

Opening Statement

9th April 2026

Good morning, Chairman and Committee Members. I would like to thank the Committee for your invite to appear today. We welcome the continued interest in the role of the Sea-Fisheries Protection Authority (SFPA) and issues impacting our work, including the accountability framework of the SFPA and SFPA decision-making procedures for its enforcement activities.

The SFPA is an independent, statutory, non-commercial public body, established under the provisions of the Sea-Fisheries and Maritime Jurisdiction Act 2006 (the Act) and under the aegis of the Department of Agriculture, Food and the Marine (DAFM). It is Ireland's competent authority for Seafood Safety and Sea-Fisheries Protection. The Act provides that the SFPA is independent in the exercise of its functions.

The SFPA is governed by an executive structure known as the Authority. The Authority structure is provided for under Section 47 of the Act and consists of at least one but not more than three members. The SFPA currently comprises a three-member Executive Authority. The Minister has appointed, one of them to be Chairperson. The table below details the Authority members.

Authority Member	Role	Date Appointed from/to
Paschal Hayes	Executive Chairperson	14 January 2022 to 13 January 2029 ¹
Michael Finn	Authority Member	03 October 2022 to 02 October 2029
Louise Murphy	Authority Member	10 March 2026 to 09 March 2033

¹ The Executive Chairperson has notified the Minister that he intends to retire before the expiration of his term

The Authority operates within public sector governance regulations and procedures, including those set out in the Code of Practice for the Governance of State Bodies 2016 (the Code). In compliance with Section 4 of this Code, the Authority undertakes an annual self-assessment evaluation.

Under Section 68 of the Act, the Executive Chairperson is accountable to the Public Accounts Committee and the Joint Committee on Fisheries and Maritime Affairs. The Oversight and Performance Delivery Agreement 2025-2026 formalises corporate governance arrangements between the SFPA and DAFM for oversight and reporting on performance. The SFPA is committed to ensuring ongoing compliance with its corporate governance, reporting and related obligations and confirms its compliance with the Code in advance of each high-level corporate governance meeting with DAFM.

The SFPA has established an Audit & Risk Committee (ARC) to assist and advise the Authority on its governance responsibilities. The ARC ensures that there are comprehensive systems in place for managing risk, controls, and governance, and evaluates the reliability and integrity of these systems. The ARC operates independently of the daily management of the SFPA to ensure objective oversight. The ARC currently comprises 5 independent non-executive members with financial, governance, audit and technical expertise. The ARC meets 6 times a year.

Under Section 65 of the Act, the Authority is required to keep all proper and usual accounts of money received and expended by it, keep adequate accounting records and safeguard assets. The Authority presents draft annual financial statements to the Comptroller and Auditor General for audit for each financial year (aligned to the calendar year – 31 December of each year). The Authority prepares an Annual Report on the performance of its functions. The Annual Report is presented to Minister for Agriculture, Food and the Marine (MAFM) and laid before the Houses of the Oireachtas. The Chairperson also submits the Chairperson's Comprehensive Report to the MAFM on an annual basis in line with the Code.

Under Section 66 of the Act, a Statement of Strategy is prepared by the Authority every 3 years. The period of the current Strategy is 2024-2026. The Strategy sets out the high-level goals, strategic priorities and forecasted outcomes for each 3-year period. Guided by the Statement of Strategy, performance targets and outputs for the Authority are

established through Performance Delivery Agreements (PDA's), which are submitted, reviewed and approved by the Department of Agriculture, Food and the Marine. PDAs are organisational level agreements that set out high-level priorities, key outputs and indicators to be delivered over the year. Progress is monitored through high-level corporate governance meetings between officials in the SFPA and DAFM, as well as through ongoing budget and performance discussions conducted through the Estimates and Revised Estimates process.

Under Section 48 of the Act, the Minister appoints a Sea-Fisheries Protection Consultative Committee (SFPC). The SFPC is designed to act as a consultative and liaison body for the Authority and the sea-fisheries and seafood sectors on matters relating to the functions of the Authority as well as the standards, guidelines, practices and procedures operated by the SFPA. SFPC membership is a matter for the Minister. SFPA are not members of the SFPC but attend upon request of the Chair of the Committee. The SFPA provides secretarial support to the SFPC.

Section 46 of the Act provides for the Minister to give general policy directions, in writing to the Authority. A copy of any such direction along with the reasons for giving the direction must be laid before each House of the Oireachtas and published in the Iris Oifigiúil. Additionally, this Committee may make recommendations to the Authority as provided for in Section 68 (2) of the Act.

In terms of the wider legislative framework, national and EU regulations are implemented by the SFPA to ensure compliance with the rules of the Common Fisheries Policy and underpin seafood safety.

