

FisherCoast RESEARCH BRIEFING

Addressing migrant fisher vulnerability to unrecognised forms of coercion and control within the Scottish fishing industry.

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The FisherCoast project was a multi partner international research project exploring the impact of environmental, economic and social change on the wellbeing of coastal communities. In North-East Scotland, the project interviewed 63 people across the fishing industry (retired and current skippers, migrant crew, industry officials and welfare charities), alongside archive data to give an understanding of change over time.

This research briefing outlines key findings on the vulnerability of non-EEA fishers to currently unrecognised forms of coercion and control within the Scottish fishing industry. Although the focus is on North-East Scotland, our findings have bearing across the UK fishing industry where non-EEA migrants are employed. Recommendations are included to address the issues raised.

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Invisible forms of coercion and control.

In response to a shortage of reliable, local crew and rising costs, fishing crews from non-EEA countries such as the Philippines and Ghana, have been employed on fishing vessels in North-East Scotland (operating outside 12 nautical miles) since the mid-1990s. These skilled migrant workers are generally well respected as hardworking and reliable additions to the fishing industry. However, our research identified an industry wide blind spot that left migrant crew vulnerable to forms of coercion and control. Specifically, practices such as withholding food, slaps and kicks, and psychological and verbal abuse of crews, often experienced on a daily basis. These forms of abuse remain 'invisible' within the industry because crews are reluctant to come forward. They are difficult to evidence, and frequently dismissed as part of a difficult working environment or cultural misunderstandings. Current protections are inadequate because they do not address how the use of transit visas and short-term contracts make migrant crew particularly vulnerable to this type of abuse, and the cultural practices which render such abuse invisible.

1. Transit Visas and short-term contracts create vulnerability

The use of the 'transit visa' loophole restricts crew movements and access to full employment rights. This makes non-EEA crews vulnerable, kept largely invisible onboard vessels and dependent on their employers for food, accommodation and legal status. The use of short-term contracts (6-8 months) exacerbates this vulnerability by making crews reluctant to complain for fear of not having contracts renewed and being labelled a trouble maker.

2. Cultural practices render coercive/controlling practise invisible.

Local interpretations and expectations shape the crew-skipper relationship. This results in four practices that frustrate the current protections:

a. Blurred boundaries between acceptable behaviour and skipper responsibility.

There are no mutually agreed terms for appropriate behaviour and no distinction between an alpha male culture and coercive/controlling practices. A narrative of skipper responsibility and

autonomy results in peer reluctance to question or challenge skipper treatment of crew, particularly when out at sea.

b. Working relationship resemble parent-child relationships.

Language barriers and the hyper-dependency of crew have infantilised some crew/skipper relationships. As a result, complaints are not taken seriously and are interpreted as 'misunderstandings'. This is compounded by an inability of crew to better articulate forms of coercion and control beyond simplified terms such as 'shouting'.

c. Belief that the current oversight and complaints procedures are adequate and working.

Within the industry, there is limited appreciation of the specific vulnerabilities crews face beyond trafficking and indentured labour. Skippers consequently believe that crews have sufficient welfare support and protections. When combined with a reluctance to interfere with other skippers, crew welfare is seen as someone else's responsibility.

d. Crew passivity enables maltreatment to continue unreported.

Migrant crew have cultivated deferral coping practices, to 'keep their heads down', and endure abusive practices to ensure repeat employment. This makes them unwilling to complain and allows problematic behaviours to go unchallenged.

Recommendations for change

Changes should be made to address both the causes of vulnerability and the inability to recognise and address these forms of coercion and control.

- 1. End the use of transit visas.** Transit visas create dependency and precarious employment which renders crews vulnerable to harm. Crews should move to an appropriate skilled worker visa.
- 2. Encourage the use of more secure contracts.**
- 3. Draw up clear guidelines that distinguish what constitutes acceptable and abusive behaviour.** This should be mutually created with migrant crew, accommodate the realities of fishing practice, and recognise both the need for and limit to skipper authority.
- 4. Build trust in complaints procedures by recognising and responding to migrant crew's precarious status.** This must include a way to ensure crew are not penalised for coming forward and do not risk future employment.
- 5. Provide language training in local dialects, industry terminology, labour rights and contract obligations.** This should include terms that improve onboard safety and reduce skipper/crew frustrations, and ensure crews have the appropriated language to raise concerns and complaints.