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“Out of sight, out of mind”: International labour migration and fair employment in the Scottish fishing industry

Submitted in fulfilment of the requirements of the degree of Doctor of Philosophy (PhD)



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Abstract

This thesis explores regulative, economic and social dynamics surrounding the employment of migrant fishers working in the Scottish fishing industry. It draws on a qualitative empirical study, comprising primarily of semi-structured interviews (n=37) with fishers, recruiters, representatives of fisheries associations and relevant labour and fisheries NGOs, members of fishing communities, and (former) officials working in related fields. Conceptually, the research is situated between historical and new materialist approaches to geographies of the sea which capture how the work of (migrant) fishers is materially, economically and socially characterized by themes of precarity and instability. The thesis draws on and contributes to literatures on labour geographies (Anderson 2010, Lewis et al, 2015), migration and bordering (El-Enany, 2020), maritime geographies (Steinberg and Peters, 2015; 2019; Campling and Colás, 2021), and emerging literatures on blue justice (Mills, 2015; Bennet et al, 2020).

Through three empirical chapters this thesis discusses policies, enforcements and ideals related to the employment of migrant fishers working in Scotland. Characterizing the industry's reliance on the overseas workforce as a spatial fix (Harvey, 1982), it analyses the UK immigration regime following the vote for Brexit in relation to the mode of employment in Scottish marine fisheries, arguing that the frequently changing immigration regulations increase precarity among domestic fishers and hyper-precarity among migrant fishers. It then problematises the process of enforcement of labour and immigration regulations at sea, arguing that the conceptualisation of oceanic spaces – in our geographical imaginations, in policy and discursive abstractions, and in individual and collective lived realities – as an unstable and ever-changing place works to both enable and obfuscate the precarious labour practices that take place at sea. It subsequently analyses how practices of regulation and enforcement are negotiated through individual and collective moral geographies. Finally, it calls for a multiscalar approach, drawing on Massey (2004) to argue that the scales of justice in fisheries are inter-connected; and showing that what happens within the porous boundaries of Scottish fisheries is both a product and a part of the practices reproduced in global fisheries.

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Authorship declaration

I hereby declare that, except where the contribution of others is explicitly referenced, this thesis is the result of my own work and has not been submitted for any other degree at the University of Glasgow or any other institution.

Katja Hržić

Note on key terms

Before I begin, I want to briefly explain what I mean by some key terms that are frequently employed throughout this thesis, especially those that may appear to have ‘common sense’ definitions but are contested in the context of this project.

When I write about ‘migrant fishers’ I am referring to people who come to Scotland from outside of the UK and work on UK fishing vessels (unless specified otherwise when referring to other case studies). This includes fishers who come to the UK as temporary migrants and only stay for months at a time, including those from the EU without settlement. I use the term ‘domestic fishers’ when referring to UK fishers working in Scotland. While not an ideal term as it is impossible to know the full demographic story behind every statistic, this is an important category when discussing regulations; I am referring to people who have UK citizenship or permanent settlement and are allowed to work in the UK without additional permissions. In literature the word ‘local fisher’ is at times used in its place; when referencing other publications, I use the term originally used by the authors as they likely chose it deliberately and it may have particular meanings attached to it. When the word ‘local’ is used through the thesis, I employ it to mean ‘pertaining to a certain area’ – usually Scotland, or smaller areas within Scotland (e.g. “local MP”, “local fisheries organisation”). When I write about ‘fishers’ I am referring to all people working on fishing vessels as skippers, engineers, deckhands, etc. When I use the term (Scottish) ‘fishing industry’ I am referring to everyone involved in profit-driven fishing practices, including fishers, those working in onshore support roles and administration, processing or sales, as well as sector interest organisations. When I refer to the ‘fishing community’, I am including not only those directly involved in for-profit fishing practices, but more broadly everyone with a sentimental, social, cultural or economic attachment to (and not necessarily direct involvement with) fishing activities.

In addition to this, a quick explanation of the use of quotation marks throughout the thesis. Double quotation marks – “...” – signify a direct quotation from literature or a participant, or a reference to a word/phrase that was explicitly used by a participant. Single quotation marks – ‘...’ – are used when referring to a specific word or term that I chose to use, not related to another person’s use of that word.

Chapter 1

Introduction

1.1. Introduction

Just as I was starting the fieldwork for this project, people across the United Kingdom (UK) and beyond had their eyes glued on Netflix' (at times disagreeable) new documentary *Seaspiracy*, which “sets out to document the harm that humans do to marine species — and uncovers alarming global corruption” (Netflix, 2021). At the same time, in March 2021, the world's trade in goods was seemingly brought to a standstill for six days when the containership *Ever Given* got stuck in the Suez Canal (BBC, 2021). These two developments are seemingly disparate, but they both make visible the fragility of the seas and our reliance on them for sustenance, climate and atmospheric stability, and for the transport of goods which is central to the running of capitalism (Chua, 2022). Indeed, rather than a conspiracy – as the pun and some scenes from the documentary broadly critiqued within marine (social) sciences would have us believe (Pauly, 2021; Skiveren and Andersen, 2024) – the seas represent and embody a fragile and unstable reality. The associated issues have heightened the popular awareness of these fragilities, but the implications which marine instability carries are foremost experienced by people living near the sea and those who depend on it for their livelihoods.

In this thesis I write about international labour migration in the Scottish fishing industry. About people who work (and often live) far away from their families, without stable grounds under their feet, putting their lives at risk in tumultuous waters of the North Sea to earn a livelihood and provide food. And about the ways in which their lives are further destabilised by attempts to regulate and enforce the regulations of their status as workers and as migrants. This thesis is about migrant fishers, but because the context of this project limited access to the field (due to the Covid-19 pandemic), it has shaped to also be about the people who employ migrant fishers, and an industry which relies on their labour for its own existence.

The topic of labour migration in Scottish fisheries connects a range of themes; migration policies, labour and human rights (Yea et al, 2023), broader concerns surrounding environmental change (Decker Sparks and Hasche, 2019), rural communities (Nadel-Klein, 2020), and global food security, as over 3 billion people globally rely on seafood for their

source of protein (MSC, 2021). While considering all of these as the backdrop, I specifically contribute to the understanding of the legal, economic, and social dynamics surrounding the employment of migrants on Scottish fishing vessels. I do so by providing insight into the relationships between different actors within the Scottish fishing industry, including the perspectives of fishers, skippers, recruiters, fisheries organisations and relevant non-governmental organisations, to understand how they perceive and negotiate fairness, safety, sustainability and equality within the context of Scottish fisheries. On a policy level, I identify key obstacles to securing the wellbeing of all workers on Scottish fishing vessels and ask how labour practices in the Scottish fishing industry can be fairer.

In this introductory chapter, I first outline the research process and summarise the research objectives. I then present some initial context about Scottish fisheries and recent developments in labour practices in the time between the UK's 2016 vote to leave the European Union (EU) and November 2022 when the fieldwork ended. This is followed by a short reflection on the process of developing a conceptual framing for the project, outlining the key literatures that it contributes to. I continue by explicitly stating the key methodological, empirical, and theoretical contributions developed over the course of this thesis. I conclude the chapter by mapping out the structure of the thesis.

1.2. Research objectives

This thesis is the result of a three-year collaborative project funded by the Economic and Social Research Council (ESRC) and the Marine Directorate (previously known as Marine Scotland, part of the Scottish Government). Through it I present results of qualitative research into policies, practices, and perceptions surrounding international labour migration in Scottish fisheries. Primarily I draw on online and in-person interviews with fishers, skippers, recruiters, representatives of fisheries organisations and representatives of relevant non-governmental organisations undertaken between May 2021 and December 2022. The project addresses the following research objectives:

- a. To explore the regulatory, economic, and social dynamics surrounding the employment of migrant fishers working in Scotland
- b. To examine the impact of Brexit-related policy changes on practices, regulations, and lived experiences surrounding labour migration in the industry

- c. To examine how regulation and enforcement at sea are characterised by the instability of maritime spaces and consider how this intersects with the hyper-precarity of labour relations in marine fisheries
- d. To analyse the shifts in employment practices and working conditions of fishers in Scotland, considering both local and global causes and consequences

In subsequent sections of this introductory chapter, I present the context and rationale for the project, as well as outline its key contributions.

1.3. “Local” context and “global” significance

Having started at the same time as the United Nation’s Decade of the Ocean and taking place amid an increasing urgency to act on issues brought on by global environmental change (Ocean Decade, 2024), this research focuses on the lived experiences of those at the intersection of social and environmental challenges: migrant fishers. Over the past two decades, the Scottish fishing industry increasingly came to rely on migrant labour, with nearly a third of fishers working in Scotland being from outside the UK (Scottish Government figures for 2016 show 27% of fishers working in Scotland to be from outside of the UK). Globally, maritime sectors regularly see the reliance on migrant labour, with frequent reports of unsafe working conditions, unequal pay, and forced labour (Couper et al., 2015; Galam, 2018; Sampson, 2022). However, up until recently, the analysis of labour dynamics in fisheries was focused on fisheries in South and East Asia (Yea and Stringer, 2021; Kim, 2018; Vandergeest and Marschke, 2019), while publications on fisheries in the global North, especially the UK, remained scarce. I contribute to filling this gap through examining the relationships between migrant fishers working in Scotland and the wider fishing industry and communities. Chapters 5 and 6 focus on doing so in the Scottish context, while Chapter 7 draws on Massey (2004) to consider the relationships between the “global” and the “local” in relation to employment of migrant workers. This section illustrates some key global and local factors characterising the research context.

Following the introduction of the 1982 *United Nations Convention on the Law of the Sea* (UNCLOS), significant shifts took place in global fisheries policies and practical approaches within the fishing industry. UNCLOS granted coastal states unprecedented territorial rights over marine resources, leading to the implementation of new policy instruments to manage

these rights and address the decline in global fish stocks (Winter, 2009). One such policy was the creation of a legal “right to fish” up to a certain amount of stock, divided into discrete units (called quota) which can then be bought or sold. This market-based quota management approach was considered more efficient, profitable, and was seen to be improving stock sustainability, so it was adopted by hundreds of fisheries worldwide (Costello et al, 2008). However, it also yielded a wide range of unexpected consequences, including a significant shift in ownership structures and employment practices on fishing boats in Scotland. While Scottish fisheries traditionally operated on a cooperative, “share-based” remuneration system, recent years witnessed a notable move towards fixed-wage employment. This change was specifically associated with practices of hiring non-UK nationals through crewing agencies, which offer limited legal protections and provide different (lower) pay rates (Jones et al., 2020; Marine Scotland, 2016; Cardwell, 2015). The developments related to the introduction of fishing quotas and the changes to employment structures are outlined in more detail in Chapters 2 and 3.

The UK's departure from the EU, alongside the overarching framework of the Common Fisheries Policy, necessitate fresh insights into the dynamics of subsequent shifts in fishing and immigration regulations and their implications for individuals, communities, and the industry. As this is a collaborative PhD project between the ESRC and the Marine Directorate, I also provide insights which could aid the Scottish Government in grasping the dynamics of these significant changes to the industry, and contribute to the plans for effective management and sustainability of Scottish fisheries. The results of this analysis hold significant global considerations for employment practices in fisheries, and practical considerations to enacting fair work standards in Scotland. Indeed, it arises in the context where the Scottish Government has cited fairness and equality as central principles in the *Programme for Governance* (Scottish Government, 2021) leading to the publication of *Scotland's Fisheries Management Strategy 2020 to 2030* (Scottish Government, 2020a) which highlights issues central to the project. At this point, it is important to note that the Scottish Government has reserved power over regulating immigration in the UK context – Chapter 2 provides more detail on devolved powers between the UK and Scottish Governments.

This project takes a multiscalar approach to labour dynamics, from relationships on the levels of individual fishers, through thinking about the Scottish fishing community and industry more broadly and considering the global causes and consequences which have contributed to the

current situation in Scotland. By focusing on relationships and lived experiences, the geographical and qualitative approach seeks to challenge some existing economic and science-based analysis of fisheries policy and practice, contributing to emerging scholarship framing the ocean as a “social” and “territorialized” space (Campling et al., 2012; Steinberg and Peters, 2015; Germond, 2022).

Fishers often find themselves precariously situated at the interface of land and sea, home and 'host' countries, human and more-than-human, and landed and watery worlds. Exploring these interconnected scales highlights the gendered, racialized, and classed dimensions of employment in the fishing industry and relations within fishing communities, and how they can reinforce the inequalities produced by histories and geographies of global capitalism and colonialism (Peters, 2010; Campling and Colás, 2021). Within this evolving context I address the need to understand how the changes in Scottish fisheries over time impacted the lives of those involved, examining how working conditions for migrant fishers in Scotland reflect broader industry shifts and regulatory pressures.

Fishing has increasingly become a “globalised sector of the world economy” (Winchester and Bailey, 2012) leading to a globalised market for labour in the fishing industry. The global market of maritime labour means that multi-national crews increasingly work on fishing vessels which were once crewed by domestic crews. In drawing attention to this, Jones et al (2020) highlight the remuneration differentials and working conditions for non-domestic crews, questioning whether the pay differences are justifiable consequences of global labour markets, or if they signify a failure of maritime governing institutions – ultimately arguing for “equal share” as the most just means of remuneration, calling for policymakers to redress the power-imbalances which are contributing to pay disparities. While remuneration practices remain an open question, a wide range of policies, regulations, and legislative frameworks implemented by national and international bodies seek to regulate labour and fishing practices, many of which aim to ensure sustainability and make maritime space a safer working environment. With the UK’s ratification of ILO 188 in 2019 (UK Government, 2018), also known as the *International Labour Organisation’s Work in Fishing Convention*, an important step has been made in regulating the minimum standards for employment conditions, recruitment, and health and safety on board within the UK fishing industry. While this is generally a welcome step, several publications and reports highlight that fisheries have been a

sector particularly slow to progress labour standards due to the fragmented nature of labour practices:

“[...] whilst there is a wide variety of regulatory frameworks governing seafarers’ work at sea, for seafarers on fishing vessels, there are gaps in the policies and laws because of perceived difficulties of implementing regulations in the fishing sector that ensure transparent, fair and ethical practice on rates of remuneration and working conditions” (Jones et al, 2019).

Indeed, a host of reports and publications evidencing poor working conditions (Human Rights Lab, 2022), labour rights abuse (Djohari and Whyte, 2022), and pay inequalities (ITF, 2022) in the UK fishing industry point to a discrepancy between the attempts to regulate maritime space ‘on paper’ with laws and policies, and the challenging real-terms provision of improved labour conditions. In this thesis I respond to Jones et al’s (2020) calls for further research on regulatory regimes and processes relating to fishing labour within the context of increasing of problematic practices. I do so by critically examining the point at which regulations and practice diverge, considering how fishers, skippers, fishing communities, and the fishing industry negotiate the ‘grey’ areas between policy and practice.

1.4. Conceptual approach

In order to make sense of the complex interplay between labour dynamics and state imposed bordering practices against the backdrop of environmental change and regulations affecting labour migration in Scottish fisheries, I engaged with a range of theoretical perspectives. Considering this issue geographically (Cardwell and Thornton, 2015), I was drawn to engage not only with this range of factors, but also to consider how they interact across scales. While PhD projects are often encouraged to be narrower in scope, the crux of this research necessitates looking at the big picture, across scales, rather than focusing on a smaller aspect of the issue. Drawing on Massey (2004) to develop an approach which speaks to “a global sense of place”, I consider not only what is going on at the ‘local’ scale, in Scotland, but how that both influences and is influenced by global changes in fisheries, migration, and the environment. As is often the case, the interplay between issues is the main practical barrier in addressing any one challenge facing Scottish fisheries. From the ‘big picture’ of climate change, transport and food security, through a focus on local and global marine governance, the wellbeing of oceans,

to smaller-scale work on community and indigenous rights related to fishing, and a completely different set of concerns when the scale of inquiry changes to the level of crew and individual migrants. It is difficult to focus on one without considering others, but these different scales often seem at odds with each other when it comes to achieving justice.

I draw on both historical and new materialisms to take a dual materialist approach to labour migration in fisheries; connecting broadly Marxist approaches to labour geographies and (more-than) wet ontology (as well as Marxist) perspectives to geographies an of the sea. The interrelated threads of precarity, insecurity, and instability run throughout literatures on labour geographies (Anderson 2010, Harvey, 2001; Lewis et al, 2015), migration and bordering (El-Enany, 2020), maritime spaces (Steinberg and Peters, 2015; 2019; Campling and Colás, 2021), and emerging literature on blue justice (Mills, 2015; Bennet et al, 2020) – and permeate every dimension of the research context. The conceptual framework is described in more detail at the start of Chapter 3, while a broad outline of key contributions to existing literature is presented in the next section.

1.5. Key Contributions

Grounded in in-depth, qualitative interviews, this project explores individual experiences and contributes vital insights into industry-wide practices and policy implications for the Scottish context. Through the three empirical chapters, the thesis is thematically structured to respectively discuss policies, enforcements, and ideals related to labour migration in Scottish fisheries. Its key contributions can be summarised as follows:

- Firstly, I provide a critical and timely analysis of the changes in the UK immigration system and how they have shaped the structure of employment and mode of working in marine fisheries in Scotland in the period after the UK voted to leave the EU. This analysis is delivered through a critique of migrant fishers' hyper-precarious positioning in the labour market (Lewis et al, 2015), as their already precarious status as workers on temporary contracts is compounded with their status as migrants. In doing so I advance Harvey's (1982; 2001) literature on the spatial fix by drawing on El-Enany's (2020) postcolonial critique of the UK bordering practices, as I highlight how governments' restrictive immigration regimes at times challenge the logic of capital.

- Secondly, I highlight the difficulties of *enforcement* of regulations at sea by applying Steinberg and Peters’ (2015, 2019) theories on (more-than-) wet ontologies – which forefront the material instability of marine spaces – to the issue of labour migration in fisheries. I critically appraise this work through its application to the empirical context at hand to consider how different agents re-work, re-articulate and re-negotiate regulatory frameworks under maritime conditions. Here I challenge the limits of this approach (drawing on Campling and Colás, 2021 and Germond, 2022) by considering how the distinct ontologies and epistemologies of maritime spaces factor in dealing with complex issues that arise in making sense of regulating and enforcing regulations at sea.
- Thirdly, and subsequently, I reframe how we might understand regulation and enforcement. Enforcement is part of a wider political language (in the UK immigration regime, etc), that in practice is not simply deployed when and because regulations exist on paper. I analyse how regulation and enforcement are impacted by ideas of fairness and negotiated through individuals’ moral economies. In analysing how personal and collective ideals shape enforcement practices beyond the regulatory frameworks I employ Robinsons’ (1983) concept of Racial capitalism, relating it to emerging literatures on environmental/fisheries/blue justice. In doing so I apply the concept of “a global sense of responsibility” (Massey, 2004) to fisheries to develop a multiscalar approach to challenges facing the industry and communities.
- Finally, I deliver policy-relevant findings pertinent for the area of labour migration, and for regulation and enforcement of fisheries and immigration policies at sea. These thematically fit squarely within the remit of *Scotland’s Future Fisheries Management Strategy - 2020 to 2030* (Scottish Government, 2020a), although it is the UK government which regulates immigration. Building on the first three contributions, I also forefront the idea that the seas’ fluidity and instability should be considered in the practices of regulating and enforcing migration and fisheries policies, underlining the need to adapt regulatory practices to the fluid realities of maritime spaces.
- I contribute to feminist and postcolonial geographical methodologies by using a qualitative and constructivist approach, building on Stierl’s (2022) work which highlights the importance of reflexivity in undertaking critical policy-relevant research

on migration. I expand Stierl's argument to suggest that it can be applied beyond just migration research but to ideas of "policy-relevance" is research practices on a variety of policy areas.