Effective regulation and oversight of the sea-fisheries and seafood sectors is essential to the achievement of our shared ambitions for the development of Ireland's seafood sector, as well as ensuring that Ireland's shared marine resources are sustainable for future generations of fishermen and fisherwomen, coastal communities, and Irish and international consumers. The SFPA does not have a policy remit, nor do we have a legislative role but we strive to fulfil our mandate, without fear or favour, in implementing the legislation and regulations passed by the Oireachtas and the European Parliament.

The SFPA plays a key role in promoting compliance, verifying it and, where necessary, using the powers provided under legislation to enforce sea-fisheries and seafood safety laws for all areas under our remit. This includes all seafood produced in Ireland’s seafood-processing companies, all fishing vessels, regardless of nationality, operating within Ireland’s 200-mile limit, and almost 2,000 Irish registered fishing vessels, wherever they operate.

Fisheries cases are dealt with through the criminal justice system as prescribed in the Sea-Fisheries Maritime and Jurisdiction Act 2006. This means that where there are suspected breaches of fisheries legislation, cases are put forward by the SFPA to the Office of the Director of Public Prosecutions (DPP). The DPP will then make directions on the case following examination of the investigation files and decide whether to take a prosecution.

Over the last 11 years the DPP has offered direction on 415 cases, of which over 70% are sent forward to the courts for hearing.

Year of alleged infringement of sea-fisheries law	Total number of cases directed on by DPP	No. of cases DPP directed no prosecution	No. of cases dismissed in the courts	No. of cases with convictions recorded	No. of cases dealt with under Probation Act or charitable donation
2025	28	7	0	5	1
2024	60	10	0	10	2
2023	52	19	0	14	2
2022	57	16	2	10	5
2021	34	9	0	12	1
2020	41	10	2	19	1
2019	40	11	0	21	3
2018	32	15	1	10	1
2017	29	11	0	14	0
2016	13	5	0	7	1
2015	29	19	3	7	0

The SFPA recognises that the issue of points has been discussed widely at previous meetings of this Committee and believe it is important for the Committee to understand how this process works. As previously mentioned, all EU Member States are obliged to

establish a points system to be applied to the licence holders and masters of fishing vessels when a serious infringement of the rules of the Common Fisheries Policy is detected. The points system is intended to operate as a more immediate and harmonised sanction in that regardless of where in the EU a serious infringement is committed, the licence holder and master will receive the same number of points for the same infringements.

The Licence Holder Points System that is in force in Ireland operates under Statutory Instrument 318/2020, published in August 2020, which regulates the procedures around the points system including matters such as the notification to sea-fishing vessel licence holders of an alleged serious infringement and the time limits that apply as well as the requirements around submissions, appeals and decisions. The Statutory Instrument also provides for the establishment of the independent determination panel and the procedures in relation to notifications to it of suspected serious infringements by the SFPA, submissions by the vessel licence holders and appeals in relation to a decision of the determination panel. Chapter 2 (A) Part 2 of the Sea-Fisheries Maritime and Jurisdiction Act 2006 provides for Masters of an Irish sea-fishing boat, that is found to have been involved in a serious infringement, to be assigned points.

Once a file is submitted to the Determination Panel, the Determination Panel may request extra material from the Licence Holder and/or Master and/or the SFPA. This information must be provided within 20 working days. The Determination Panel is obliged to hold an oral hearing if requested by the Licence Holder or Master within the timeframe. At the oral hearing, evidence is on oath. Witnesses may be required to attend by the Determination Panel. The Determination Panel has 70 working days from the date of notification to the licence holder and/or Master to make their determination. Once the Determination Panel makes its decision, it must send the determination, with reasons for that determination, to the Licence Holder, Master and the SFPA. Where the Determination Panel decides a serious infringement has occurred, the SFPA must then write to notify the Licence Holder and/or Master proposing to apply the applicable number of points attached to the serious infringement(s) in question and inform the Licence Holder and/or Master of their right to appeal.

Since the introduction of the points system in 2021, a total of 47 licence holders have received points with 1 licence holder having in excess of 6 points. Since points were introduced for Masters, there have been 24 Masters to whom points have been applied with one Master exceeding 6 points. The first three-month suspension occurs after 18 points have been assigned. These points are erased after a period of three years from the date of infringement, provided that no further infringements have been detected and points assigned.

	No. of Fisheries Control Enforcement Actions for Licence Holder Points	No. of Fisheries Control Enforcement Actions for Masters Points	No. of Masters with more than 6 Points	No. of Licence holders with more than 6 Points
2021	25	0	0	1
2022	6	5	0	0
2023	10	13	1	0
2024	3	2	0	0
2025	5	6	0	0

Ireland has an excellent reputation as a high-quality producer of seafood and the SFPA plays an important role in maintaining this reputation with robust monitoring and inspection programmes in place. These controls are undertaken under a service contract with the FSAI where the SFPA is tasked with the approval of processing establishments, including fishing vessels that freeze and/or process onboard and implements a risk-based inspection programme.

