistics noting that in 2024, 47.3% of inspections in Irish waters were of Irish vessels, versus 41.3% of other EU states and 11.4% of non-EU states.

Landing and Processing monitoring and inspections

Regarding the requirement, since 2023, for 5% of Irish pelagic landings to be weighed on the pier even when otherwise they would qualify for factory-weighing, the SFPA said that Government would have to negotiate with the EU Commission to see a return to 100% factory-weighing. The 5% requirement came since a 2018 EU Commission audit found evidence of abuse under the previous system and Ireland's 100% derogation was revoked. SFPA states that a number of risk factors are taken into account by officers on the ground in

determining which vessels to inspect. SFPA has stated that it has engaged with Bord Iascaigh Mhara to support the sector in terms of the impacts de-water on-pier weighing has on stock such as blue whiting.

Discussing CCTV installed in the factories where weighing is permitted, the SFPA clarified that their role is to inspect camera systems installed by the businesses, and to certify whether they meet the legal standards that qualify them for a Weigh Permit. The relevant standards are per a 'Control Plan' negotiated with the EU Commission after 2018.

The SFPA states that in 2024, 10% of landings of Irish vessels were inspected versus 57% of other member states and 13% of non-EU states.

Accountability framework

The SFPA cites Section 86 of the Act which prevents it from commenting on Government policy, providing information that may facilitate an offence or prejudice a criminal investigation, or account for any matter that may be before the Courts to an Oireachtas Committee.

The SFPA questions the suggestion that it regulates in a disproportionate manner, instead stating its role is to implement its governing legislation and that it is a matter for legislators to change that legislation.

Looking forward

Government position on legislative reform

Minister of State Timmy Dooley has stated his commitment to an independent review of the 2006 Act beginning in June, once the current work of the Food Vision Seafood Sector Group is completed. The Minister has identified several issues that may be addressed by the review:

Application of criminal sanctions

The Minister acknowledged that the current application of criminal sanctions for fisheries offences under the 2006 Act is seen by many as disproportionate and acknowledged the frustration in instances where the criminal and penalty points systems currently overlap. This issue was one that he raised immediately and appears already to be central to what he hopes the review could address.

“We do not want and nor do the fishermen to go back to the old days either, quite frankly, but they want to feel that the sanctions are proportionate”.

The Minister stated that frustrations directed at the SFPA regarding the quality of evidence provided for court cases are misplaced: as with the Gardaí, their responsibility is to carry out investigations and hand over the evidence gathered to the Director of Public Prosecutions who then decides how, and whether at all, to go to trial based on said evidence.

Governance and oversight of the SFPA

The Minister, while stating his satisfaction with the SFPA’s current governance and accountability requirements, noted that lessons have been learned in recent years about the benefits of Irish regulatory authorities being provided with a higher level of oversight, and that it is important for these bodies to be independent without being entirely self-regulating. He saw some opportunity for the SFPA to have a supervisory authority and felt that a new version of the Consultative Committee (which currently exists only for “consultations and liaison”) could potentially play a role, pending results of the independent review.

He also pointed out that a new independent Advisory Board, providing expertise in senior administration, public sector governance requirements and management – not related to the sectors regulated by the SFPA – was already appointed to assist in strengthening the SFPA’s capabilities, as per recommendation of the 2020 PwC Report.

Regarding the SFPA’s relationship with himself as Minister, he said he is “precluded by statute from getting involved in operational matters, including in relation to sea fisheries law enforcement.”

Regarding the Authority’s relationship with the Committee, Section 68(2) provides that the SFPA shall account to the Committee for the performance of its functions and "shall have regard to any recommendations ... relevant to its functions." The Minister clarified that this means the Committee is precisely the place for discussions of the SFPA’s overall operational activity, intended to be independent of him. Risk-profiling methodology and the rate of at-sea inspections by country were mentioned as examples of what the SFPA should be able to explain and justify before the Committee.

The Minister was very clear that the SFPA cannot discuss the details of individual cases before the Committee and does “not believe that it would be appropriate to change the legislation to allow the Committee here to prosecute every case, to try every case or retry a case that has already gone through the courts.”

Penalty points regime and EU-wide harmonisation

The Minister said he has heard “that the sanction with penalty points is fine but it is not harmonised with the rest of Europe.”

He noted that action is ongoing at EU level to better establish a level playing field on fisheries control. The current control regulation entered into force in January 2024, updating and amending a regulation dating back to 2009, and has some sections including one relating to penalty points that only went live in January 2026.

Enforcement standards compared to international practice

Regarding the regulatory system in Ireland, the Minister said that evaluating it in the context of other EU countries’ systems would be part of the review, which would “not focus just on the legislation rather than anything else.” He specified, “We want to ensure that we are not

penalising, as a State, our fishermen in a manner that is not consistent with the application of the control regulations across the European Union”.