1.6. Thesis outline

Following this introduction, Chapter 2 provides further empirical context for this research. I outline the emergence of the modern fishing industry in Scotland and present the current UK and Scottish government approaches to both immigration and fisheries policies. I also introduce Brexit and Covid-19 as key factors influencing the practicalities and directions of the research, emphasising how the evolving context made the project simultaneously more challenging and more pressing.

Situating the empirical material within a broader academic landscape, Chapter 3 maps out the predominantly geographical literature on labour, migration, and the marine environment which informs the theoretical framework of this project. I connect the various intersecting topics and argue that they are bound together by the overarching themes of precarity and instability which characterise the lives of workers, migrants, and marine ecosystems.

Moving on to a more explicit discussion of the way data collection and analysis for this project played out in practice, in Chapter 4 I outline the methodological approach, justifying the choices regarding research practicalities. I reflect upon my positionality as a researcher, critically considering the idea of policy-relevance in research practice and outlining principal ethical considerations which emerged through the process.

The thesis then discusses the findings through three empirical chapters.

In Chapter 5, I analyse post-Brexit changes in UK immigration regulations and situate migrant fishers within them. I begin the chapter by arguing that the ever-present changes to immigration practices surrounding Brexit increased precarity among fishers and hyper-precarity (Lewis et al, 2015) among migrant fishers and perpetuated unsafe and illegal labour practices through constraining their mobilities and agencies. Throughout the chapter I also demonstrate how the reliance on overseas workforce in the Scottish fishing industry acts as a "spatial fix" (Harvey, 1989).

In Chapter 6, I draw on Peters and Steinberg's (2015; 2019) work on (more-than-) wet ontologies, to consider the implications of the seas' material instability and distinct epistemologies and ontologies for bordering, working in, and regulating maritime spaces. I argue that the instability experienced by fishers should be considered in the practices of regulation and enforcement in fisheries.

In Chapter 7, I address and pose further questions about the future of Scottish and global fisheries, drawing on Massey (2004) to analyse how the implication of the state of employment of migrant fishers in Scotland has global implications. I also draw on literature on Racial capitalism to further this consideration of power relations both on the scale of individual employer-employee and global-local relations. This chapter highlights the particular challenges faced by fishing communities, governments and international regulatory bodies related to fostering an industry that improves safety, equality, and sustainability standards and practices.

In Chapter 8 I conclude the thesis by summarising its key arguments and contributions and highlighting possible avenues for further research.

Chapter 2

Context: Fisheries, labour and migration in Scotland (1970s – 2020s)

2.1. Introduction

Fisheries can be a contentious subject, where fishers, industry stakeholders, scientists, government decision-makers and various non-governmental organisations at times appear to exist in vastly different realities. In discussions during this project even policy experts and fishers themselves expressed difficulties in understanding the existing and ever-changing regulations, and even more so the intricate, unwritten rules and dynamics of the industry. While Chapters 5 and 6 present a more comprehensive analysis of the implications of the changing regulations, I here focus on outlining the key relevant developments in fisheries and labour migration in Scotland from the 1970s to 2020s.

In this chapter I introduce the empirical context of the project, drawing on academic literature, various reports by governments and NGOs, and informed by informal conversations with people working in fisheries policy or related academic fields held in the beginning stages of the project¹. With a focus on the period since the 1970s, I begin by describing the emergence of the Scottish fishing industry and its significance for the Scottish culture and economy. Then, I present the UK Government's approaches to immigration, again with a focus on the past 50 years. Finally, I connect the two key topics to discuss labour migration in fisheries, exploring the reasons for the increasing dependence of Scottish fisheries on foreign labour. I conclude this chapter with a reflection on how the changes in context have affected and redirected this research. This also sets out the rationale for the project, making a case for its relevance at the outset, in 2019, and an increased urgency for research in this field in the years since it was first conceived.

¹ As outlined in the participant table in Chapter 4, some of the informal conversations over the course of the project served to provide context and inform the focus of the research.

2.2. Context: Scottish fisheries

Fishing in Scotland has a long tradition: an industry of historical significance for food security. Once a vital source of food for coastal populations, developments in preservation methods and transport routes opened the door for trade throughout the 19th century (Clausen and Clark, 2008). The industry underwent numerous ups and downs during and in between the world wars as many fishers were conscripted to join the navy fleets. Following this, the total number of people working in fisheries declined. In order to adapt, existing fisheries transitioned to encompass more trawling, thus increasing the overall scale of operations and size of the catch (McCall Howard, 2017).

2.2.1. Introduction of the quota system (1980s)

With the introduction of the United Nations Convention on the Law of the Sea (UNCLOS), which allows states to capture ground rent as a portion of the future surplus value extracted by fishing capital, Individual Transferable Quotas (ITQs) began to be introduced in Scotland and the UK in the 1980s. More detail on and various critiques of this process are provided in the literature review in the next chapter. Related to this change in ocean governance, is the introduction of Marine Protected Areas (MPAs) in Scotland. While MPAs look to be increasingly expanding according to recent Scottish Government's programmes for governance (Scottish Government, 2020; Scottish Government, 2022), the response to them by the public has been mixed, especially from fisheries and tourism industries in rural Scotland (BBC, 2023). Broad evaluations of existing approaches to quotas and marine spatial planning suggest that they lead to positive economic and sustainability outcomes, but crucially the social and governance outcomes are seen as broadly negative (Hoshino et al, 2020), specifically in terms of consequences for small-scale fishers and rural communities. McCall Howard (2017) draws parallels between the privatisation of marine areas and resources and the processes of landed enclosures in Scotland. Both the establishment of MPAs and the commodification of fish stocks through ITQs are processes which enact the enclosure of marine space; they are routes through which marine areas are "made more profitable, and through which people [are] forced to become occupational specialists (fishers) and participate in a cash economy" (McCall Howard, 2017:19). These processes of privatization are often justified and popularised in the eyes of the wider public for environmental reasons as ITQs are seen to limit marine resource depletion and MPAs represent area conservation. At once, the economic and environmental justifications of

ITQs and MPAs often circumvent the need for further public scrutiny and the search for potential alternatives.

McCall Howard's work (2017) explains how the changes took place in Scotland where the introduction of fishing quotas altered remuneration practices. In a discussion particularly relevant to the empirical context of this project, she demonstrates how vessel owners in Scottish fisheries now accumulate larger proportions of profits as they take an increasingly large share of the catch value by hiring agency employed migrant fishers. In practice this means that crews are now often separated from the ownership of the boat; traditionally multiple fishers would share the vessel and divide the value of the catch equally, while the current trend points towards an increasingly small number of boat owners who hire crew to work for them. Now those working for low wages have little hope for eventually purchasing a fishing vessel themselves – this is especially applicable for fishers who are migrants from non-EEA states as they are universally employed for contracted wages and have no residency rights in the UK.

2.2.2. Labour in Scottish fisheries

Gradual changes in the fishing industry – a move from predominantly subsistence-based, local endeavours, to a context where larger-scale fishing operations increasingly dominate the market – effected significant changes to the structure of its labour force, coinciding with the shifts in ownership structures starting in the 1980s. With this came a shift in ownership structures and employment practices; while fisheries in Scotland traditionally operated on a share-based system whereby fishers divided a share of the profits from the vessel's catch, the turn of millennia, but especially the past decade, saw a move towards fixed-wage employment, especially when it comes to the hiring of non-UK nationals (Jones et al., 2020). In rural Scotland these changes appear to have happened in tandem with broader population shifts. Considering recent reports, some of the key issues facing rural fishing communities in Scotland have ranged from fuel poverty in the Outer Hebrides (Lawler et al, 2023), concerns over insufficient housing provisions for young islanders across the country (Scottish Government, 2023b), to a loss of income from reduced tourism and challenges in accessing healthcare during the Covid-19 pandemic (Currie et al, 2021). These issues are all interconnected as the factors making life in rural fishing areas more challenging push people to consider moving elsewhere. This section elaborates on recent trends before briefly outlining some of the available data on sea fisheries employment statistics since the vote for the UK to leave the EU.

Recent reports suggest that labour shortages exist beyond fishing, across sectors (education, local services, tourism, hospitality). Individuals, communities, local governments and the Scottish Government alike (see e.g. FT, 2022, Marine Scotland, 2020) all underline how this needs urgent addressing to prevent a further decline in local economies. While such shortages happen for a multitude of reasons, it is indisputable that the scale of the issue has increased in the post-Brexit period. Not only did Brexit create a particular challenge for EU nationals migrating to work in the UK, but immigration regulations in general became more stringent (Dalingwater, 2019; Tiwasing, 2021). Rural areas have been particularly hard-hit because of their habitual reliance on migrants to fill some essential jobs that sustain communities and local economies (Halfacree, 2020).

Most fish in Scotland are landed in Peterhead, Shetland, Scrabster, Lochinver, Fraserburgh, Ullapool, Stornoway (Scottish Government, 2022). These places experience relatively low levels of in-migration compared to major cities like Glasgow and Edinburgh. Despite this commonality, there is a sense of uneven geographies within Scottish fisheries in the extent to which labour shortages affect them. Due to the islands' unique demographic and cultural characteristics, Shetland boats are mostly crewed by people who grew up on the Islands, and tend to not rely on foreign crew (Cardwell and Gear, 2013). They are also seen as relatively successful, landing a large proportion of the value of the nation's catch (Scottish Government, 2021). The industry on the West coast, on the other hand, is smaller, especially in terms of the value of the catch (Figure 1). They are also particularly affected by labour shortages and rural depopulation, with factors ranging from housing shortages to a lack of opportunities cited as key barriers to retaining young families, the working age population, or preventing in-migration from the mainland (Scottish Government, 2023b).

Figure 3. Value (thousands of pounds) landed into Scotland by all vessels by district in 2021

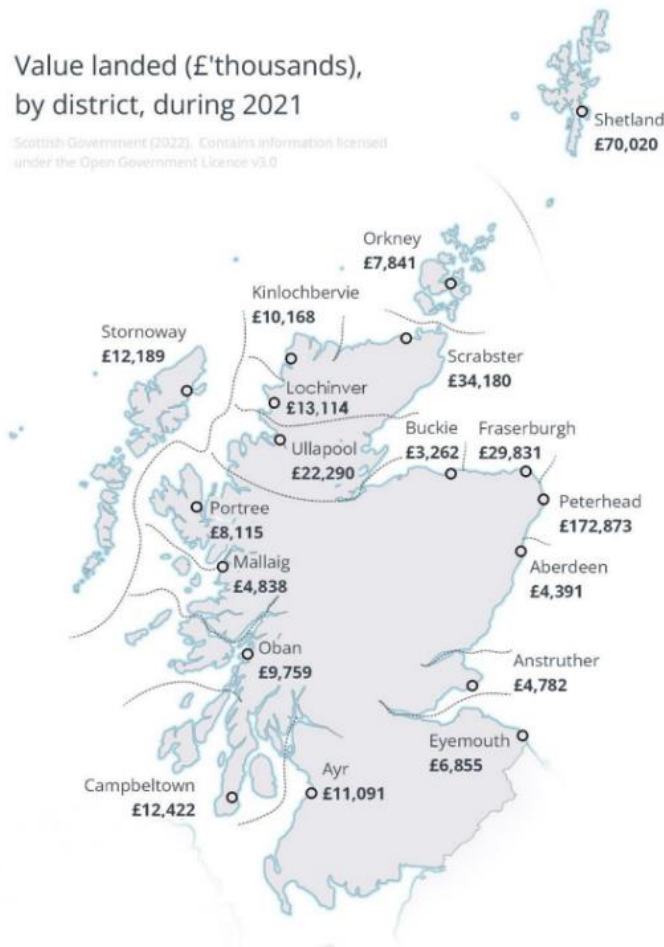


Figure 1: Value of the catch landed by districts (Scottish Government, 2022: 15).

Where labour shortages exist, they appear across offshore fisheries, fish processing and aquaculture (Duffy, 2022). They are compounded with the challenges mentioned earlier as people with relevant skills are pulled towards other industries (offshore oil and wind) for better pay and working conditions – more stable hours, higher income security, lower relative risk of injury. Indeed, fishing is regularly cited as one of the most dangerous jobs for loss of life or limb in the UK (HSE, 2022/2023). It demands long hours in often rough conditions. The industry in Scotland has become increasingly reliant on the migrant workforce over the past two decades to fill this gap and was therefore affected by changes to immigration regulations accompanying Brexit.

To understand the shifts in migrant employment over the past several years, sea fisheries employment data can provide a useful snapshot of the situation. The two relevant surveys

discussed here were both conducted by Seafish (one in collaboration with the Marine Directorate, then called Marine Scotland), a public body funded by the Department for Environment, Food and Rural Affairs (DEFRA) which undertakes support activities, including research, across various aspects of fisheries. Firstly, the *Scottish Sea Fisheries Employment* report was published by Marine Scotland in 2016 and presents data collected in 2015. It focuses exclusively on Scotland. The survey accounted for 753 crew working on 222 vessels, representing 16% of the Scottish fishing workforce. Secondly, the report on the *2021 Employment in the UK Fishing Fleet*, was published by Seafish in 2022. This survey accounted for fewer fishers working in Scotland – 339 fishers working on 108 vessels – but presents data for the entire UK, offering points of comparison between Scotland and other nations. The first report was conducted approximately a year after the UK’s vote to leave the EU and the second was conducted just after the implementation of a key post-Brexit immigration strategy development, the Skilled worker visa. This makes the two reports particularly pertinent to consider. Although the surveys employed similar methodologies (in terms of questions asked and sampling strategies), the comparisons should not be considered as statistically robust. The reports are rather comprehensive in their coverage of various harbours in Scotland, but discussions with surveyors identified underrepresentation of onshore crew as well as methodological challenges in having to rely on skippers reporting data for their vessels (Scottish Government, 2022a²). Some more distant fleets could also be underrepresented due to the nature of their work being such that they spend less time docked in the harbours.

The 2015 report states that over half of the industry stakeholders reported difficulties with recruiting workers from the UK. It showed that about 28% of fishers working in Scottish fisheries were from outside of the UK; 8.1% were from the EU (majority Romanian, Latvian) and 19% from outside the EEA (most prominently from the Philippines, Ghana, Belarus, Sri Lanka). Most of these workers were employed as deckhands or engineers, few were skippers.

Among the sub-sectors, migrant fishers are most often employed on demersal vessels under 24m and nephrops trawlers (Seafish, 2022). Two key reasons for this emerge. Firstly, they are operating predominantly outside of the 12nm zone and can therefore employ workers on Transit visas (explained in more detail later in the chapter). Secondly, these parts of the sector tend to

² I spoke to the surveyors when undertaking an internship with Marine Scotland which resulted in the publication of the report on Women in Fisheries (Scottish Government, 2022a).

be less profitable and therefore likely more pressed to cut down labour costs. According to a separate report by Marine Scotland which focused on general fisheries statistics (Scottish Government, 2016), demersal vessels larger than 24m were economically more productive, making them more lucrative for domestic fishers in terms of employment. A tabulation of different types of fisheries, their geographies, key markets and other characteristics emerging from the fieldwork and key sources referenced in this section can be found in Table 1.

Fisheries Type	Region/Key offloading ports	Target Species / Markets	Scale	Fishing Zone	Dominant remuneration System	Crew	Notes
Nephrops trawlers	West Coast (e.g. Ayr, Troon)	Nephrops / Domestic & Export	Large-scale, industrial	Offshore	Wage-based	Local and migrant crew	Capital-intensive, longer trips
Small-scale inshore	East Coast (e.g. Fife; Anstruther, Pittenweem)	Whitefish / Local markets	Small-scale	Inshore	Share system	Mainly local crew	Family-owned boats, more traditional
Demersal fisheries	North East (e.g. Peterhead)	Cod, Haddock / Domestic & Export	Medium-scale	Offshore & inshore	Combination (share & wage)	Mainly local crew with seasonal migrants	Transitioning payment systems
Pelagic trawlers	East Coast (e.g. Peterhead, Fraserburgh)	Mackerel, Herring / Export focused	Large-scale, industrial	Offshore	Wage-based	Mostly migrant crew	Highly industrialized, export-oriented
Shellfish	Various coastal areas	Scallops, crabs / High-value niche	Small-scale	Inshore	Share system	Local crew	Physically demanding, seasonal

Table 1: Tabulation of different types of Scottish fisheries produced over the course of the fieldwork and literature cited throughout this section.

Similar trends across different parts of the sector can be observed in the 2022 report, which encompasses the entire UK. Both reports indicate a reliance of the industry in Scotland on foreign labour. There are some indications of shifts that can be identified within the timeframe between the two, as Figure 2 shows that the percentage on non-UK crew on Scottish vessels was 27.4 in 2015 and Figure 3 from the report on 2021 data shows that this percentage adds up to 31.4. While not tested for statistical significance, this is aligned with a wider trend corroborated through interviews conducted over the course of this project. It is difficult to establish with certainty the changes in the proportion of EU crew, as the only group specified in the second report are Latvians (2.8% in 2015; 1.5% in 2021). From conversations with skippers who mention Indonesia and Sri Lanka as other major countries of nationality for

migrant fishers working in Scotland, it can be speculated that the proportion of EU crew has decreased in the period after Brexit, while the overall proportion of non-UK crew has increased, indicating that the industry had increased its reliance on non-EEA workforce. This seemed to be particularly true for deckhands. The 2021 survey suggests that 55% of deckhands on UK vessels are from outside of the UK (Figure 4), giving rise to questions about how particular hierarchies aboard ships reflect historic racialised divisions of labour in maritime professions (Ahuja, 2012).

Nationality	Percentage
UK	71.9
EEA	8.1
non-EEA	19.3

Figure 2: Table showing nationality of crew in the Scottish fleet in 2015, n=753 (summarising data from Scottish Government, 2016).

Nationality	Percentage
UK	68.7*
Philippines	11.6*
Ghana	6.7*
Latvia	1.5*
Other	11.6*

Figure 3: Table showing the share of fisheries workers by nationality for Scotland 2021, n=329 (summarising data from Seafish, 2022). *Percentages do not add up to 100 due to rounding.

"Country of Origin"	Percentage
UK	45
Philippines	21
Ghana	12
Latvia	8
Other	14

Figure 4: Table showing nationality of deckhands, from an overall sample of 788. (Summarising data for the entire UK from Seafish, 2022).

These shifts are likely to be a result of both growing labour shortages and the transformations in the framework governing the movement of workers entering the UK, directly affecting the recruitment and employment of migrants in Scottish fisheries. Figures showing the proportion of deckhands coming from outside of the UK reflect historic racialised divisions of labour in

maritime professions which will be further discussed in Chapter 6 and Chapter 7. The next section provides more detail on changes to the UK immigration regime which contributed to the changes in demographics outlined above.

2.3. Context: UK immigration

Immigration has long been a contentious subject in the UK public sphere (Consterdine and Samuk, 2018). Particularly in the wake of Brexit campaigning and the event itself (Portes, 2016), the UK government's stance on the issue has been evolving rapidly. In this section I consider first the broad historical trajectory of dominant attitudes to immigration in the UK from the 20th century onwards, and then focuses on the policy developments pertaining to migrant fishers working in Scotland emerging in the period since Brexit. At this point it is worth noting that immigration is a reserved issue over which the Scottish Government does not have devolved powers in relation to the UK government. I begin the chapter with a broad outline of the relevant context surrounding the UK's immigration and border regime, followed by a comparison between the latest UK immigration policy strategy and a proposed devolved plan for the future of Scottish immigration. Finally, I explicitly outline the case study of migrant fishers in Scotland in terms of their place in the UK immigration regime and the current academic and stakeholder views on their position.