At the present time, there are 182 approved establishments, 49 Irish registered fishing vessels approved to freeze onboard and one Irish registered factory vessel. Samples of products are taken for analysis in line with the regulatory limits and where samples are deemed to be outside of acceptable limits, follow-up action including the withdrawal and recall of product may be necessary. Protecting seafood safety is crucial, not only to the reputation of Ireland's seafood offering both at home and abroad, but ultimately for the health and well-being of consumers of Irish seafood products. In 2025, the SFPA

promoted and oversaw compliance with relevant food safety legislation; a total of 2,304 food safety controls were carried out. Of these official controls, 364 were categorised as inspections of approved establishments, 1,940 consisted of official control checks, such as checks prior to certifying a consignment of food being exported to a third country, temperature checks and labelling checks. This work supports 5,300 jobs across the aquaculture and processing sectors.

Risk assessment plays a key role in how we as an organisation operates. On an annual basis, risk assessments are undertaken both in the areas of food safety and sea-fisheries control. Effective risk assessment allows for the identification of threats associated with particular activities both in the processing and catching sectors and facilitates efficient deployment of resources to respond to and deter non-compliance within the given fisheries and fleet segment. At a vessel level, it facilitates the selection of vessels for inspection both at sea and at landing.

Vessels fishing in higher risk fleet segments, fishing for species of higher risk and/or vessels whose activity has been rated as higher risk can expect to be inspected more frequently to verify compliance with regulations. Similarly, processors engaged in higher risk processes are also inspected more frequently, for example cold smoked salmon processing where there is a greater risk of instances of *Listeria monocytogenes*. Such facilities will be inspected with greater frequency than an establishment packing whole fish.

We recognise the challenges that the industry is facing, in particular with quota reductions, and labour shortages. These challenges are further compounded by the impact of global issues such as increasing fuel costs, which have a significant impact on the industry across the catching, processing and logistics sectors and so now, more than ever, it is vital that the SFPA steadfastly ensures accurate recording of catches by operators.

Challenges exist within the inspection framework, in particular when, it comes to boarding inspections at-sea. Ireland, as an island nation, is dependent on the Naval Service to provide at-sea inspections and funding has been provided to the Defence

Forces through various EU mechanisms for aircraft which can undertake maritime surveillance and sea surface vessels for patrols.

However, as you are all aware the Defence Forces has faced many issues from resources to competing priorities and despite the best efforts of the SFPA to keep fisheries monitoring and protection at the forefront of the work of the Naval Service and Air Corps this has not been achieved. Over the last five years there has been just under a five-fold decrease in the number of boardings at-sea. In 2021, there were 1,131 boardings at-sea and in 2025, there were 204 boardings at-sea. In addition, the number of specific fisheries protection days has decreased by more than half, from 140 in 2021 to 60 in 2025. In an effort to increase at-sea patrol presence in the Irish EEZ, the SFPA has been utilising the European Fisheries Control Agency (EFCA) chartered patrol vessels and has doubled its capacity over the same period increasing from 70 patrol days in 2021 to a minimum of 140 patrol days for this coming year, 2026.

Aspects of the new European Union (EU) Fisheries Control Regulation began to come into effect in 2024 and will continue through various Implementing Regulations and Delegated Regulations until 2030. The SFPA has engaged with EU Commission Officials on the development of the Implementing and Delegating Regulations and we continue to provide advice and feedback on technical, control and enforcement measures on behalf of Ireland.

We are engaging with industry to provide timely information and seek industry input on the developing legislation through meetings, in particular on areas such as weighing and sampling, Remote Electronic Monitoring (REM), and engine power assessment. The SFPA has undertaken briefings and training sessions with industry and will continue to do so as further aspects of the legislation come into force in the years ahead. In quarter one of this year, an extensive training programme was undertaken with fishermen and fisherwomen in relation to these regulatory changes and we continue to engage with the industry to promote compliance with legislation.

The new legislation, in particular around weighing and sampling is very much based on the current systems in place in Ireland and will ensure that the standard for weighing will be harmonised across Europe. From an Irish perspective, it will provide flexibility in

relation to the current controls in place within Ireland's Control Plan and Sampling Plan, both of which were approved in 2022. This is as a direct result of the hard work of members of this organisation, who have demonstrated to the European Commission in recent years Ireland's ability to verify the industry's compliance with regulatory measures.

The SFPA was established on the 1st January 2007, following the enactment of the Sea-Fisheries and Maritime Jurisdiction Act (No. 8 of 2006). The organisation was established at a point in time to fulfil a purpose appropriate for that time. We are now 20 years on and the industry has changed, how regulation is implemented has changed and therefore the SFPA welcomes the Minister's commitment to review the 2006 Act.

In conclusion Chairman, I thank you for the invitation to speak with the Committee today. My colleagues and I are happy to provide additional information or answer any questions you may have.