Noting the economic opportunities were foreign vessels to land in Ireland he said, “That is why we want an alignment ... to ensure the processes are not more restrictive here than they might be elsewhere.”

Regarding the monitoring of vessels that fish in Irish waters but do not land in Ireland, he said “The expectation is that when they return to their ports of origin that the same regulations would be there consistent with EU rules and regulations.” He then added that this expectation goes both ways: “not all Irish boats land fish to Irish, or, indeed, European, ports. It is permissible for any Irish boats if they catch fish closer to Norway to land fish in Norway.” He noted hearing anecdotally that some are concerned by the comparative regulatory rigour in non-EU countries.

The Minister also took a moment to mention examples of local businesses that have successfully built direct links between small-scale Irish fishers and restaurants/shops in coastal communities, processing the seafood themselves so to shorten supply chains, create more value per fish, and retain that value locally. He has spoken with Bord Iascaigh Mhara about supporting businesses like these in particular as they create fewer issues for Irish fishers than the large processors whose model relies on importing foreign fish.

Sampling requirements for catch estimates

The Minister expressed his view of the 25kg sampling method stating, “It seems the relatively archaic method of guesstimating is now superseded, particularly with the systems that are now in place at the factories.”

The sample is to extrapolate the presence of by-catch or mixed fish but has only a 10% margin for error which can lead to sanctions if exceeded which, the Minister said, “does not add up for me and that is why I want to see it reviewed.” He added that he is aware that it “is not wilful act on the part of the skipper or his or her team, but it is very hard to do by just doing a small dip or small sample.”

Simplification of monitoring

The potential for technology to enable simplification of the monitoring regime required by the 2006 Act was a key focus for the Minister, who said advances in “cameras, sensors and weighing systems, coupled with advances in artificial intelligence ... would seem to suggest that the practices that were necessary when the legislation was drafted may no longer be necessary.”

He noted that Ireland’s next Control Plan will be lodged with the EU soon, and acknowledged this would present an opportunity to review the 5% pier-weighing requirement, but told the Committee he was unsure of his role as regards Control Plans and would need to reconfirm.

Plan for an Independent Review of the 2006 Act

Specific terms of reference will first be drafted to set the parameters of this review, and the Minister said he would welcome the Committee's input to this phase of the work.

He intends for work to begin in late June as he is conscious of allowing the Fisheries unit to focus on the Food Vision Seafood Sector Group’s important work until then.

Regarding the expertise he thinks would be needed on the team conducting the review, the Minister noted three main areas, saying “we need legal expertise; probably someone at senior counsel level at least”, as well as “somebody with oceanic, navigational and perhaps military experience who would understand that area”, and finally someone with an enforcement background, noting that “we have to find parallels, as was the case previously, for people outside the specifics of the fishing and the SFPA sector”.

Clarifying the degree to which the Committee would be involved, he said that the review team would not directly include anyone from within the Oireachtas as the legislators would have their chance for input when amending the law later on.

Current Status of the SFPA

The Minister distinguished clearly between his desire to review the 2006 Act and any critique of the SFPA, saying “anything I say here today relates to the work of the Oireachtas rather than the work of the SFPA”, and “I am satisfied with the SFPA's current governance and accountability requirements, as I have outlined, are functioning.”

He reiterated that the Authority very recently completed a process of significant organisational review, finalising in 2023 its implementation of the wide-ranging recommendations from the PwC report (which focused on identifying actions necessary to strengthen the organisation to operate more efficiently and effectively). Nominating the independent Advisory Board to improve oversight and increasing the SFPA's resources to ensure it delivers to a high standard, were two of the key changes implemented.

Regarding any further need to reform the SFPA, the Minister said "the evaluation of the legislation should come first to establish if it is fit for purpose, and from everything we are hearing, it is not. It is not as effective as it might be, based on advances that have taken place."

Related information

Publications

All [publications for this committee](#) are available on the Oireachtas website.

Committee debates

[Transcripts of Committee debates](#) can be found on the Committee debates page.

Committee videos

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Contact details

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Orders of reference

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Committee Membership

Cathaoirleach

[Conor D McGuinness TD](#), Sinn Féin

Leas-Chathaoirleach

[Pat the Cope Gallagher TD](#), Fianna Fáil

Report Rapporteur

[Pádraig Mac Lochlainn TD](#), Sinn Féin

Members

[Michael Cahill TD](#), Fianna Fáil

[Joe Cooney TD](#), Fine Gael

[David Maxwell TD](#), Fine Gael

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