2.3.1. Trajectory of UK government approaches to (labour) migration

Firstly, I will outline the developments in UK immigration approaches to set up the context for the current policy trajectory and demonstrate how immigration control became a widely contentious phenomenon.

While the ostracization of the “other” has long existed, the first example of the UK as a “modern state” implementing systematic control of external borders in Britain was the Aliens Act of 1905. However, the state held significantly fewer powers to control border crossings compared to today's standards. Another historic development came following the increase in immigration from the Commonwealth in the post-World War II period, which was encouraged and framed in relation to filling labour shortages in the UK. Despite this framing, this led to an immigration panic – a response which is said to have had “little to do with numbers, everything to do with race” (Corporate watch, 2018: 18). Arrivals from the Commonwealth to Britain thus faced increasing immigration restrictions as they became considered as migrants not citizens,

redefining British citizenship along racial lines (Patel, 2021). The moral panic culminated in legislation which restricted their free entry. Fuelled by the popular press, a public anxiety about an increase in immigration, politicians began to prioritise immigration in their rhetoric and policies, even though up until 1983 the UK had more emigrants than immigrants. The 1970s also saw the opening of the first detention centre, a crucial step in moving the border regime away from the physical border of the UK territory to a system of internal bordering (Yuval-Davis et al, 2018). General hostility rose steadily with major public responses (media and political) exploiting periods of perceived immigration growth which continues to this day.

While immigration expansion is traditionally not a popular policy amongst voters, the 1997-2010 New Labour government introduced “managed migration”, one of the most expansive approaches to immigration in Europe at the time. This period saw the relaxing of work permit criteria, a stark increase in international students and points-based routes for both low and high skilled migrants (Consterdine and Samuk, 2018). It also coincided with the large expansion of the EU in 2004, allowing citizens of ten new accession countries to move and reside freely within the EU – at the time this included the UK. Consterdine and Samuk (2018) provide an interesting analysis of the contrast between this expansive approach to economic migration (focused on students and the economically active population, not a general liberalisation of migrants’ rights) and an increasingly restrictive approach to asylum and irregular migration. This culminated in the 1998-2003 New Labour “war on asylum seekers”. In reality, asylum seekers at the time were much fewer in numbers than immigrants from the EU states who immigrated under the EU’s freedom of movement agreement. Even so, a slew of immigration acts targeting asylum seekers characterised the 2000s, propped up by infrastructure and technology; deportations and detention centres became commonplace. Corporate Watch (2018) emphasise the historical trend of moral panics perpetuated by the media who construct scapegoat groups of migrants, which in turn influence public perceptions and political priorities. At once, they highlight how migrants and allies have been resisting the control of the regime and growing a culture of solidarity.

This narrative bleeds into the more recent era and also includes the generally more restrictive approach to immigration which is most notably marked by a move from New Labour to fourteen years of Conservative government and a vote for Brexit. The Home Secretary at the time, Theresa May, stated in 2012 that her aim was to “create, here in Britain, a really hostile environment for illegal immigrants” (in El-Enany, 2020: 8). The workings behind this rhetoric

deliberately and unabashedly made accessing public services so burdensome that migrants would eventually leave rather than entrap themselves into the bureaucratic maze designed to ultimately deport them anyway. Although May refers to “illegal immigrants”, it is important to note that this policy again largely targeted asylum seekers (who have a right to apply for asylum) and those immigrants from the Commonwealth who legally moved to the UK before 1973. In general, the hostile environment policy has disproportionately affected racialised migrants. In her book *(B)ordering Britain*, El-Enany (2020: 8) argues that UK immigration policy in all its forms should be considered as an “ongoing expression(s) of empire”. Referring to historical and present-day occurrences, she demonstrates how legislative violence has served to make racialised migrants systemically marginalised.

“By tracing the colonial origins of processes of legal categorisation I show how decisions to include and exclude certain people from legal status, whether in the form of recognition as a refugee or through the bestowal or revocation of citizenship, are intricately tied to processes whereby colonial power is legitimised” (El-Enany, 2020: 10).

The racialised and colonised poor migrant is both bordered and ordered (Van Houtum et al, 2005) through immigration control regimes. This regime is officially the responsibility of the Home Office, however it is structured to incorporate input from a variety of organisations and individuals. Corporate Watch defines the border regime as:

“[the] overall system that tries to control people’s ability to move and live, depending on our immigration status. That fixes our chances in life depending on what “papers” we have, on where we had the luck to be born, on our wealth or education, on the colour of our skin” (2018: 5).

Yuval-Davis et al (2018) expand on this notion that “ordinary” citizens are increasingly made into actors of the border control. Nurses, employers, educators, NGO volunteers, and countless others are all integrated into a network of surveillance structures which scrutinise visas, asylum statuses, rights to remain, etc, and are notably constrained in their scope to resist due to their professional responsibilities. As such, the UK border and immigration control are constructed less by territorial borders, and more by ubiquitous and insidious operations. Recent immigration acts have brought a shift towards an internal border by “incorporating technologies of everyday bordering in which ordinary citizens are compelled to become either

border-guards and/or suspected illegitimate border crossers” (Yuval-Davis et al, 2018: 228). Yuval-Davis et al also argue that these bordering practices led directly to the Brexit vote in 2016 as they were designed to draw on notions of identity and belonging which are deeply embedded in contemporary political agendas. The everyday bordering technology creates conditions whereby racialised and vulnerable populations must constantly prove the legality and legitimacy of their presence and their entitlement to public services employment, “creating (contested and shifting) hierarchies of belonging which only partially related to people’s formal citizenship status but profoundly affect their citizenship rights.” (Yuval-Davis et al, 2018: 240). To recognise that most migrant’s experiences of these conditions are highly complex and individualised McDowell (2013) and Panayi (2010) focus on the experiences of women and racialised migrants respectively as Panayi emphasises that no simple theory can fully describe the migrant experience in the UK.

The next section relates how these long-standing developments in UK immigration approaches have applied to labour migration in fisheries in the time following the vote for Brexit.

2.3.2. Immigration post-Brexit

Upon exiting the EU, the UK set out to outline new immigration policies and has announced a change to its immigration pathways. In practice it is very much a continuation of prior UK immigration rhetoric as well as a continuation of UK and external EU immigration policies, with emphasis placed on securitisation (Bello, 2022).

Before delving into the discussion of the changes to the UK immigration system after Brexit, it is worth noting that Brexit and devolved geographies have been articulated in contested ways, as the UK and Scottish governments presented different narratives on their reliance on the EU and attitudes towards immigration. The results of the referendum in Scotland and Scottish government attitudes to Brexit were notably different than those in the rest of the UK. There was a majority for “remain” in all local authority areas and public opinion since the referendum has consistently demonstrated support of EU membership with Scottish Government (2023) citing Brexit as a contributing factor to the increased cost of living, labour shortages, damage to trade relations as well as additional “red tape” for fishing and agriculture.

In February 2020 the UK government released a policy strategy outlining the new points-based immigration system effecting a significant change from the previous system which allowed EU migrants to freely move and work in any EU member state and enabled employers to rely on

cheaper migrant labour from the EU (Consterdine and Samuk's, 2018). The narratives surrounding the publication of this paper are discussed in more detail in Chapter 5; broadly they emphasise that this change will lead to economic growth by prioritising investments in technology as opposed to encouraging reliance on cheap migrant labour.

As a response to the narratives which led to the February 2020 paper, the Scottish Government published a vision for a devolved immigration policy in January 2020, entitled *Migration: Helping Scotland Prosper*. This paper is much more extensive (94 as opposed to 11 pages) and included a foreword by the then First Minister Nicola Sturgeon, several case studies of other regional migration programs and an extensive argument for a Scotland-specific migration policy addressing Scottish economic and social needs:

“the proposals from the UK Government to end freedom of movement and put in place inappropriate salary and skills requirements for all migrants would be disastrous for our economy and society and would risk acute labour shortages”

(Scottish Government, 2020c: 4)

While starkly different in rhetoric, the two policies forefront the economic needs of their regions of concern. From the UK perspective, the emphasis should be on fortifying the borders and restrictions to settlement and on ensuring the UK economy prospers through providing opportunities to “high-skilled” migrants in tech, business, academic and engineering sectors. Additionally, they are seeking to reduce low-wage jobs, focus on automation and employ British workers wherever possible. That said, the policy does not outline how this will be achieved. Rather, it urges employers in agriculture (who often rely on seasonal workers), to adapt to potential labour shortages, placing most responsibility on the sector itself and providing little reflections on the implications for food security.

The Scottish paper recognises this gap in emphasising the necessity of immigration for Scottish demographic and economic needs. Specifically, it highlights the demographic decline in the Highlands and Islands and shortages in fisheries, agriculture and tourism industries which, it recognises, relies on the employment of non-UK nationals. Their paper proposes a Scotland-specific migration route (a “Scottish Visa”, Figure 5) which could oblige immigrants to remain settled in Scotland through being provided with a Scottish tax code. They offer several models of how jurisdiction could be split between Scottish and the UK government.

Figure 4: Range of tailored approaches to migration policy

Model		1	2	3	4	5
		UK Delivery	Devolution with shared responsibility			Separate System
POLICY:	Who shapes the eligibility criteria for a Scottish Visa?	UK Government	Scottish Government	Scottish Government	Scottish Government	Scottish Government
SELECTION:	Who receives applications and assesses eligibility?	UK Government	UK Government	Scottish Government	Scottish Government	Scottish Government
LEGISLATION:	Where do powers rest to establish the Scottish Visa?	UK Government	UK Government	UK Government	Scottish Government	Scottish Government
ADMISSION:	Who undertakes identity and security checks and issues a visa for entry?	UK Government	UK Government	UK Government	UK Government	Scottish Government

Figure 5: Proposed models of shared responsibility of the potential Scottish Visa (Scottish Government, 2020b: 20).

The paper itself places less emphasis on securitisation of borders as well as on the focus on “high skilled” workers. The emphasis on economic prosperity remains, but the path to achieving it is imagined differently. Namely, the Scottish paper emphasises the need for economically active migrants from various backgrounds (though social, cultural benefits of migrations are also discussed), while the UK paper prioritises the idea of a “skilled” migrant. The literature review in the next chapter unpacks the ideas behind these claims, and they are central to the argument in Chapter 5.

Following these initial visions for immigration post-Brexit, a number of successive policies have been put in place which affected the immigration procedures for migrants working or looking to work in Scottish fisheries; the Covid-19 pandemic complicated this further as it also increased restrictions on mobility in and out of the country.

2.3.3. Changes to immigration policy impacting migrant fishers

Following Brexit, the UK government released a policy strategy outlining a new points-based immigration system. This directly influenced the common practices surrounding the employment of non-UK fishers. Few EU fishers were eligible for (pre)settled status after Brexit which further increased existing labour shortages, as they were usually temporary, seasonal

migrants. Initially none of these regulations had the impact on employment of non-EEA fishers in the UK, as most had been entering the country on a Transit visa.

As outlined earlier, local crew have traditionally been paid a share of the profits. Fishers from the EU who had been in Scotland under the right to Free Movement were often employed under similar conditions, while non-EEA crew were usually employed on fixed salaries. A large majority (80-100%) of current non-EEA fishers are in the UK on Transit visas and are agency-employed, which means they usually earn about £1200 per month, while often working up to 70 hours per week (ITF, 2022). Transit visas (CRM01) allow workers to come to the UK under the condition that they will join a named vessel and work outside UK territorial waters, more than 12 nautical miles away from the shore. The visa, which will be more thoroughly discussed in Chapter 5, was intended for seafarers in various industries but is used in fisheries as a loophole; these fishers work on vessels which fish outside of territorial waters. In practice, they usually live in UK ports when they are not fishing.

According to the policy statement accompanying new regulations, the UK is seeking to limit the entry of “non-skilled” migrants and direct more attention to attracting the “best international talents” to develop a high-tech economy and reduce the reliance on “cheap labour from Europe” (UK Government, 2020). While ostensibly economic in nature, this distinction between “high skilled” and “low skilled” migrants – despite the camouflaged terminology and use of income and education indicators – results in qualifying certain groups of migrants as more desirable than others, a point further discussed in Chapter 5. As part of the new post-Brexit immigration structure, the points-based immigration system allows migrants to gain points for their qualifications and contracted salaries. In response to the Home Office’s request, the Migration Advisory Committee (MAC, 2020) created a shortage occupations list. The idea was that those migrants trained in fields which are struggling to hire UK workers would be able to obtain a visa to work in the UK while being paid at 80% of the standard wage otherwise required to obtain a visa. MAC suggested that deckhands on large fishing vessels with at least three years of experience should be reclassified as skilled and placed on the shortage occupation list. This recommendation was in the first instance rejected by the Home Office.

Following pressures from the industry, in April 2021 the Home Office included deckhands with more than three years of experience on the list of occupations eligible for the Skilled worker visa. However, it still did not include fishing on the shortage occupation list. This means that to obtain the visa, the migrant workers’ sponsor/employer must guarantee a salary of at least

£25,600 for a contracted period of three years in line with other non-shortage occupations. Effectively this failed to discourage the use of the Transit visa loophole, as is outlined in more detail in Chapter 5. Employers who fished outside of 12 nautical miles were thus able to continue to employ workers on Transit visas. However, on the West coast of Scotland, fewer vessels fish outside the 12 nautical mile limit which means that those skippers and businesses who are able to afford three years of guaranteed pay of £25600 for each employed migrant began to hire workers through the new system.

The International Labour Organisation (2022) published a paper which critiques the Transit visa system for perpetuating labour rights abuses in the industry. They critique the Skilled worker visa for failing to close the Transit visa loophole and emphasise the unpopularity of the Skilled worker visa in the first year of its implementation. Speaking to skippers and recruiters suggested that this route was not viable for most migrant fishers as they often did not meet the English language requirements, and not viable for small and medium sized fishing businesses (e.g. vessels skippered by their owner) because the cost of the process and a need for guaranteed pay (as opposed to a commitment of a share of the catch) did not allow them to compete with larger enterprises, or those working with crew on transit visas³.

In May 2023, a few months after the fieldwork for this project concluded, a further development emerged. The UK government changed their position on the enforcement of Transit visas, making it effectively illegal for migrant fishers to fish within UK territorial waters, 12 nautical miles from the UK shore. The change includes a strict enforcement of the “no work” rule, with fines of £20 000 for employers with non-UK crew fishing in territorial waters, and deportation for migrants found to be working on these vessels. Despite the thin veil of concern for workers’ safety, the shift was sudden – with only a day’s notice – and shifted the bulk of the responsibility on migrants who would be forced to leave the country without receiving pay for the duration of their contracts. The intricacies and implications of this decision to change the way the rule is enforced are the primary concern of Chapter 6.

³ Towards the end of the research process, I heard of a few examples where this visa was used by some larger companies to employ workers.

2.4. Conclusion

Continuous and radical shifts in context, especially in terms of immigration regulations and enforcements outlined in this chapter characterised the project and, as will be shown in Chapter 5, even made it difficult for those working in the sector to make sense of said changes. In 2019, when this research topic was first approved for collaborative funding, the Brexit withdrawal agreement had not been in place yet, and the position of migrant fishers in the UK was entirely different, their future somehow equally uncertain. It was understood that immigration regulations would be changing, but it was not yet known how. It was apparent that more research needed to be done to understand the conditions of labour migration in fisheries, given reports of labour rights abuses and the apparent pay gaps between domestic and international fishers (Jones et al, 2019).

Over the course of the past few years, more publications have emerged on the topic addressing the UK context. The ITF report on Transit visas (2022) and the Nottingham University Human Rights Lab report on labour rights abuses in the industry (2021) provided crucial insight into the lives of migrant fishers in the UK, and the key issues they were facing. The latter is particularly insightful for providing first-hand accounts from migrant fishers. Alongside this, new challenges emerged in the industry: the Covid-19 pandemic further restricting the mobility of migrant workers across the world, the Skilled worker visa implementation in the UK, the cost-of-living crisis, the crackdown on immigration with increased border control presence off the West coast of Scotland, with increased enforcement of the 12nm rule announced to local fisheries organisations. These developments rendered some of the research questions set out at the proposal stage irrelevant, but opened new, important ones. Beyond this, the Covid-19 pandemic restricted fieldwork to online spaces at the initial planned start date of January 2021, but the possibility of in-person fieldwork was again opened halfway through the year, forcing a continuous reconsideration of previously set decisions.

Amid the constant developments, especially related to Covid-19 and the changing immigration restrictions, it arguably became increasingly important to engage with the changing context and to capture the lived experiences of this uncertainty alongside a multiscale analysis of how fishers and the industry were affected by the changes. Disappointment over the postponement of the fieldwork only reinforced for me that the uncertainty was felt tenfold by those who

believed they were returning to their families after months fishing in Scotland, half the world away, yet were unable to leave at the end of their contract. Fishers continued to live on vessels far beyond their initially contracted time, working for low wages, unsure of their rights to access health care if they fell ill, unsure of when they would be able to leave, all while providing work essential for food security.

Chapter 3

Literature review: Precarity and instability

3.1. Introduction

Economic, scientific, and social perspectives vary widely in their understanding of marine spaces. What seems to one discipline or interest group as an optimal approach, may be heavily critiqued by another. Fisheries and oceans are especially privy to this due to their fluid and mobile spatiality. They are an ecosystem, a workplace, a means of transport, a cluster of resources embedded in the global market, a politically contested space difficult to legislate – not even territorially fixed. Cardwell and Thornton (2015) demonstrate how different disciplines provide alternative lenses to the study of marine fisheries and characterise different approaches to fisheries management. To use their example, economists might focus on marine resources in the context of the global economy and recommend a market-based management approach; a conservation biologist prioritises the conservation of marine ecosystems and proposes marine protected areas, whilst the insight of an anthropologist focuses on fishing communities and proposes a community management approach. Having outlined these lenses, Cardwell and Thornton (2015: 165) argue for a geographical approach to the study of fisheries as it foregrounds interdisciplinarity, the relationships between humans and non-humans, as well as “the interconnected and emergent nature of social, environmental and political assemblages”. They argue that there is a similarity between geographical and fisherly imaginations; between how fishers and geographers see the sea:

“We found that alongside this territoriality, the fisherly imagination of the sea and how it should be managed focuses not only on geographical stewardship and seascape cultivation, but the material and affective relationships of fishers, fish and the environment, on technologies and the more-than-human, and on the dynamic and hybrid nature of social and ecological systems” (Cardwell and Thornton, 2015: 163).

Fisherly (and thus geographical) imagination is crucial when setting marine policies which affect fishers and fish, and human-ocean relations should be a key feature of geographical research agendas. In practice, however, geography, as any academic discipline, is often highly

specialised into niches which rarely talk to each other. The parts of geography which consider oceans as sites of marine life (Maury, 2023) can appear far removed from those that focus on seas as sites of social life (Steinberg, 2001), from those which consider the more-than-representational characteristics of marine assemblages (Anderson, 2016), which are again distant from those which see them primarily as an empty space which ships traverse in order to transport goods to distant lands (Chua, 2022). The fact that conferences and academics working on these topics seldom converge can make it challenging to begin to address these issues which, due to their very nature, demand interdisciplinary considerations. As this project pertains to practically interconnected but theoretically rather distant issues of labour, international migration, and fisheries management, and considers various stakeholders' perspectives on these issues, ranging from the Scottish/UK Government context as well as lived experiences of fishers, it is pertinent to delineate how different theoretical approaches can work together to help us understand the real-life context at hand.

While maintaining a scope appropriate for a PhD project, I drew on a range of literatures to obtain contextual understanding, trying to bridge the gap between these varied perspectives. This chapter maps out the connections between the strands of literature drawn upon to construct the theoretical framework of this thesis, building on the literature already introduced in the previous chapter on context. I present an overview of broadly geographical literature which thematically respectively serves as the underpinning for each empirical chapter. I begin with an explicit outline of the conceptual framework of the thesis and follow with discussions of literature on labour migration and precarity, literature on maritime geographies, and finally the emerging environmental concerns in fisheries and blue justice.

3.2. Map of key literatures

If we are to understand the complex interplay between labour dynamics and state-imposed bordering practices against the backdrop of environmental change and regulations affecting labour migration in Scottish fisheries, it is paramount to engage with a variety of theoretical perspectives. This section explicitly outlines the conceptual framework I use in this thesis. In constructing a dual materialist approach, which draws on both historical and new materialisms, I emphasise how the interrelated threads of precarity, insecurity, and instability run throughout literatures on labour geographies, migration and bordering, maritime spaces, and emerging literatures on blue justice.

Beginning in broadly Marxist, historical materialist approaches, Penny McCall Howard's (2017) work on labour and environment in Scottish fisheries was influential for my own understanding of the labour-environment dynamics in the sector. She positions fishers – both as workers and employers – within the context of the global market and within the current concerns around environmental changes affecting their workplace. She draws largely on Foster's (2000) reading of a Marxist political ecology, which illuminates the alienating forces at play within the sector; between fishers and the sea – the environment in which they work and from which they extract –, fishers and their vocation, fishers and their means of production (equipment, vessels), and fishers from each other.

While McCall Howard's project draws on an autoethnography and engages largely with domestic fishers working in Scotland, the context at hand is further complicated by the dynamics created through the increased reliance of the industry on migrant workers who are largely racialised as non-white and do not have full rights to reside in the UK. To understand these emerging dynamics at play, I found it useful to engage with literature on Racial capitalism (Robinson, 1983) and the spatial fix (Harvey, 2001). These literatures again originate in broadly Marxist, historical-materialist traditions and can work together to provide a critical explanatory framework for the current political-economic context of the reliance on racialised foreign labour in the industry and an increased reliance on such dynamics in the creation of food security across scales. Here, it is pertinent to consider the political structures which create and enforce the situation of migrant workers in the UK, specifically in the context of Brexit, with broadly postcolonial literature on (b)ordering practices providing a useful lens through which to examine the highly specific status that migrant fishers hold within the UK border regime (El-Enany, 2020; Yuval-Davis, 2018).

While these approaches are very helpful in understanding the complex and hyper-precarious positioning of migrant workers in the industry in Scotland, and within the UK border regime, they are at-times overly focused on workers as a collective (this is less the case in postcolonial literature as it is in traditional labour geography literatures). I argue that it is more productive to strike a balance between considering them as actors in the global politico-economic stage, with feminist calls to consider workers and their contexts as individuals (Silvey, 2004), with their own ways of negotiating their agency, or lack thereof. This brings me to a strand of geographic literature on labour migration which considers precarity as a spectrum (Lewis et al,

2015; Strauss and McGrath, 2017), informed by Marxist labour geographies as well as feminist and postcolonial approaches to mobility and bordering.

Finally, throughout my research I have been highly conscious of the particularities which arise from the situatedness of much of the research and its subjects at sea. Engaging with the work of Peters and Steinberg (2015, 2019), and the way they capture the sea's unstable ontology resonated with many of the experiences expressed by participants in a way which purely land-based prior research on related subjects did not. While I do not wish to delve too deeply into new materialisms, not least to draw attention from the topic which is firmly grounded in empirics which do not care so much for ontological and epistemological ideals, I argue that Peters and Steinberg's work on (more-than) wet ontologies helps to understand the complexities of bordering and working in maritime spaces, in a way which captures the precarity, insecurity and instability and threads them together in a way other approaches do not quite capture. Campling and Colás' (2021) conceptualisation of a historical and geographical materialism emerges as particularly helpful as it offers an analysis of labour migration in fisheries both in terms of the momentary material properties affecting fishing and bordering practices at sea and in terms of the way these bordering and fishing practices have been simultaneously structured through "enduring hierarchical relations where human agency – for good or ill – still claims the dominant role" (Campling and Colás, 2021: 17).

In drawing on both historical materialisms and the insights of new materialisms – particularly wet ontologies – I conceptualise labour migration in fisheries as a process shaped by both the dynamics of capitalist accumulation and the material characteristics of the marine environment. Historical materialism provides a useful framework for understanding how relations of production, class, and exploitation structure the movement of labour across scales, while new materialisms – especially the conceptual lens of wet ontologies – highlight how the ocean itself, as a dynamic, fluid, and unpredictable medium, co-constitutes the conditions of labour and migration. Together, these perspectives allow for a nuanced analysis that situates labour migration not only within the social relations and geographies of capital and labour but also within the more-than-human entanglements of the sea, its ecologies, and its material flows, resisting a purely economic account and instead offering a relational, situated understanding of work, ecologies, and life at sea.

The rest of this chapter delves into wider discussions surrounding this framework, providing more detail on the literature which I drew upon to analyse the empirical materials.

3.3. International labour migration, and (hyper-)precarity

Not all migrants are precarious workers and not all precarious workers are migrants, however numerous case studies presented in contemporary literature suggest that migrant workers often occupy precarious positions both in their home and host societies. This section of the literature review is concerned with geographic scholarship on international labour migration and precarity. I focus on precarious experiences of international migrant workers and provide some wider reflections on each concept independently. I begin by unpacking the terms labour migration and precarity. This includes a critical examination of the contested definitions of precarity within geography and the attempts of Ettlinger (2007, building on Butler, 2004) to cast precarity as a boundless feature of human existence. Then I present various case studies which use the lens of precarity to conceptualise the experiences of migrant workers. Finally, I consider recent scholarship which argues for viewing workers' (un)freedom and exploitation on a continuum to better convey the nuanced relations between government migration regimes, employment conditions, and workers' collective and individual agencies.

3.3.1. Labour migration

Labour migration is widely discussed and defined within and outside of geography, so I will begin by briefly outlining what I mean with this term. The definition of labour is rightfully contested (e.g. through feminist considerations of unpaid work done by women), but this project remains primarily concerned with international migration related to people undertaking waged labour outside their countries of citizenship (thus taking on the status of an international migrant worker). The UN (2020) defines a migrant as:

“[...]any person who is moving or has moved across an international border or within a State away from his/her habitual place of residence, regardless of (1) the person's legal status; (2) whether the movement is voluntary or involuntary; (3) what the causes for the movement are; or (4) what the length of the stay is.”

While migration is frequently presented as an exceptional event, it has occurred throughout human history with over one billion people classified as migrants (Lewis et al, 2015: 581-582). Most of them move without crossing international borders and rarely is there one sole explanation for why an individual moves (Lewis et al, 2015: 582). Indeed, Nagar (2002: 274) provides an important critique of geographers who have considered migrants primarily as workers rather than as complex political subjects.

Migration is commonly studied by labour geographers, in line with increasingly globalised networks of production. As Buckley et al (2017: 153) state, “[a] world of workers is (still and increasingly) on the move”. Coe and Jordhus-Lier (2010: 219-220) suggest that as workers move between workplaces on a global scale, they allow “for the politics of labour to transcend local power geometries, even if capital attempts to fix workers in place to control them”. Their article charts the development of labour geography as an academic field, broadly outlining its "4 stages". They use a global production network (GPN) perspective to develop the notion of "re-embeddedness" of labour agency within the state, the community and the labour markets. Broadly, they argue that worker strategies should be contextualised within these scales, temporalities, and social relations. In doing so they underline the variance among experiences of different categories of migrant workers. Their article is particularly pertinent in discussing resistance; echoing Nagar (2002) they emphasise the importance of considering workers as “complex beings, with multiple identities that go far beyond the workplace, as citizens, consumers and family members" (p218).

This is a convenient entry point to pivot to the discussions on workers' agency, a theme which runs throughout the literature on labour migrations and labour geographies more broadly. As Coe and Jordhus-Lier suggest, labour agency in practice is a set of processes which merits geographers' attention:

“Labour agency in the abstract, then, seems a rather hollow concept; in reality we are concerned with grounded processes of reworking and resistance which are unavoidably manifested in (intersecting) social and cultural relationships and with institutional forms such as global production networks, the state, community networks and labour market intermediaries. From our perspective, agency always needs to be ‘grounded’ or re-embedded in the space-time contexts of which it is a constituent process" (2010: 218).

Despite consistent calls to focus on workers' agency, much of the research on labour migration casts migrant workers within an individual migration case study as a homogenous group. Aguilar (2018) presents a compelling contrast by focusing his attention on how individual migrant workers negotiate the relational networks surrounding migrant recruitment. He centres workers' personal experiences and self-perceptions. Having recognised that literature on labour migration has been overly focused on the structural forces surrounding migration, he aims to recentre the role of workers' individual agency. Drawing on several studies of Filipino workers,

he explores the meanings attached to overseas employment by migrants. His paper casts the workers' experience as ritualistic, "a secular pilgrimage knowingly embarked upon by the individual in close dialectical relationship with the social world" (p87). I found his paper to be particularly effective in responding to the literature which seems to, as he points out, dehumanise migrants by talking about them as a homogenous group. In doing so, he at times comes close to romanticising labour migration, framing the process as a "rite of passage":

"Morphologically and structurally, international labour migration is an analogue of the ancient religious journey, a modern, secularized variant of the ritual pilgrimage. In lieu of a spiritual centre, the higher-wage employment centres and semi-peripheries of global capitalism become the sites of this secular journey through vast distances across the earth's surface" (p92).

While this does indeed counter the discursive representation of migrant workers as free of agency, it again fails to fully address the heterogeneity of migrant's aspirations. Nonetheless, his attempt to avoid portraying migrant workers merely as exploited actors in a global capitalist system is an interesting contribution.

In a special edition of the *Journal of Migration and Ethnic Studies* on migration brokerage, Deshingkar et al's paper (2019b) provides a more nuanced analysis of the ways in which migrant workers enact agency when they may very well be exploited actors in the global capitalist system. Using an in-depth case study of the migration of construction workers from Bangladesh to Qatar, they focus on the processes of recruitment and brokerage of migrant workers and analyse the migrants' agency in managing the risks and opportunities when dealing with brokers, state actors, and employers. The workers' conditions become precarious through practices of withholding contracts, passports and wages, through illegitimate contract substitution, and through a lack of support from officials (at embassies or recruitment agencies). Their research has shown that workers enact their agency through waiting until they can take control of their employment by obtaining the types of visas (often illegally) which do not tie them to a specific employer, through self-precarisation, and through other practices of resistance. An interesting phenomenon they highlight is the tendency of workers to choose informal brokers over formal migration managers as a way of maintaining agency. The article counters the simplistic view whereby migration brokers are seen as exploiters and migrant workers as powerless victims.

Aguilar's and Deshingkar et al's literature on migrant agency and Nagar's emphasis on the importance of accounting for individual experiences resonated with my overall approach as a qualitative researcher when first encountering this literature at the planning stages of the project. However, as I reflect later in Chapter 4: Methodology, putting this perspective in practice was challenging amid logistical constraints and while trying to meet the standards of policy-relevant research. Especially so as accessing and representing the complex lived experiences of migrant workers and their motivations for migration was at times practically impossible. Nonetheless I drew on these ideas to integrate an understanding of each research participant – migrant worker, fisher, skipper, or industry representative – as a complex political subject with their own set of motivations and interests through the different parts of the research process.

3.3.2. Contesting precarity

Much literature on labour migration in geography and beyond employs the lens of precarity to conceptualise the experiences of vulnerability, insecurity, and risk felt by many migrant workers (Waite, 2009). Before moving to discuss the relationship between labour migration and precarity it is worth briefly considering the contested definitions of the term.

The concept of precarity in academic work began with Bourdieu's research on workers in Algeria in the 1960s; since then it has been commonly used in continental Europe, but has only moved to Anglo-American scholarship, and indeed the field of human geography, over the past two decades (Strauss, 2018: 623), while terms "casualised" and "vulnerable" employment have been more often used in the UK. Despite the increasing inclusion of precarity in the studies of labour migration, Strauss (2018: 623) states that this is still very much a "work in progress".

There is a contestation among geographers in the decision on where the term should be applied. The key divide is between those who use it strictly to refer to labour relations, and those who think it is productive to apply it to wider social conditions. Several geographers have drawn on Butler's (2004) *Precarious Life* to use precarity as a term to describe "wider societal malaise". Firstly, and perhaps most notably, Ettlinger (2007) draws builds on this to argue for a conceptualisation of precarity "as a condition of vulnerability relative to contingency and the inability to predict" (p320) which affects people across different scales and temporalities and is not constrained to labour relations:

“while the privileged worker under Fordism may not encounter precarity by virtue of labour contingency, he might encounter it in the context of an authoritarian system of production and surveillance. From this vantage point, no one escapes precarity, although one might argue that some people who experience more constraints than others also experience more dimensions of precarity. Precarity is engendered by a wide range of processes and, as it extends across space and time and also materializes (differently) in social, economic, political, and cultural spheres, it is an enduring feature of the human condition.”

(Ettlinger, 2007: 323-324)

Butler uses the uncertainty surrounding the 9/11 attacks and terrorism as a central case study and suggests "positive governmentality" (drawing on Foucault) might be an effective form of resistance. Woon (2014) builds a similar argument; writing that recognising the precarity of (all) social conditions offers productive potential for resistance. She finds Butler's conceptualisation useful in her application of precarity to non-violence and geopolitics, stating that “It is precisely this existential characteristic of human life that creates the possibility for intersubjective (emotional) bonds to be formed in support of nonviolence” (2014: 655). Waite (2009: 416) departs from Ettlinger by arguing that this atmosphere of uncertainty is contextually specific to the present-day capitalist conditions and stems from the risk and vulnerability brought on by labour market experiences. Meanwhile, Ettlinger's article – entitled *Precarity Unbound* – argues that precarity reaches across temporal (and spatial) boundaries. She suggests that humans strive to create their own certainties within this atmosphere through a process she calls “reflexive denial” (2014: 320). Her argument is intriguing, but it is worth questioning the limitations of casting all human existence as precarious. All existence may be insecure, or uncertain, and she presents a compelling argument. However, ultimately authors who have applied precarity to the conditions of migrant labourers (see Piper et al, 2017 and other authors presented in the following section) demonstrate how useful it is to have a term to refer specifically to insecure, vulnerable, at-times unfree labour conditions. It allows us to distinguish the feelings of uncertainty experienced by everyone and the feelings of acute-turned-chronic vulnerability unique to individuals' socio-economic positioning. While uncertainty may very well be unbound, the contribution of people's economic status to creating this feeling of unease is undeniable.

Indeed, in their research on migrant workers Lewis et al (2015) side with Waite (2009) as they explicitly state that they find the concept of precarity more useful when it refers to labour conditions, while “acknowledging the profoundly destabilizing effects of precarious work on broader lifeworlds” (p585). They refer to Rodgers and Rodgers’ (1989) four dimensions of precarity developed for the International Labour Organisation:

“uncertainty over the continuity of employment; a lack of individual and collective control over wages and conditions; low or no levels of social protection against unemployment, discrimination, etc.; and insufficient income or economic vulnerability” (in Lewis et al, 2015: 585).

Importantly, they emphasise the role of workers’ socio-legal status as an additional dimension as they define precarity in relation to migrant workers. Indeed, most of the literature on precarity and migration, which is central to the following section, conceptualises and develops precarity as stemming from migrant’s working experiences – which is not to say that further insecurity does not stem from other aspects of their lives.

3.3.3. Precarity and international labour migration

The concept of precarity is frequently employed in scholarship on international labour migration. As Lewis et al (2015) indicate, worker’s migrant status and migration legislation often serve to further precarise workers – whether their jobs already have increased vulnerability and risk or not. The literature in this section discusses how migrant status contributes to workers’ precarious experience. In geographic scholarship, much of the literature tends to focus on case studies (e.g. Bangladeshi construction workers in Qatar, Deshingkar et al, 2019b; Filipino domestic workers in the Middle East, Silvey and Parrenas, 2020).

Piper et al’s (2017) work with migrant workers in Asia engages with the concept of protracted precarity. They demonstrate how some migrants are caught between work in informal economies at home and insecure, unsafe working conditions and immigration regimes in their countries of work, experiencing precarity on both ends. They use a “decent work” framework to analyse the situations of many South-to-South migrant workers. Further to this, they explore the potential of mobilisation of workers through civil society, suggesting global migrants’ rights movements and networks of labour activism as a means through which they can achieve fairer working conditions in both locales (see also Gordon, 2007 on transnational labour citizenship). They also provide an important critique of the common distinction between human rights and

workers' rights, emphasising the importance of framing workers' rights as human rights. Similarly referring to the complex and long-lasting effects of precarity, Silvey and Parreñas (2020) develop "precarity chains" as a concept to describe how migrant domestic workers from the Philippines and Indonesia working in the UAE undergo serial migration patterns due to their precarious position in the global labour markets. They outline a model of factors which perpetuate the precarity cycle:

"(1) the precarity of migration engendered by their levels of indebtedness prior to migration and their dependency on a recruitment agency to determine not only their employer but also country of destination; (2) the precarity of labor that results from their employment in countries of destination that offer only limited-term contracts and very limited rights to domestic workers; and then finally (3) the precarity of future reflecting the low levels of income, savings and investment they are able to accumulate" (Silvey and Parreñas, 2020: 3457).

Through interviews with workers, they demonstrate how these chains are also reproduced on an inter-generational level; they reproduce poverty, socio-spatial precarity, and "transnational subordination of domestic workers over the life-course" (Silvey and Parreñas, 2020: 3457). This builds on previous research by Anderson and Rogaly (2005) which considers how migrant workers from various parts of the world in a range of different employment situations are entrapped in complex chains of sub-contracting, migration regimes, and employer relations which increase the likelihood of breach of their human and labour rights. The bureaucracies of these employment and migration relations create complex chains of responsibility. Indeed, Torres et al's (2013) study of migrant construction workers in Texas shows this on the case of workplace accidents amid practices of sub-contracting chains and poor industry regulations. Responsibility is lost within the chain of command and the workers are trapped in a precarious status which creates untenable situations for migrants and their families.

These articles are excellent at presenting the often dire and exploitative conditions for migrant workers, however, it is noticeable that many of them struggle to sufficiently represent the views of workers themselves – a further reflection on this challenge can be read in the methodology section. At this point it is worth returning to the discussions on worker agency. Aguilar (2017) emphasises that many migrants do not view their work experience as negatively as some portrayals in academic literature. It is obviously difficult to thread the line between advancing the attempts to improve workers' (human) rights but at the same time acknowledge and allow

their own agency in negotiating their rights and their own understanding of their working conditions. Torres et al's (2013) participatory study of the Worker's Defense Project in Austin does this particularly well. They were approached by migrant workers (also credited as authors) to examine the state of the construction industry rife with state-imposed neoliberal policies. These are said to create an anti-labour climate and widespread precarity among Latino immigrant workers. They outline how dangerous working conditions, low wages, stolen wages, lack of access to benefits and racialised divisions of labour act as symptoms of migrants' precarious status. The article looks at the social, economic and embodied consequences of these conditions for migrant workers and their families - as well as employers and taxpayers. They conclude that "the emergent spaces of activism associated with the worker-centred movements have resulted in new forms of social citizenship that are empowering for immigrant workers" (p146). Their study is distinctly impactful, due to the collaborative process – which shows migrants' agency in action on multiple levels. Furthermore, this approach is effective in avoiding the romanticising of workers' agency; it acknowledges their often dire, precarious working conditions, but at the same time grants them a high level of control over how to use their agency to mobilise for their improved status.

3.3.4. Hyper-precarity

There is an interesting and growing body of work, tangential to literature on worker agency, related to migration brokerage and legislative geographies surrounding migrant employment. Indeed literature on migration industry can provide a framework for analysing the networks, intermediaries and agents related to labour migration – those who provide services and thus shape migration and mobility patterns; constraining some and facilitating others to fulfil the needs of global labour markets (Cranston et al, 2019).

In Deshingkar et al's (2019) study the authors show how ideal migrant workers are produced through narratives constructed by migration brokers (and later by employers of migrant workers). They do so by emphasising certain character traits and falsifying identities in the process – authors argue that this further precarises migrants as it erases parts of their own identities. At the same time, their article counters some common perceptions whereby migration brokers are seen as exploiters and migrant workers as "victims without agency". Indeed, these relationships surrounding migrant labour are not straightforward and depend largely on the labour and migration legislation regimes which vary country to country. In her comprehensive investigation into the relationship between feminist legal geographies and the

concepts of forced labour, Strauss (2017) asserts that the vulnerability to precarity, exploitation or trafficking is related to social categorisation and characterisation. She emphasises the role of scales and space in legislative processes surrounding migration, arguing that it is productive to understand jurisdiction as a more-than-territorial process. She provides a useful overview of legal definitions of terms “forced labour” and “trafficking” as well as a good overview of key international and UK legal changes surrounding these concepts. Anderson (2010) also emphasises the connection between states’ migration policy and labour markets. His paper on *Migration, immigration controls and the fashioning of precarious workers* demonstrates how illegality is key in understanding labour exploitation as it increases vulnerability – much more so for migrants than for people working in their countries of citizenship. He argues that this occurs as migration controls illegalise some groups and legalise others. Migration controls construct certain types of workers through selecting certain categories of entrants (e.g. young, without dependents), enforcing certain types of employment relations (specifically short term, those where visas are contingent on employers) and by creating institutionalised uncertainty. Illegality is produced by legislative processes which put workers in a position where they are breaching the law (e.g. bureaucracy creates overstayers). I found her argument that the image of an exploitative employer obfuscates the responsibility of the government to create conditions where workers do not rely so much on the employer particularly interesting. Ultimately, she states that “immigration restriction and enforcement are not only insufficient to reduce migrant precarity, but actively produce and reinforce it” (p314). This perspective encourages an analysis which critically considers immigration regimes as agential in a way that is challenging when restrictions are just seemingly passive words written on a government website. Indeed moving from a paper which is largely theoretical, to more empirical work on precarity, was useful in preparing to face the nuances of real-world contexts.

Researchers who engage with migrant labour often operate on the basis of case studies. In practice this can serve to cast workers as homogenous groups, characterising them either as uniformly precarious, exploited, and vulnerable (e.g. Piper et al, 2017), or as exceptional agents of resistance (e.g. Torres et al, 2013), with control over their own future (e.g. Aguilar, 2018). I found Lewis et al’s (2015) writing especially helpful in breaking down this paradigm. They provide an in depth and nuanced analysis of the interconnections between precarity and the migrant workforce by unpacking the relationships between the neoliberal labour market, the legal and political geographies of labour migrations, and the exploitation of migrant workers.

Building on Skrivankova's (2010) "continuum of exploitation", they argue that relationships between these actors unfold on a "continuum of unfreedom" and develop the concept of "hyper precarity" to analyse how workers' migrant status further precarises already risky and vulnerable employment conditions. Their engagement with this is somewhat theoretical; they use several empirical examples to support their claims but there is scope for further research on how this continuum unfolds in practice. Strauss and McGrath (2017) posit a similar argument to show how complicated relationships surrounding labour trafficking unfold beyond the strict internationally recognised definitions. They argue that consistently terming labour exploitation of migrants in the Global North as "trafficking" has been unhelpful in capturing how institutionalized/legitimised unfree labour exists in varied forms. Rather, they conceptualise unfreedom and precarity on a continuum of labour relations – using the case study of Canadian Temporary Worker Program to demonstrate how conditions of unfreedom and precarity (related but separate!) are created for migrant workers (but can also lead to increased flexibilisation and precarity in the labour market in general). Unfree labour and precarity are produced through immigration regimes which "actively create conditions of subordination and dependence for migrant workers" (p206).

Ultimately, this section has shown how precarious migrant workers are often caught between state-imposed migration restrictions, labour regulations, conditions created by employers, or migration brokers. These are mediated through migrants' collective or individual agencies and resistance, some of which are contingent on the consequences their actions might bring about from their employers or the state/migration regimes. The sections on precarity and labour migration further demonstrated how it is beneficial to keep focus on the precarity experienced specifically as a symptom of vulnerable labour relations. The next section of the literature review considers literatures which forefront the specificity of maritime spaces. It is perhaps pertinent to position a discussion on instability intrinsic to the material nature of maritime spaces directly following a discussion of precarity. In what sometimes (always?) feels like an increasingly destabilised world, the concept of precarity transcends traditional boundaries (as posited by Etlinger, 2007; and Butler, 2004) to also include the relationship between humans and our natural environment.

3.4. Instability and maritime space

The previous chapter showed that labour migration is often characterised by precarious working conditions and uncertain futures for individuals. It is also explicitly linked to the uncertain futures for Scottish fishing communities and global oceans. At their core, these dynamics can be understood through the lens of unstable ontologies, characterised by unpredictability and a precarious balance holding the current context in its place. Labour migrants constantly grapple with unstable job prospects and an uncertain legal status, while the global marine environment faces the unpredictable repercussions of climate change, overfishing, and pollution. Meanwhile, Scottish fishing communities find themselves navigating turbulent waters both economically and ecologically. They are interrelated; fishers' work is both dependent on and consequential for the wellbeing of marine environments, while a myriad of other factors influences the sustainability of individual lives, the industry, communities and ecosystems alike. This section outlines the instability of maritime spaces drawing on the literature on geographies of the sea, namely the works of Peters and Steinberg, and Campling and Colás.

In various publications, Peters and Steinberg have called to centre visceral knowledges, consider more-than-human actors, and focus on experiences to develop a geographical approach to studying seascapes which seeks to capture the seas' fluidity (Peters and Steinberg, 2014; Steinberg and Peters, 2015; Peters, 2016; Steinberg, 2016; Peters and Steinberg, 2019). In its essence, a fluid ontology counters the notion that the world is "fixed" and focuses on material "things" as "in the process" – only temporarily stable and always eventually changing form (Anderson and Peters, 2016: 11). They firstly introduce *wet ontology* (2014) by thinking through the characteristics of the ocean. Its voluminous three-dimensionality, fluidity and murkiness are said to lead to a somewhat frustrating form of knowledge production. This challenges the common Western perception of the sea as observed from land, or its representations on maps: a vast, flat, monotonous surface – "a space of absence" as described by Levi-Strauss (in Steinberg and Peters, 2015: 249).

Building on wet ontology, they developed more-than-wet ontology (2019) as its complementary approach. The premise here is that the sea is not only liquid but can take many forms; it can be solid as ice, or gaseous as air spray (Vannini and Taggart, 2016). This approach posits that the ocean spills and leaks beyond the land/sea boundary, both materially by

travelling with the wind and in the water cycle, and metaphysically, in our senses and imaginations. What happens at sea effects landed life. The ocean reaches our dinner plates and senses through fish and our imaginations through literature, paintings and music. Peters and Steinberg draw on Spinoza (1996) to delineate how the ocean is always inter-connected with the rest of the world:

“[...] rather than seeing the ocean as existing in the coming together of diverse elements, we see these elements as emanating outward from and refracting from the ocean so that, in effect, they too are the ocean” (Peters and Steinberg, 2019: 294).

Similarly, Ingold (2011) uses the term “meshwork” to outline the continuous merging between humans, elements, and physical processes. More-than-wet-ontology therefore allows us to push and investigate the boundaries of seascapes. Rather than strictly delineating the approach, it encourages researchers who study the sea to consider sea water as a more-than-human materiality which “blends, merges and mixes with human life in significant ways” (Peters and Steinberg, 2019: 298). This permeation is profound, yet often invisible and difficult to grasp, especially because it traverses what has so far appeared to be a materialist perspective:

“Imagining a more-than-wet ontology provokes us to confront the realities that permeate a relational world of material and subjective co-constitution. It also provokes us to confront the limit of analytic prose in describing such a destabilising ontology.” (Peters and Steinberg, 2019: 304)

The seas, this approach contends, are primarily experienced. However, they are also crossed, mapped, imagined, and represented (discursively and materially). In highlighting these characteristics, the existing works on the seas’ materiality in human geography call for further engagement in expanding our geographical imaginations when it comes to maritime spaces.

Campling and Colás (2021) engage with these ideas but underline the importance of considering the modern geographies of the sea as both a product and a vehicle of global capitalism. Their approach draws on both historical and geographical materialisms in arguing

that “the imperative of value creation produces the sea as a particular space of exploitation, appropriation and world ordering during the modern period” (2021: 10).

They employ the concept of “terraqueous materialities”; the “uniquely capitalist alignment of sovereignty, exploitation and appropriation in the capture and coding of maritime spaces and resources” (2021: 3). Whilst appraising some of the core ideas introduced by Steinberg’s and Peters’, they counter the view that seascapes’ fluidity means they are spaces “forever (re)produced”, but rather argue that they are specific sites of social (and natural) reproduction because they have been historically characterised by the introduction of stable structures, such as property rights:

“The point, therefore, is not to dismiss the emergent powers and often unpredictable capacities of all matter, but rather to insist that these are enmeshed within enduring hierarchical relations where human agency – for good or ill – still claims the dominant role” (Campling and Colás, 2021: 17).

They argue that the “distinctive materiality of the sea” was both crucial for the development of capitalism and a barrier to the smooth accumulation of capital; drawing on Malm (2018) they state that “material attributes of the sea have to be considered as being autonomous from, yet connected to, the logic of capital” (2021: 15). With this, they acknowledge the role that the seas’ materiality plays in creating a space in which the process of resource appropriation is more challenging than on land.

Two key papers in *The Routledge Handbook of Ocean Space* (edited by Peters et al, 2023) present related readings of human geographies of the sea which sit on the spectrum between Peters and Steinberg’s and Campling and Colás’. Lehman (2022) delineates the role of geography in mapping oceans – attempting to pin them down – and its subsequent contributions to establishing imperial power dynamics over oceanic spaces. She uses the term ‘negative space’ to describe how the sea resists “the imposition of boundaries and other markers of territory” (2022: 23). This builds on Deleuze and Guattari’s (1987) ideas of the ocean as a smooth space – ‘unscripted, ungridable, ungovernable’. Nonetheless, there are consistent efforts to territorialise and enclose the sea through mapping, effecting real, lived consequences (Lehman, 2022: 23). Drawing on similar ideas, Germond (2022) suggests that the idea of the “smooth sea” (also drawing on Deleuze and Guattari, 1980) – the ocean as void and empty – normalises the free flow of goods and freedom across what is meant to be a smooth space (not

susceptible to political control), but also makes it a space that is at the same time exploited and supporting exploitation (Germond, 2022: 49). He also argues that eventually a certain degree of striation (in the form of control, regulations, enforcement) is needed to maintain the advantages of the empty, free sea, subsequently constructing an idea of the sea as a space in need of security. Finally, Germond argues that the sea has gradually been transformed into a land-like space in representation and practice, however, its immutable physical attributes cannot be denied; the sea is not the same as the land.

I have come to find that building on a dual materialist perspective – encompassing both historical materialism and (more-than-) wet ontologies – is useful for a comprehensive understanding of labour and migrations at sea. The understanding that the empirical context is emplaced in a dynamic watery space is a crucial characteristic of the experiences of workers, the mobility of the resources which they are extracting, and the borders which they are navigating/crossing. Historical materialisms offer a lens for examining the socio-economic dynamics that shaped labour relations in maritime industries. They provide an explanatory framework for understanding how economic systems, ownership structures, and labour exploitation have evolved over time and created inequalities in the industry, among workers on the global labour market and within fishing communities. On the other hand, (more-than-) wet ontologies, with their new materialist focus on the agency of the non-human and the entanglement of human and natural forces, provide a different yet complementary perspective. They highlight the physical, felt instabilities experienced by workers, regulators and enforcers of policies as well as the ecological interdependencies that influence and are influenced by maritime labour; from the impact of climate change on fishing stocks to the use of technology for navigation. Integrating both materialist approaches enriches our comprehension of labour at sea and enables more holistic and effective engagement with the challenges faced by maritime environments and communities. In this thesis, but particularly in Chapter 6, I respond to this call to examine what an unstable, wet ontology means for individuals, communities, industries, and regulators who regularly exist within a marine environment.

With the continuous backdrop of this instability, the next section of the literature review explicitly connects the issues of labour in fisheries with literature on the exploitation of marine environments.

3.5. Exploitation of labour and the environment in marine fisheries

In this final section of the literature review, I discuss the existing geographical work on fisheries, focusing on the issues of labour exploitation and the emerging literature which addresses the increasing instability of marine environments. In her book *Environment, Labour and Capitalism at Sea: Working the Ground in Scotland*, Penny McCall Howard (2017: 8) notes that "Despite [their] skilled and productive contributions, the painful reality for fishermen is that their extraordinary efforts are often not seen by others as productive, but as destructive". In this section, I analyse the implications of this statement by considering the recent and historical trends of privatization, environmental degradation, and labour exploitation in marine fisheries, with the aim of exploring how they are interconnected. I firstly show how processes of maritime enclosure have led to the narratives surrounding blue growth within political and economic discourses on oceans. This is followed by a critique of changes in fisheries through a discussion of social, environmental, and economic injustices within the sector. Specifically, I present recent concerns which emphasise the increased inequalities in access to marine resources; environmental injustice related to privatisation (and ITQs), fisheries access agreements, ecosystem depletion, and incidences of unfree labour. In discussing existing explanatory frameworks and empirical studies which draw connections between these injustices, I indicate how Foster's (2000) reading of Marx's ecology and McCall Howard's (2017) political ecology approach to fisheries are useful for understanding their interrelationships. Specifically, I consider the concept of alienation to unpack some key fisheries justice issues. I conclude with literature on future imaginaries in the context of social and environmental justice within the sector and beyond.

3.5.1. Fisheries privatization and maritime enclosure

To begin the discussion about labour and environment in present day industrial fisheries, it is pertinent to acknowledge that it comes from the trajectory which led to the privatisation of marine resources.

The history of fisheries on an industrial scale and as integrated into the global food market, is inextricably linked to initial attempts to privatise the marine space and the resources it contains. Campling and Colás (2021: 203) have called the appropriation of marine space the "greatest single enclosure in human history in the second half of the 20th century". This process most notably took place through the United Nations Convention of the Law of the Sea (UNCLOS, est. between 1973-1982) by establishing exclusive economic zones (EEZs), areas 200 nautical

miles from the coastline in which sovereign nations have privileges regarding the use of marine resources and explorations. EEZs encompass 35% of marine areas and contain an estimated 90% of global sea populations (Figure 6). This notably benefits former colonial powers which own numerous overseas territories. Countries such as the UK, France and Australia thus dominate and control enormous areas of marine space, while landlocked countries and former colonies end up with little access to resources (Campling and Colás, 2021).

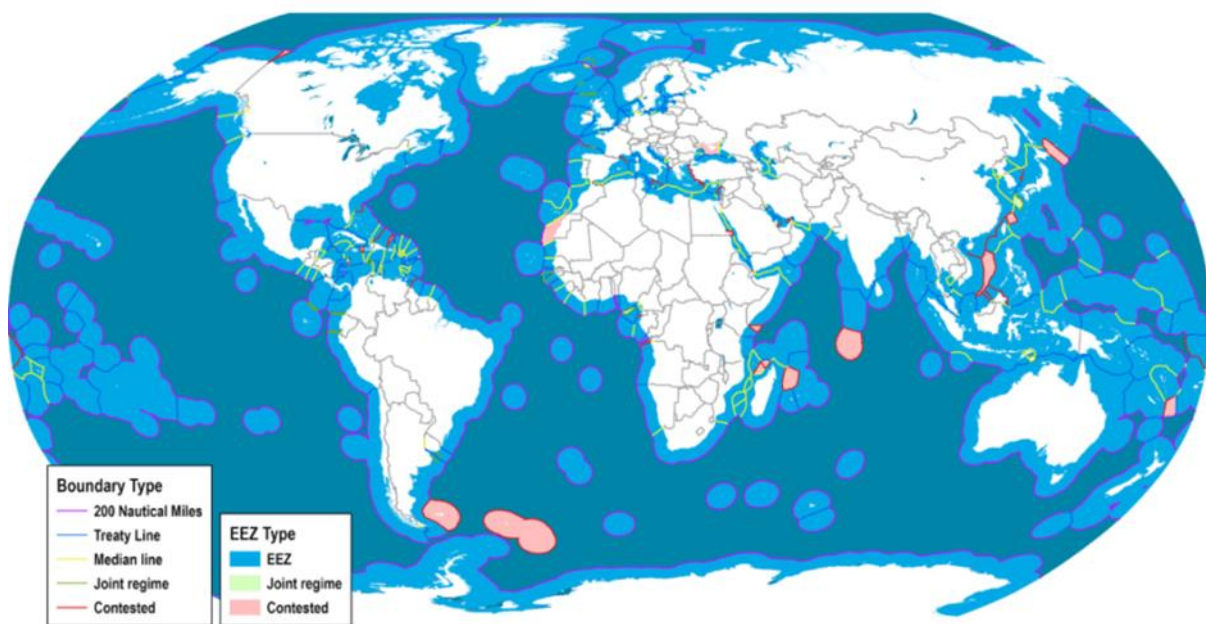


Figure 6: Map of exclusive economic zones. (Transport geography, 2021)

UNCLOS allows sovereign states to capture ground rent as a portion of the future surplus value extracted by fishing capital, giving way to a privatisation of marine resources which had previously been freely fished by fishers around the world. To explain how this happens, it is pertinent to outline the rationale that economists have often used to justify the privatisation of marine spaces. Once considered “common good”, free access to marine resources was most notably critiqued by Gordon (1954) and Hardin (1968). Gordon’s orthodoxy takes issue with the notion that open access to fisheries yields no economic rent as he states that “fish left uncaught have no value to the fisher because they can be caught by another” (in Campling and Havice, 2014: 709). Meanwhile, Hardin’s *Tragedy of the Commons* thesis suggests that the absence of private property rights and state regulations leads to the exploitation of common

resources; in this case, the depletion of fish stocks. Both ideas form the foundation of the classical economics rationale for the introduction of individual transferable quotas (ITQs) in fisheries and, more recently, the introduction of some environmental protections, such as Marine Protected Areas (MPAs). ITQs are permits distributed by governments which allow individuals to “catch or transfer a certain portion of total allowable catch (TAC)” (Pinkerton and Edwards 2009: 707). According to resource economics, ITQs are thought to remove the least efficient actors from fisheries, allowing the ownership of quotas to concentrate with the most “efficient” fishers (Cardwell and Gear, 2013). Carothers and Chambers (2017: 29) aptly summarise how this is thought to work:

"The primary justification behind the implementation of privatization schemes is therefore to reduce over-capitalization by making the right to fish a private commodity so that less efficient fishermen sell out of the system, theoretically resulting in a more economically-efficient fishery".

In the field of marine social research, however, privatization of fishing quotas has been widely critiqued, namely for having its basis in economic theory as opposed to social reality. To emphasise this divide, Cardwell (2015) draws on Judith Butler’s (1999) theory on performativity. She critiques ITQs for leading to economic performativity whereby the theoretical and explanatory economic frameworks are “illocutionary acts” (Austin 1962 in Cardwell, 2015: 705). This asserts that the ITQ framework proposed by economists using theoretical justifications does not so much describe reality, but rather creates a reality in which a limit in the form of quotas is deemed necessary to maintain stability in fisheries. As economists are often considered to be the experts in this context, they are trusted with authority when it comes to setting policy norms, while social (and environmental, political, cultural) implications of these decisions are too often neglected. Cardwell and Gear (2013: 161) specifically apply this to the case of UK fisheries, critiquing the dominant neoliberal approaches to fisheries management which prioritises economic gains over negative social consequences.

Expanding on these themes, Carothers and Chambers (2012) outline how theoretical economics have been used to justify the need for fisheries privatization and emphasise the critique of “tragedy of the commons” narratives prevalent in fisheries management. In their work, privatisation is defined as a set of “processes that increase the level of private allocation of, and control over, public resources” (p39). In fisheries, these often include increased marketisation,

commodification of access to fish and the development of new mechanisms for monetary exchange of fishing rights between individuals (see also Bonzon et al, 2010). They include case studies from Iceland, New Zealand, the UK and Alaska to show the effects of ITQs on fishing communities, demonstrating that fisheries privatisation has led to the exclusion of indigenous and small-scale fishers. They also refer to a few alternatives, such as Iceland's coastal fisheries arrangement where small, subsistence-scale fishers are exempt from the quota system. Their key assertion, which I wish to underline to contextualise the empirical context of this research, is that the introduction of ITQs is a consistent step taken by governments to profit from maritime enclosure and at once a most disputed practice among fishers and economists alike (Helgason and Palsson, 1998), as it raises questions around equity, human rights, and the environment.

Campling and Havice (2014) outline how issues surrounding privatisation of fisheries have contributed to the general fisheries crisis. Their historical materialist perspective challenges Gordon's and Hardin's theses. Through emphasising the role of states and the importance of politico-ecological contexts for decision-making they argue that:

"As on land, property in the sea is a site of social struggle and will always remain so under capitalism, no matter which juridical interest holds the property rights"
(Campling and Havice, 2014: 707).

Furthering the critique, Appleby et al (2018) outline the human rights issues in the establishment of fishing rights as private property (on the case study of ITQs in the UK). Specifically, they demonstrate the "legislative lock-in" posed by the present situation and recommend that future actors looking to implement transferable quotas should carefully consider their legal frameworks as they have long-term implications for individual livelihoods and rural communities. ITQs lead to a privatisation of public resources which is very difficult to legally challenge.

On a more practical level, Clausen and Clark (2008: 96) argue that technological developments and the transformation of property rights under the neoliberal framework resulted in a massive growth in extraction of marine resources and "an intensified social metabolism organized for the pursuit of profit" (p99). This produced changes in labour relations on global and local levels. McCall Howard (2017) draws parallels between the privatisation of marine areas and resources and the processes of landed enclosures in the case of Scotland. During her fieldwork,

participants compared a proposal to create a marine national park with highland clearances as it removes the presence of working humans from the sea. Both the establishment of marine protected areas and the commodification of fish stocks through ITQs are processes which enact the enclosure of marine space; they are routes through which marine areas are “made more profitable, and through which people [are] forced to become occupational specialists (fishers) and participate in a cash economy” (p19). These processes of privatization are often justified and popularised in the eyes of the wider public for environmental reasons as ITQs are seen to limit marine resource depletion while MPAs represent area conservation. At once, the economic and environmental justifications of ITQs and MPAs often mean that further public scrutiny and the search for potential alternatives are avoided

3.5.2. Blue growth

The need for economic growth is often evoked to justify privatisation of marine resources. The economic potential of maritime spaces – for food, energy, tourism, minerals – is recognised by governments and private companies alike as they seek to secure ways to profit from these resources. This section considers the blue growth narratives which arise from these ideas leading into the subsequent section which discusses arguments for blue justice which are created in direct or indirect response to blue growth.

Ertor and Hadjimichael (2019) call for a reinvigorated discussion on the politics of the sea as they state that current trends centre on the oceans as “a new economic and epistemological frontier” (p3). This trend is often termed “blue growth” – explicitly alluding to “green growth” and thus evoking an arguably flawed association with sustainability. It is pushed by different state and international actors (United Nations, the World Bank, the EU) and perpetuated by the increasing demands of the global market. Oceans are perceived as invaluable and inexhaustible assets to the global economy. This idea has propelled aquaculture developments and narratives which understand the oceans as crucial sites for economic growth. The European Commission defines Blue Growth as:

“[...] the long term strategy to support sustainable growth in the marine and maritime sectors as a whole” and sees the “seas and oceans as drivers for the European economy with great potential for innovation and growth” (European Commission 2019).

Other international bodies provide similar definitions, but their focus varies from emphases on sustainability or food security to the seas' almost unlimited potential for providing economic prosperity. There are apparent differences between different regions/actors on which sector growth they seek to promote. For instance, the World Bank and the EU emphasise the potential of the oceans for varied economic activities, while the Asia and Pacific Blue Growth narratives specifically emphasise their potential for fisheries and aquaculture (Ertor and Hadjimichael, 2019). Blue growth itself is not a focus in this thesis, but it is useful to contextualise how prominent these narratives are in global economic political and environmental discourses, promoted by powerful actors on the global stage. Meanwhile the critical approaches to sustainability of fisheries, or those concerned with labour issues are scarce and often forced to operate with these dominant terms if they want to be heard and impactful.

Chambers and Carothers (2017) outline the experiences and opinions of Icelandic small boat fishermen with ITQ systems. Their research shows that proponents of the ITQ system often fail to consider the cultural, historical and other non-monetary importance of small-boat fishers in Iceland and the blanket dissatisfaction among quota holders and non-quota fishers with the cost and access barriers to fisheries. Furthermore, Einarsson's (2012) research shows how the fraught relationship between fishers and the Icelandic government unveiled allegations of human rights breaches caused by fisheries privatization in Iceland in light of the economic collapse of 2008. Donkersloot et al (2020) provide a critique of fisheries privatisation and increased nonlocal ownership of fishing rights from community economy perspective with emphasis on how privatization has negatively impacted rural indigenous communities in Bristol Bay, Alaska. They are particularly effective in challenging the assumption that fishers are "dis-embedded, profit maximizing, self-interested actors that do not fit well with small-scale, rural, and Indigenous fisheries" (p1). Rather, they demonstrate the importance of social interdependencies in rural communities, as a counter to the "rational" economic assumptions of fishers as individual economic actors which dominate top-down resource allocations. To address these concerns, knowledge sharing and participation of fishers in decision making processes are crucial for both practical and governing reasons, to increase the trust of fishers themselves in the management system (Chambers and Carothers, 2017).

Both St Martin (2007) and McCall Howard (2017) emphasise that changes dictated by top-down actors (with little input from fishers) fail to address the increasingly difficult situation in the industry – high expenses and a more intense labour process due to overfishing which makes

jobs in fisheries undesirable relative to other maritime work. These issues, in turn, force a change in relationships between skippers, boat owners, deckhands and local communities. St Martin (2007) returns to the process of maritime enclosure, arguing that it is somewhat delayed behind land enclosures due to the difficulties of appropriating the oceanic space (see also Steinberg, 2001). He draws on Davis (1996: 528) to highlight a key transformation which led to fishing for livelihood becoming fishing for accumulation and profit which significantly alters community relations and the hierarchy within the industry and within fishing communities. For instance, Cardwell (2015) describes how the division of quotas and their subsequent rise in cost has halted the inclusion of young people in the UK into the fishing industry as there is little prospect for progression (deckhand – skipper – owner). This can lead to emigration from fishing communities and to complicated hierarchical relations within the community/within a fleet as they become heavily influenced by historical quota allocations. As demonstrated by St Martin (2007), this has led to an increase of employment of agency-hired migrant fishers and a change in remuneration practices as agency workers are paid by wages rather than shares.

3.5.3. Fisheries justice

The previous section unpacked the implications of blue growth narratives and provided a brief synthesis of the most pressing recent and historical developments in fisheries which lead to social and environmental injustices. I will now focus on these environmental and social consequences of maritime enclosure to show how fisheries researchers have explored ideas of justice in relation to local and global power relations arising from marine resource privatisation.

These concepts which draw on broader literature on environmental justice, are still somewhat underdeveloped when it comes to fisheries and have only been applied a handful of case studies. Bogasdottir (2019) provides an interesting environmental justice account of Faroe Islands, where fish products present 90-98% of export value. She analyses some common issues related to the increase of aquaculture (mostly salmon farming) which is replacing traditional fisheries in the Faroes within the context of blue growth narratives which have encouraged the islands' economy to capitalise on their marine resources. Several environmental justice issues arise. Firstly, those related to accessing harbour and marine areas due to the privatisation of these spaces. For example, large-scale production enabled through the development of new technologies and the intensification of resource extraction have caused a loss of livelihoods for other locals who rely on the marine space for their work (namely lobster

fishers). Then, the harmful effects of the exposure to pollution which is produced by large amounts of waste released near the coasts and into sounds between the islands, affects the ecosystem and living conditions of local populations (smell, water pollution) who do not directly reap significant benefits from these industries. This is further highlighted as wealth is accumulated by the most successful companies; the number of salmon farming companies has shrunk from 50 to 3 in 35 years while the profits for the most successful of these companies grow. Bogasdottir (2019) suggests blue degrowth as a possible framework for achieving a more just and sustainable island economy.

Bogasdottir's (2019) study is representative of others in that the privatisation of maritime spaces brings about injustices in terms of access to marine spaces and resources as well as the unequal exposure to pollution and risk perpetuated by aquaculture and fishing. This has led to a rise in critical literature calling for "blue justice". Mills (2015) provides a useful introduction to the principles of fisheries justice regarding global marine resources through her study of small-scale fishers in South Africa. She turns to the established concepts of resource justice, environmental justice and climate justice which inform her understanding of how the neoliberalisation of fisheries and aquaculture sectors, combined with strategies developed to combat climate change and marine resource decline (blue carbon and fishing quotas), exclude small-scale fishers from maritime spaces. Her conceptualisation of this exclusion is useful as it indicates that fishers are separated not only from the resources but also from each other because of increasing competition and conflicts within the sector.

At this point we can draw parallels between Mills' (2015) accounts of exclusion and Marx' (1959 [1844]) alienation of labour. This concept refers to the estrangement of workers from the product of their labour, the labour process, the species-being, and each other. Throughout her book, McCall Howard (2017) demonstrates how fishers are exposed to all these forms of alienation. Accompanying Mills' (2015) examples, she also outlines how changes in boat ownership alienate fishers from control over the working process (p195), while the alienation from species being comes from fishers no longer working for themselves – realising their own purpose – but that of their employers: "It is never his product at all; he is merely the instrument of its production. In a word, it is alien to him" (Schacht 1970: 85, in McCall Howard, 2017: 44). The process of material metabolism (appropriation of nature through labour which here leads to commodifying nature, e.g. fish) is inseparable from the alienation of human beings from nature (Foster, 2000: 72). This notion is usually applied to the separation between town

and country, but McCall Howard (2017: 44) builds on Foster's (2000) argument to show how the alienation of human labour is a key disruption of the relationship between humans and their natural environment:

"Of course people still relate to their environment in capitalism, but they lose significant control of these relations – at the same time as the potential scale of the changes they can effect in their environments is massively increased."

All these forms of alienation tie in closely with other accounts of fisheries injustices. This sense of estrangement can cause fishers to abandon their trade and skills, leave their communities, work hard under risky conditions (losing limbs, lives, or digits) for low wages without benefiting from the profits they help to accumulate and still struggle for their livelihoods.

By examining the consequences of marine protected areas and fisheries quotas, which alienates fishers from areas they had traditionally fished in, Symes and Phillipson (2009) begin to unpack the relationships between environmental and social factors in fisheries regulations. They argue that social objectives are neglected in Western fisheries management and policy due to the neoliberalisation of the industry; the transfer of governance from national to international actors; and the prioritisation of sustainability of the resources. They state that economic and social objectives of fisheries are incompatible and have led to prioritising inter-generational justice over intra-generational equity. Here they are referring to the customary distribution of fishing quotas based on historical catch records which often mean that fishing rights are more difficult to obtain for those whose families have traditionally not been granted quotas, leading many young people to leave rural fishing communities. They suggest that achieving true sustainability (on environmental, social and economic levels), social circumstances must be considered more than they presently are, namely the long-term sustainability of fishing communities. Like Mills (2015), they emphasise the support needed for small scale fishers in the artisanal sector.

In line with Mills' (2015) findings, Bennet et al's (2020) working paper provides a comprehensive overview of blue justice issues having undertaken a review of case studies from across the world. They characterise 10 broad fields of injustice which include access to resources; exclusion from decision-making and governance; as well as environmental degradation and human rights abuse. In response to these, Mills suggests that alternatives should focus on achieving food sovereignty for the most vulnerable and resolving the conflicts

over resources through encouraging transnational fisher movements which could also address global climate and food politics. In line with Mills' findings, McClanahan et al (2015) state that some of the most pressing issues facing the sector are weak access to property rights, illegal fishing and other illegal maritime activities, and climate change. Their critique encourages a critical approach to blue growth stating that:

"Achieving "blue justice" may require a substantial change to ocean governance, a rethinking of our fundamental assumptions regarding development, a reimagining of novel or alternative development models of development, or a paradigm shift regarding the need for growth" (McClanahan et al, 2015:12).

Mills' (2015), Bennet et al's (2020) and McClanahan et al's (2015) accounts are comprehensive in outlining key injustices facing the sector and reflecting on the consequences of environmental and social changes. Their papers touch upon the need to establish fairer access to resources for fishers, but it is useful to integrate them with broader economic and social injustices brought about by alienation of labour and the alienation of humans from nature. Without this contextualisation, solutions which push for sustainability, food security, and justice can fall short of providing and addressing the explanatory framework for how these injustices came to be.

Something to consider, and perhaps contest, within the themes of justice and alienation, is the idea presented by Carothers and Chambers (2012) that the increase of non-local fishers, alongside the increase of corporate ownership of ITQs by onshore firms, means that there is less care about the sustainability of local marine environments:

"The rural-to-urban migration of ITQs also demands attention. Those individuals who reside in coastal communities, who may well be more concerned about the long-term health of their marine ecosystems than those nonlocals who migrate in and out only for commercial fishing, are often dispossessed of fishing rights after resource privatization" (Carothers and Chambers, 2012: 43-44).

The supposition here is that migrants (urban-rural, or international) might not be as attached to the local environment and thus less concerned with long term sustainability of their work environment. McCall Howard's point (2017) that waged migrant workers in particular are prepared to "risk it all" in the process of fishing for ever-scarcer resources could be

theoretically linked to the case of these migrant fishers having less attachment and less of a sense of care and belonging to places where they fish. This relationship is based on assumptions which fail to consider how powerless deckhands are in relation to where/how much they fish.

This can be further connected to contentions around Fisheries Access Agreements which allow boats to essentially pay for the right to fish in foreign fisheries (usually wealthier states pay for access to fisheries in economically developing countries). Nolan (2019) considers human rights issues arising from EU and Chinese fleets' access to Ghanaian fisheries. He uses the concept of "commodity frontiers" to define Ghanaian fisheries where foreign vessels enter fishing grounds and are allowed to fish there through access agreements to make up for overfishing in European waters. The development of commodity frontiers is a process of capitalist expansion which, in this case, serves to give foreign actors access to places with an abundance of resources and cheap labour. Specifically, Nolan (2019) argues that due to these practices by foreign vessels, local small-scale fishers have had to resort to more labour intensive and unsustainable fishing methods to survive and provide for their families and local communities. Many are then also employed for low wages on these foreign vessels, fishing for export. Essentially, this is an issue of justice on the global scale. Ilincky (2007), for instance, looks at EU fisheries access agreements off the coast of West Africa. He casts EU's practices as hypocritical, neo-colonial, unsustainable and in breach of international law and European policy, urging a change in policy and practice. Moore (2000) shows that these processes have negative political, ecological, and economic consequences as both local residents and local natural resources are appropriated for foreign profits. Indeed, on the case of Ghanaian small-scale fisheries, Nolan (2019: 1) emphasises that the presence of foreign fishing vessels disproportionately affects the most vulnerable members of the community "compounding existing vulnerabilities that arise through gender and class".

This leads to a similar discussion as one raised by Carothers and Chambers (2012). The implications of some of the narratives surrounding fisheries access agreements would suggest that fishing by foreign crews through foreign-owned companies leads to more resource depletion as these crews do not need to rely on the long-term sustainability of the area. This opens some interesting but sensitive questions which should steer away from placing the blame on individual fishers. Indeed, as Cardwell and Gear (2013) indicate, it is more pertinent to critique the major onshore companies seeking to profit from the exploitation of both workers and marine resources.

3.5.4. Exploitation of labour and the environment

In his work on seapower, Germond (2022: 49) argues that the idea of the sea as an empty space normalises the free flow of goods and freedom across a smooth space, but also makes it a space that is at the same time “exploited and supporting exploitation”. According to McClanahan et al (2015) fisheries employ around 260 million people globally. As indicated earlier, there is evidence and documentation which point towards widespread poor working conditions across the sector, including increasing instances of labour exploitation. This section focuses on the experiences of workers in the industry and unpacks how issues of environmental degradation (due to overfishing) might be directly related to labour exploitation.

Decker Sparks and Hasche (2019) provide a theoretical account of potential reasons for a bidirectional relationship between forced labour and environmental decline in marine fisheries. Recognising the difficulties of accessing primary data from fishers in unfree labour relations, they use a few different theories to develop an explanatory framework for the relationship between the two. Broadly speaking, they suggest that as fisheries resources deplete, fishers are pushed to fish in more remote areas (which are more expensive to access) and work more intensely (longer hours, using more expensive equipment). At the same time, the instances of labour exploitation become more frequent with more fishers employed in conditions which could be characterised as on a continuum of exploitation (Lewis et al, 2015) – work long hours in unsafe conditions, forced to take risks, for low wages. They suggest that the specificities of these conditions differ based on cultural, geographical and regulatory contexts; they play out differently depending on their geographic location, in different sectors of the fishing industry, and depending on workers’ status, but maintain that there is a relationship whereby the two conditions perpetuate one another. This is summarised by Decker, Sparks and Hasche (2019) through the following pathway:

1. Decreased profits increase demand for cheap labour.
2. Increased demand for cheap labour increases forced labour exploitation.
3. Increased forced labour exploitation increases profits.
4. Increased profit increases effort.
5. Increased effort decreases fish stocks.

They recommend further empirical research on the topic, which they anticipate would be difficult to undertake since exploitative labour practices tend to be hidden and happen in remote

offshore areas. Their contribution is very helpful, but as a framework it tends to simplify the complex interpersonal and labour relations which create the unfree conditions. While they attempt to contextualise their argument geographically and culturally, they do not really engage with the market forces which serve as the backdrop to the framework – instead, they sometimes tend to place blame on employers/boat owners – at one point casting them as slave owners.

McCall Howard (2017) provides a more comprehensive empirical insight into the employment relations in Scottish fisheries and is perhaps a useful counterpoint to Decker Sparks and Hasche. As previously outlined, her work is a product of over a year of sustained ethnographic fieldwork during which she spent a total of 80 days working as a fisher herself. She implies that environmental depletion in the fisheries ecosystems may be related to the intensification of labour and changes in fisheries governance. Her argument highlights the contradictions whereby fishers' work is regarded as productive in the eyes of the market and as destructive in the eyes of international/state actors. In that sense she hesitates to put the blame on boat owners; while she critiques them for making choices such as buying expensive navigation equipment rather than a toilet for the crew, she also recognises that the conditions of fisheries are a product of systemic violence which benefits the “smooth functioning” of capitalist political and economic systems:

“There is no point in vilifying individual boat owners for being ‘greedy’. They were responding to the logic of a market which they relied on, which they needed to compete in, and over which they had no control” (McCall Howard, 2017: 164).

Employers are a part of that structure, but ultimately it is the decline in fish prices on the global market and the pressures under quota systems which are designed to only enable some fishers to succeed and imposes the present state of the relationship between power, risk and reward between different actors in the sector. To fully understand these relationships, she argues, it is essential to look at the broader political economy, rather than focus on individual aspects of the fisheries system. I found her analysis of risk particularly interesting; in order to increase profits, boat owners talk of hiring migrant workers who are willing to work harder and put their bodies at more risk for lower wages. Concurrently, those same market conditions and low catch value can force skippers and boat owners to cut costs on boat maintenance, often causing deathly accidents. Indeed, fishers are exposed to an enormous risk:

“UK fishing boat crew are 115 times more likely to die at work than the average UK worker, 24 times more likely to be killed even than those working in the dangerous construction industry (Roberts and Williams 2007). Filipino and Eastern European crew have a death rate over three times higher” (McCall Howard, 2017: 192).

She makes a pertinent point that “the ideology of nature” (p183) naturalises deaths at sea, constructing fishers as irresponsible and the sea itself as dangerous, while her interviews with the crew demonstrate that they are often a tragic consequence of fishers being forced to work in increasingly risky conditions.

Emerging literature on the increasing incidences of crime entangled across global fisheries further explores the different notions of risk that those employed in the industry are exposed to. Vandergeest et al (2017) reflect on their research with (mostly) migrant fishers in Thailand where many NGOs and intergovernmental bodies have been responding to practices of modern slavery. They highlight some common issues and responses (e.g. UK Modern Slavery Act of 2015, campaigns by EU supermarkets to guarantee no slave labour in fish supply chains) and critique some tropes of these campaigns (e.g. to use only the worst examples and label work practices as “slavery” or “trafficking”). They emphasise the need to examine the sector as a whole and provide comprehensive guidance on how governance might go beyond just interrupting the chains of production and stop practices of unfree labour but also provide guidance on possible in-depth solutions, including how to follow-up on “freed” workers. Further to this, Witbooi (2020) discusses how organised crime in fisheries threatens sustainable ocean economies. He states that forced labour – “work or services exacted from a person under the threat of a penalty and for which the person did not offer himself or herself voluntarily” (p64) – has permeated the sector globally. He presents some recent examples of crime, including illegal fishing activities and labour exploitation, which received media attention and emphasises the roles of recruitment agencies and the internationalisation of recruitment chains in facilitating these malpractices – for example:

“In 2016, a foreign network operating out of north Norway in the Barents Sea crab fisheries was identified as making use of forced labour; allegedly a Seychelles recruitment agency, together with Norwegian port agents, facilitated the smuggling of migrant fishers from Indonesia to Norway.” (Witbooi, 2020:

4)

They suggest that the aim of most illegal activity is ultimately to “cut costs and boost profits” (p4) and argue that this human rights issue is to an extent self-perpetuating as more and more companies are forced to breach employment regulations in their efforts to remain competitive. They indicate that this and other criminal activities are bad for sustainability but do not directly outline the relationship – i.e. their proposed solution is to encourage international cooperation and further regulation of the sector (prioritising the need to increase sustainability) and does not address the problems of employment practices across the sector. In this sense, literature which focuses on the “crime” aspect of fisheries is useful for providing accounts from across the world but tends to simplify the relationships (e.g. between crime and sustainability). Thus, it provides simplified solutions which do not address the root causes of the systemic nature of the problems facing the workers and marine ecosystems involved in global fisheries.

3.5.5. Future imaginaries

Finally, I would like to briefly present some literature concerned with critiques of present conditions which imagine alternative futures for the fisheries sector and beyond. At this point, it is worth returning to St Martin (2007) who underlines that it is difficult to imagine a quick and realistic transition to more sustainable and just practices under present conditions which would not be seen as archaic, “deficient”, or idealistic. Nonetheless, his article demonstrates how fisheries operated under non-capitalist conditions relatively recently, with a more just division of profit and risk. He suggests that the barriers which prevented fisheries from joining the capitalist economy in the first place might be used as foundations in imagining an alternative economy:

“Rather than vestiges to be swept away by enclosure and a capitalist becoming, the unique characteristics of fisheries economies, which are found throughout the world and represent the conditions under which millions of people labor, might become the conditions of existence of alternative economic futures” (St Martin, 2007: 533).

He later states that these alternatives include non-hierarchical forms of remuneration, an ethic of sharing, a transparent distribution of surpluses, and an economy centred on community wellbeing. Cardwell and Gear (2013) use the Shetland island of Whalsay as a case study as they employ a traditional (yet diminishing) way of vessel ownership. They provide a thorough analysis of ownership structures and predict an increase in onshore ownership of the pelagic fleet (and decrease in shared crew ownership) due to the approaching retirement of fishers who

were initially allocated quotas, as the value of quotas is so high that locals are not able to purchase them. Through an analysis of individual pelagic vessels and incremental changes in the organisational structure of Whalsay fisheries and through interviews with fishers they highlight the benefits of crew ownership. It is thought to lead to increased care for and familiarity with the boat and subsequent safer working conditions, fairer wage distributions, and support for the local economy (other work surrounding fishing is more likely to stay local as opposed to being outsourced). Donkersloot et al (2020) also emphasise the interdependency of rural communities in their critique of ITQs and suggest an increased implementation of Community Development Quotas and more support for fisheries cooperatives. Mansfield (2007) and Bresnihan (2019) critically reflect on community management strategies as they – under the guise of bottom-up management – nonetheless reproduce similar conditions to other neoliberal forms of fisheries governance, specifically the same property regimes (e.g. they still rely on quota distribution).

Broader critiques of blue growth narratives presented at the beginning of this review, have sparked extensive debates within Critical Marine Social Science. Ertor and Hadjimichael (2019: 3) suggest that even when blue growth discussions are critical and promote sustainability, they “begin with a presumption and acceptance of the economic growth imperative”. St Martin, at times, comes to fault here when he suggests that any possible alternatives to the present situation would be “deficient” (emphasising that they would not reap as much profit). To counter this narrative, Ertor and Hadjimichael (2019, see also Hadjimichael, 2018) encourage a more radical and critical discussion about the future of the oceans, to challenge “the present growth-oriented imaginary” (p3). They acknowledge the common critique of de-growth agendas – that it is a utopian idea – and respond to this by arguing that the need for degrowth is so strong that over 200 top scientist from across Europe signed an open letter addressed to the European Parliament entitled “Europe, It’s Time to End the Growth Dependency” (Research and Degrowth 2018; The Guardian 2018). Alternative futures are therefore called for by experts on an international level, often justified by evidence of environmental decline. At once, better working conditions must be prioritised in this process. When be imagined by individual workers, they often intrinsically include positive changes to the way their labour relates to nature.

This section has focused on the intersection between various disciplinary approaches to global fisheries. Outlining the contradictions between market-driven growth narratives on the one

hand and ecosystem decline and labour exploitation and environmental injustices on the other; it presented some pertinent current literature and case studies alongside theoretical explanatory frameworks. The relationships between environmental and labour injustices work both ways and are difficult to disentangle – further empirical research is needed to more fully understand the relationships between and within the two sides. McCall Howard's (2017) research is particularly useful as it provides an empathetic account of actors across the sector as they are caught in contradictions between the labour and the environment, working so close to nature but are often seen as some of its most prominent “destructors”. Case studies from across the world are excellent at presenting the common injustices within the fisheries sector while proposed solutions are often incremental (see Bresnihan, 2019) and often appear unattainable amid present conditions.

3.6. Conclusion

In this chapter I presented an overview of literature on labour migration and precarity, on marine instability, and on key labour and environment issues facing fisheries. Bringing together this set of conversations through the conceptual framework developed early in this chapter is a key contribution of this thesis. By drawing on historical and new materialisms, the framework highlighted how precarity, insecurity and instability characterise relationships between migrant fishers, the environment and the political and economic structures involved in regulating the industry. Influenced by the work of Penny McCall Howard (2017), the framework underscores the impact of environmental changes on the livelihood of fishers. While her writing discusses the issues of labour, the environment and broader pressures on fisheries under capitalism, it was based on fieldwork which took place over a decade ago and therefore does not account for the more recent developments of Brexit, nor does it discuss the status of migrant workers in Scottish fisheries. Moreover, while discussions of Racial capitalism and bordering practices (Robinson, 1983; El-Enany, 2020) are crucial to understanding the exploitation of migrant workers in the fishing industry, these literatures often fail to fully integrate the environmental and maritime dimensions of labour. At once, Peters and Steinberg's literature on geographies of the sea offers a promising way forward, but remains somewhat isolated from broader discourses on labour and migration. Finally, the growing interest in blue justice and environmental concerns in fisheries management offers a vital opportunity to rethink the relationships between the human and the non-human at sea. However, much of the literature

focuses on environmental conservation or ecological impacts without fully considering how these policies intersect with the socio-political realities of migrant fishers. These gaps in literature regarding the intersection of environmental justice issues and precarity of migrant workers, especially in the context of Scotland are addressed throughout the rest of thesis. Before moving on to the analysis of the empirical material, I now move to a Chapter on methodology, which outlines how I approached the empirical context and collected the data discussed through the empirical chapters.

Chapter 4

Methodology

4.1. Introduction

“How does one present fieldwork so that it highlights rather than hides the process of obtaining information? How does one fathom the other’s point of view? How does one tell the other’s stories when they conflict with one’s own?” (Naeem Inayatullah, 2013: p ix)

These questions are posed in the foreword to the *Politics of Exile*, Elizabeth Dauphinee’s auto-ethnographic account of a crucial encounter years into her research of the Bosnian war. A man who responds to her call for a proof-reader challenges all her assumptions and a career’s worth of publications. The questions posed in the foreword are comprehensively – if indirectly – addressed through a transparent narrative account of the author’s reflexive process. My first independent research project looked at urbicide in Sarajevo, so her challenges rang familiar, but as someone who grew up in the Balkans and is fluent in the language, I felt I had more innate insight into the complexity of political and social tensions. I am not Bosnian, but some insights that she found revelatory, were part of my cultural and social knowledge absorbed by growing up in the region. Understanding both her experience as an outsider in that field on the one hand, and knowing people like the man she encounters from my childhood on the other, was a helpful entry point for developing considerations in researching a contentious and complex topic where I am the outsider. Her honesty and transparency in relation to the process of gaining familiarity with this specific topic was immeasurably helpful in developing my own reflexive practice in researching a very different context.

Scottish fishing communities and the fishing industry were rather new to me before I began my research masters in 2019. I felt that I lacked an innate understanding of the field which meant that I did not approach the project with a pre-set theoretical, epistemological or ontological base. In qualitative and explorative research, this perhaps should be developed over the long-term course of the process, but I was thrown by how the foundations of my understanding shifted continuously in completely opposing directions – from interview to interview, from each supervision to every field visit. While this happened less later in course of the fieldwork,

as conversations with participants started to point towards a shared array of experiences and opinions, Dauphinee's writing reminds me that I am always just a chance encounter away from having the carpet of my theoretical frameworks and empirical understanding pulled from under my feet.

In this chapter I outline how the project developed and justify the methodological choices taken in the process. I begin with a section on positionality and a reflection on the key ethical issues encountered in the research process; how have my own experiences and identity shaped the project and how does this acknowledgement of my own subjectivity interact with the posed questions on policy-relevance. I outline how the oppositional forces between methodological aspirations, ethical ideals, and practical constraints shaped the project, its scope, results, and potential impact. This leads to a discussion of the research approach, focused on the epistemological considerations brought on by these questions. In the final two sections I outline how changing priorities and new perspectives gained with each encounter, challenges in navigating between participant's subjective experiences, practical restrictions including access, recruitment, and the challenges associated with the Covid pandemic, affected the methods used to fulfil the project's objectives. The final section also provides a more practical description of the fieldwork, recruitment, and methods used to collect and analyse the empirical materials which informed the discussion in the subsequent three chapters.

4.2. Positionality

In this section I respond to the calls of feminist scholars who have long emphasised the importance of a reflective research practice (Rose, 1997). While I include considerations related to how different facets of my identity – female, student, white, non-British/Scottish – affected my interactions during fieldwork, I wish to avoid thinking only through these categories. Referring to them as “the small ‘p’ positionality issues”, Hitchings and Latham (2019: 393) ask geographers to consider how more minute in-the moment aspects of research interactions influence how research participants perceive the researcher and how they subsequently respond to our questions. There are countless possible reflections about how who I am and where I am coming from has affected the research process, and even more reflections to be made about the intricacies of every single field encounter. Here, I choose to focus on three key themes related to P/positionality which were the most prominent in my research diary, and challenges which most frequently arose in supervisions and in reflections with colleagues. I

begin by delineating how my own background has led me to undertake this project and outline my position as a relative outsider to this field. Then, I discuss the notable methodological challenges of researching fisheries, including the real and perceived fieldwork safety concerns, research in male-dominated spaces, and the reported apathy of fishing communities to researchers and policy. I conclude by critically reflecting on my position as a researcher working collaboratively with the Scottish Government.

4.2.1. Personal experiences

Throughout the fieldwork, one question seemed to constantly hang in the air, especially when I was speaking to fishers: why would a young female student who is not from Scotland have an interest in Scottish fisheries?

I always had a research interest in islands, geographies of the sea, and a sense of care for rural island communities. My dad's family are from Cres, a coastal town on the island of Cres in Croatia. My great grandfather worked as a fisher and my grandfather is a subsistence fisher whose primary work was in shipbuilding. I grew up hearing stories from fishing outings and eating freshly caught fish prepared by my grandmother. A few times a year I would even be persuaded to go fishing on our family fishing boat. Despite my own personal reasons for seeing the connections between myself and the research topic, I was perceived as an outsider to most people I spoke to. It is also how I saw myself. I spent most of my holidays on Cres as a child, but the rest of the time I grew up in a city, so I never considered myself to be a member of a fishing community. While I would never attempt to disguise this outsider status, doing fieldwork in Scotland it felt like my name and lack of a Scottish accent drew attention in even the most minute interactions I found myself in during the research process and in the quiet towns I visited. It seemed like this sometimes made my interlocutors careful about how they expressed themselves – either by toning down their accents, going out of their way to explain parts of their culture, or skirting around certain topics (e.g. Brexit). Sometimes they expressed scepticism and distrust, and at times it seemed that they thought they could easily influence my thinking by imprinting their opinions on someone they painted for themselves as an uncritical listener. From my own side, I was trying to balance being a sympathetic listener who considers everyone's point of view as a valid perspective but resist the feeling that my views were being manipulated. Being an outsider meant that it was difficult to establish who to trust – for me and for participants – making an awkward dance out of interactions where we were all trying to

guess each other's 'takes' and intentions to determine what could be shared and how to interpret it.

I found myself emphasising certain facets of my Positionality depending on the situation, in an effort to either appear more relatable or more professional to my interlocutor. Especially when speaking to figures I perceived as authoritative, or in positions of power, I noticed that I code-switched and played up my professionalism. Literature on interviewing elites suggests that researchers might lean into certain aspects of their positionality - Mikecz (2012) highlights that being knowledgeable about the interviewees past and interests can be fruitful for establishing a rapport. Especially in informal interviews there tends to be a spark in the discussion when a common point of interest or experience is identified. When speaking to fishers, I noticed a change in their demeanour when I mentioned my family background with fishing, and it often turned the interview in a direction where they would not just answer my questions, but also express interest in how things were developing in Croatia. Ross (2015: 321) argues that the fishing community is not bound through a shared geographic location but held together by collective feelings of attachment to others that include shared grief and empathy for people lost to the sea and positive fishing identities. She also recognises that the fishing 'community' is framed and reinforced in relation to the perceived external threats of fisheries management, fisheries science, and the wider public (further discussed in Chapter 7). This would inevitably lead me to feel like an impostor. Firstly, because, as a researcher, I fit squarely into the definition of these perceived threats, and secondly, because the amount of time spent on the island has declined steadily as I grew older, so I was only able to respond to their questions with a limited range of anecdotes I had collected over my childhood. I did not feel like an authentic enough member of a fishing community to speak with any authority. Nonetheless, I would bring up the challenges I knew my grandfather faced in navigating new EU regulations and his opinions on what he thought were nonsensical rules which were logistically challenging to follow. This often made the conversations feel less extractive; showing sympathy and understanding for their struggles seemed to put participants at ease. My intention when sharing those was to communicate that I have a level of sympathy towards the issues they are facing, but I did not want to pretend that I understood most of their struggles and views. As Hall (2015: 308) puts it, "although I was 'in it', I was not necessarily [or at all] 'of it'."

My own experience being a migrant in the UK played out somewhat similarly. I moved to Scotland eight years ago to attend university. I do not have a Scottish accent or Scottish family,

and to anyone who speaks to me I sound apparently not-Scottish and/or British. Despite this, I do not often think of myself as an immigrant outside of bureaucratic contexts. My experience as a white woman in Scotland who moved here from the EU before Brexit, is fluent in English, and has now obtained settled status is decidedly different from the experiences of non-white men without EU passports trying to get permission to enter the UK using a visa. While I did not interview migrants, this sometimes came up in discussions about immigration restrictions with people representing migrant fishers, or those struggling to navigate border regulations when trying to employ migrants. For instance, a skipper looking to employ fishers from abroad asked me if I found the language tests difficult. I think he was trying to understand why the people he was looking to employ were not able to pass them, but I found it hard to find an appropriate response to his question. In interviews I wanted to express an understanding for the challenges of the UK immigration system as someone without a UK passport, without seeming like I am “of” the same struggle. However, the main perspective where I am able to maintain and draw from my own experience, is the feminist mobility position that being a migrant is merely one of many facets of an individual’s identity (Roseman et al, 2016).

4.2.2. Challenges of fisheries research

Chiswell et al (2021) draw on their collective experience to reflect on the particularities of conducting research in/on fisheries, as they note that it raises several unique methodological challenges. The ones most relevant to this discussion include the remoteness and potential safety concerns for fieldwork, the male-dominated nature of the industry, and the discontent and distrust of fishers to researchers and policy.

Fishing is one of the most dangerous jobs for loss of life or limb in the UK (HSE, 2021). This is mostly associated with the ambient dangers of working at sea, exposed to the elements, far away from any available help. McCall Howard (2017) emphasises the importance of seeing these not solely as unfortunate accidents, but as products of the pressures of market conditions on fishers which lead to increased risks, such as working ever-longer hours with heavy, ill-serviced equipment. My experience of researching fisheries from the land, and indeed often from a desk in my room during Covid, is incomparable to the risks most research participants experienced in their day-to-day work. Chiswell et al (2021) mention the ambient dangers of fisheries research – e.g. those associated with the tendency of fieldwork to take place at/near the sea, or in rural and remote areas leading to difficulties leaving the site or accessing phone signal – but also broaden the idea of “danger” to discuss possible situational risks associated

with this field. They suggest an increased risk of situational dangers in the time following Brexit, due to increased social and political tensions among UK fishers, and the widely reported discontent felt by fishing dependent communities (Ross, 2015, also widely reported in the media, see The Guardian, 2018; ITV, 2021). They emphasise that the threat of danger as a result of physical violence is low, but that participants' frustrations can make the research more challenging as a researcher's presence can be perceived as divisive and lead to anger or upset from participants (Chiswell et al, 2021: 94). Reading their paper in preparation for fieldwork was useful for understanding potential risks, but also heightened my perceptions of potential dangers.

Conducting fieldwork alone in previously unknown locations can induce anxieties in the best of times (Chiswell and Wheeler, 2016). For me, the thought of conducting fieldwork on my own following a year of on-and-off lockdowns and social isolation induced a sense of anxiety and dread. I had planned my first field visit for January 2022, but was almost relieved when another lockdown was announced at the end of 2021, pushing me to transfer the initial interviews online. Knowing I was physically safe prevented many of the challenging encounters that I had read about. For these reasons, I was prompted to do two of the three field visits (conducted later in 2022) with a colleague whose work is also centred on migration in rural Scotland. Taking Chiswell et al's (2021) advice to work with another researcher mitigated the perceived risks to the extent that I was excited for in-person fieldwork, rather than terrified of it. Beyond an increased sense of safety, this provided us with a lot of time to discuss and reflect on our field encounters and share in the joys of "good" interviews, and frustrations associated with working in rural areas with seemingly non-existent mobile signal. While virtual research and fieldwork conducted with colleagues mitigates most ambient risks, situational risks could not be fully avoided.

Fisheries are a male dominated industry, with women representing around 1% of fishers working offshore in Scotland, and a somewhat larger proportion of the workplace onshore (Seafish, 2018). Conducting research within male-dominated spaces brings up additional safety considerations for female researchers (Chiswell and Wheeler, 2016). A heightened sense of alertness and anxiety can be brought on by previous negative experiences, which can make it difficult to trust our instincts, both in over- and under- estimating risks (Chiswell et al, 2021). I encountered a handful of women in the research process, but the fishers, skippers, harbour workers, and compliance officers I interviewed were all men, as were essentially all people I

saw doing fieldwork in harbours. I was never more aware of my identity as a woman as when walking alone around the Peterhead harbour. I felt like an impostor, sticking out, decidedly out of place. This was rarely brought up by participants – and when it was explicitly addressed it seemed to be out of genuine curiosity – but questions such as “Why are *you* doing this?”, perpetuated the feeling that I am not meant to be the person conducting this research. At once, female researchers have expressed that being a woman can be advantageous in this research context (Chiswell et al, 2021: 102). Being younger than most participants, female, a student not particularly familiar with some aspects of fisheries affected the power dynamics of our interactions. Perhaps it made participants feel in control, like I was a sympathetic listener, an outsider with no contacts within the industry whose opinions they could influence, and with whom they could share some thoughts and concerns which they could not share with their peers.

Many people I spoke to went out of their way to make me feel comfortable, but it was difficult to not take frequent rejections and less frequent dismissive comments about the project personally. Specifically, there was one phone interview where the participant, upon hearing me speak, sounded strongly disappointed and dismissive – questioning what power or authority I had on this subject. He was clearly going through a challenging time personally, and his assumption was not too far from some of my own reflection, but it was difficult to imagine him speaking in the same tone to an older male researcher. While it was most often expressed by a lack of responses to requests for interviews, this was also symptomatic of the apathy and distrust that fishers are said to feel towards researchers and policymakers (Ross, 2015). Chiswell et al (2021: 94) suggest that this puts “pressure on the researcher to “sell” the research and achieve the desired response rate”. This was perhaps heightened by my collaboration with the Marine Directorate, which was disclosed on information sheets (Appendices A and B). Participants would often ask and question their involvement, but I never felt that this was the specific reason which put them off participating. Rather, it prompted them to share opinions on fisheries policy and perhaps gave a false idea that I had more power than I actually did. I tried to mitigate this as best as I could with an honest explanation of Marine Scotland’s involvement. The following section further reflects on their collaboration.

4.2.3. Policy-relevant research and critical academic practice?

To reflect on the research process – from the decision to work on this topic, to the fieldwork, through to analysis and write-up – I want to also engage with the tension between policy-

relevant research and critical academic practice. Perhaps this positioning of the two as in direct contradiction to one another is unfair, but I was pushed to consider their relationship in encountering Maurice Stierl's (2022) paper on the impact of policy on migration scholarship. He critically interrogates how the "quest" for policy relevance shapes all aspects of migration research.

State-imposed migration policy causes harm, therefore migration research, when used to justify migration policies, can be harmful. Even inadvertently, it is "never a neutral, objective, or unpolitical undertaking" (Stierl, 2022: 1097). Policymakers can cherry pick research findings which fit their political interests, resulting in a "'slightly incestuous echotalk' [. . .] where policymakers and researchers are mutually reinforcing each other's claims as authoritative" (Jackson et al., 2009: 25). Referring to methodological nationalism - the view that the nation-state is the "natural social and political form of the modern world" (Wimmer and Glick Schiller, 2002: 302) – Stierl warns that conducting migration research that is designed to be valuable to policy confines the researcher to reproducing existing and often problematic policy categories (e.g. "the state", or "the migrant"). This is also the framework through which policymakers operate, so there is a tendency of policy-focused migration research to "see and think like the state" (Scott, 1999, in Stierl, 2022: 1090). Further, it can also, almost unconsciously, shape the terms of such research. This urges a critical consideration of who benefits from policy-focused migration research and whether our research is being used to justify or perpetuate harmful migration policies. The original intention of this research was not to address immigration policy directly as this is a reserved area over which the Scottish Government/the Marine Directorate do not have immediate control, as it falls under the remit of the UK government. However, it was difficult to avoid these considerations, as – on some level – research on immigration does have implications for immigration policy.

Stierl's paper was published when I was well into my fieldwork and caused some discomfort, but also led to critical reflections on the decisions taken in the research process; both in terms of immigration policy as outlined above, but also in terms of the implications of setting out to do policy-relevant research in any field. This PhD would not exist if it was not for the involvement of the Marine Directorate, who were looking for insights and implications for the industry regarding labour migration and fair employment in the industry. As part of the collaboration, I had an external supervisor, a social researcher at the Marine Directorate who supervised me during a three-month internship with the organisation at the start of the second

year of the PhD, directly before the intended start of the fieldwork. During the placement, I wrote a literature-informed report on Women in Scottish Fisheries (Scottish Government, 2022). This provided an opportunity to familiarise myself with Scottish Government policies related to fisheries, rural development, and fair work, and to experience the (virtual) day-to-day work in a government-based social research unit. My placement contract stipulated that I did not use the internship as a source of data for the PhD; I was not to make notes on the internal workings of the organisation or conduct formal interviews with employees. It was, however, assumed that I may make some relevant contacts and learn about current government discussions on sea fisheries that would help inform the questions I ask in the research process. The boundary between my work as an intern and my work as a researcher was clear on paper – I was working on different projects – but the discussions and documentation I encountered there was often relevant to both and publicly available. For instance, in reading about women in fisheries, I read the *Future Fisheries Management Strategy* (Scottish Government, 2020-2030), the *Fair Work Action Plan* (Scottish Government, 2021), *A Fairer, Greener Scotland Programme for Government* (Scottish Government, 2021), all of which were also relevant to the topic of labour migration in the industry. I was reading these documents for the first time, and doing so during the placement meant that I first encountered them with an ‘internship’ mindset. As I entered the field very soon after the internship, I found that this initially narrowed my scope of inquiry.

I was new to Scottish fisheries, and starting fieldwork right after the internship meant that I became very focused on the policy issues and challenges and had a heightened awareness of institutional constraints in terms of the scope for possible changes. In hindsight, looking through the lens of Stierl’s (2022) critique, I should have reflected more on the drawbacks of this new sense of understanding in that crucial moment of “entering the field”. It impacted the people I contacted for interviews, the questions I asked, and how I interpreted their answers. This felt rather uncomfortable, but it was coupled with a different sense of comfort and confidence which came from feeling like I understood the key policy and knowledge gaps. The discomfort arose when I realised that it was becoming difficult to identify and imagine what the value of the findings might be beyond their hypothetical policy impact. This directly supports Stierl’s (2022: 1088) argument that the need for evidence in policy-focused research restricts the production of knowledge for its intrinsic/academic value, leading instead to less complex and nuanced findings. She is referring specifically to migration knowledge, but I

contend that it is applicable to the idea of policy-relevant research more broadly, in any field. I intuitively recognised this before engaging with Stierl's work, so mid-fieldwork, as I began to relax and become more experienced as an interviewer, I started to ask broader questions and expand the scope of discussions.

4.3. Ethical challenges: Access, recruitment and representation

My positioning in relation to the research topic and the proposed fieldwork directly influenced whose views were included in the data collection. Further perpetuated by the Covid-19 pandemic, recruitment of participants was perhaps the most significant challenge of the project. In acknowledging the views which were excluded through the research process, several ethical questions emerge. This section outlines how issues related to access and recruitment of participants impacted the views and experiences represented in the empirical chapters.

4.3.1. The Covid-19 pandemic and contingency planning

Fully considering the impact of the Covid-19 pandemic on this project merits a return to the fall of 2019, when I began my masters research (this PhD is part of a 1+3 studentship). Since I was new to the empirical context and aware of my outsider status, my intention was to undertake the masters fieldwork in Peterhead, one of the most active harbours in Scotland, and use it as a pilot study to better my understanding of the Scottish fishing industry and to obtain initial contacts in the field. The fieldwork was set to take place in late spring 2020. Once the Covid-19 pandemic begun in the UK, I felt it was not appropriate to continue with the project on fishers' attitudes to fisheries policies which I had originally proposed. Fishers were known to be a difficult group to access (Gustavsson, 2021) and during the pandemic they were designated as key workers, putting additional risks and stress on them and their families. Instead, I conducted Zoom interviews with people from Scottish coastal communities exploring their relationships with the sea. That worked well in the Covid context. I gained a lot of skills in online research and explored new methods; however, it did not naturally lead to researching labour migrations in fisheries, nor was it particularly advantageous for accessing potential participants.

Later in 2020, I received an email from the ESRC marking this project high-risk in relation to how it could be affected by the pandemic. Their concern was that lockdowns and border restrictions would mean that migrant fishers would not be able to enter the country. This was

difficult to confirm or deny without relevant contacts, but following a few months of conversations with key informants, it appeared that this was unlikely to happen. Nonetheless, I was required to develop a contingency plan for various potential scenarios. Depending on the developments in the empirical setting, the contingency plan was to research the impact of any potential developments on fishing communities and the Scottish fishing industry.

4.3.2. Fieldwork and recruitment challenges

The fieldwork spanned from Spring 2021 through to the end of 2022. Covid-19 continued to restrict physical access to the field until the Spring of 2022 – well into the second half of the proposed fieldwork window. This again meant a continuous reconsideration of previously set decisions and plans and uncertainty over the safety and feasibility of the proposed research design.

In the initial stage of the fieldwork, in Spring 2021, I contacted a variety of people and organisations acting in Scotland, including NGOs and trade unions, local fisheries organisations, and policy makers, to take part in pilot interviews. In this process, a few further contacts across the fishing industry emerged. It was relatively easy to identify relevant organisations, but more difficult to find non-associated people who I might have just run into if conducting fieldwork in-person. To reach more community-based participants in subsequent stages of the fieldwork I used local social media groups, industry forums, and online groups for migrants and for fishers to advertise calls for participants. The response rate was low. I was hesitant about pushing further and sending more than 2 follow-up emails. It did not feel right to take the time off people who were working, especially during a very challenging time. I had moderate success in reaching out to people who work in office-based jobs, e.g. fisheries organisations and charities, but it was more challenging to access fishers and the general population of fishing communities. The first breakthrough came after reaching out to a former fisher who partook in my masters project. He pointed me to his former colleague who took on a gatekeeper-like role in securing access to his friends and colleagues. From here on, I relied on snowball recruitment, but still found that those who I had already interviewed were struggling to convince their friends that their participation was worthwhile. The second shift in recruitment efforts came in the summer of 2022. When I wrote the report on Women in Scottish Fisheries (Scottish Government 2022a), the magazine *Fishing News* asked me to provide a comment, and they agreed to post a link to a short survey along with my contact details. This coincided with some developments on immigration enforcement which resulted in a few more

people getting in touch with me or responding to the survey. This shift was an indicator that *Fishing News* was a relatively trusted source among fishers and thus an effective method for accessing the community, but perhaps more importantly, it showed that fishers began to perceive the immigration restrictions and associated labour shortages as increasingly pressing. That final group of interviews ended up being a lot more emotional – there was a sense of urgency and desperation, and I had to underline the limitations of my position as a researcher relative to some of their requests for action.

4.3.3. Absences in representation

There are important caveats to be made with regards to whose experiences and views this research is (not) representing. The views of more powerful actors, namely fisheries associations and skippers, were easier to access and are therefore proportionally overrepresented. Mimicking real-world power dynamics, it often felt impossible to reach migrants who not only work but also live at sea, speak another language, and work long hours in areas with poor signal.

I used a translated version of recruitment materials and put them up on both virtual and physical notice boards, contacted the Filipino Overseas Labor Office, asked fishers that I spoke for referrals, and asked fisheries organisation and charities to pass on my contact information. Most of these did not garner any responses, while one administrator of a Facebook group for non-UK fishers working in the UK got back to me to say that he did not want to speak to me or publish my request because he felt this was “such a sensitive subject”. This apparent hesitancy from potential participants brought on additional ethical qualms with the recruitment approach. Rather than attempting to push and persuade people who I will likely never meet in person, who may be vulnerable due to their migration status, or for whatever reason prefer not participate, it seemed more ethical to respect their reasons for distrust.

I do not feel entirely comfortable with this approach to recruitment and representation. If I could return to the beginning, or if this research had taken place under different circumstances, I think it would have been more appropriate to gain participants’ trust through spending a sustained amount of time in fishing towns and working with local organisations (this, of course, would come with its own array of ethical considerations). In the given situation, however, I thought it was unethical to push for information and experiences that are not offered to me, when I had little to offer in return. In equal parts, writing a project on labour migration with no input from migrants poses questions about the ethic of representation. I wanted to try to find

some way of gaining and including their perspectives. In a seminar group I met a colleague from Ghana who suggested I get in touch with his colleague who conducts social surveys in fishing communities for various contractors in Ghanaian fisheries (a large proportion of migrant fishers working in the Outer Hebrides are Ghanaian). After speaking with him and determining the logistics of recruitment and feasibility, he agreed to undertake a survey focused on people who had worked in the UK, or applied to work in the UK but are currently living in Ghana. Doing this in their home country, through someone who speaks their language and understands their customs (with regards to things like participant compensation), felt more appropriate. The survey was conducted in a few villages in the Western fishing region in Ghana, near Takoradi, and gained 13 responses. While limited in terms of its representation and even usability, it opened an additional perspective to consider the experiences of those who were unable to enter the UK due to immigration restrictions.

Focusing on Scottish fishers in a project on labour migration necessitates asking who this research is serving. I continue to reflect on the decisions I made in the recruitment process and consider how to best acknowledge the gaps and silences in the process throughout the discussions in the later chapters.

4.4. Data Collection and Analysis

Building on the discussion of fieldwork in the previous section, I now outline the methods used in the research process and provide more details on the practicalities of the data collection. I undertook a combination of interviews, short field-visits, surveys, and documentary analysis to cover various qualitative perspectives on the employment of migrants in Scottish fisheries.

4.4.1. Field sites

At the planning stages of the project, the intended field sites were Stornoway and Castlebay in the Outer Hebrides, and Peterhead and Fraserburgh on the North-West coast of Scotland. They were identified based on the report on employment in sea fisheries (Scottish Government, 2016) discussed in the previous chapter and conversations with other academics familiar with the Scottish context during the pilot phase of interviews. The intention was to compare the situations on the West and East coasts both because of the differences in employment patterns of migrants and the differences in the types of fishing that is dominant in those areas. I intended to begin in-person fieldwork in early 2022. Due to the emergence of the Omicron variant of

Covid and subsequent travel restrictions, I started the second round on interviews online, on Zoom, in February 2022. The move from the initial plan of mostly in-person fieldwork to predominantly online fieldwork meant that the snowball recruitment patterns were influenced less by geographical proximity and more by participants' professional and social circles. While I continued to focus primarily on the Outer Hebrides and the North-West Coast of Scotland, the challenges and opportunities brought on by online recruitment meant that the focus of my fieldwork expanded to all of Scotland.

Once the restrictions eased, I undertook three field visits over the course of 2022. In May 2022 I spent a week on the Isle of Lewis, conducting most of the fieldwork in and around the Stornoway Harbour. In August 2022 I spent another week on the Isle of Barra, and the Island of Vatersay. The final field visit was to Peterhead on the East Coast of Scotland, one of the most significant fishing ports in the country, especially for vessels employing migrants on transit visas (Scottish Government, 2016). I stayed there for 3 days in October 2022. The first two visits were shared with a colleague, which increased a sense of safety in an otherwise unfamiliar location. She also brought her car, which was practically useful as I was able to visit locations around the islands. Perhaps it was the lack of this camaraderie that made the solo fieldwork in Peterhead more challenging. I found it difficult to find direct contacts ahead of my visit and the town itself was very quiet, with the harbour quite difficult to physically access. Any harbour activities were barely visible from where I was able to freely walk, contributing to the sense that fishing was "out of sight, out of mind".

I used ethnographic techniques over the course of the fieldwork and kept a field diary for observations and reflections on daily interactions. Learning from Emerson et al (2011), I wrote down observations while walking around the harbours, after informal interactions in the field, and took notes of my reflections after both in-person and virtual interviews. These records were invaluable in writing this chapter and provided a great tool for writing through frustrations and challenges in the research process.

4.4.2. Interviews

Semi-structured interviews were the principal method used in this project. Interviews provide participants the opportunity to construct their own accounts of their experiences (Valentine, 2005: 111). The nature of the interviews evolved throughout the research process. Initially, especially in the pilot stage, my questions were more technical, as I was learning about the scope and mechanics of labour migration in the industry. My interviewing improved alongside

my understanding of the field and the research topic. The intensity participants brought to the conversations, dictated my corresponding intensity in questions I asked (Sweet and Escalante, 2015: 1834). In periods when new regulations were introduced, or new development in the empirical context arose, interviews became more emotional and urgent. This led to some participants opening up more about their personal feelings and the negative impacts of the situation on their mental health. Many respondents, however, remained more matter-of-fact and provided descriptive, shorter answers to my questions.

To gain a multitude of perspectives on the work of migrants in Scottish fisheries, I undertook 37 informal semi-structured interviews with 38 people, one of which took place over text via WhatsApp⁴. In the context of virtual fieldwork, they were relatively straightforward to move online, although this merited some considerations to mitigate accessibility barriers for participants. Most interviews took place virtually, over Zoom, MS Teams, or WhatsApp, while 6 conversation (with 9 people) took place during field visits, in or near harbours or businesses. Initially I was concerned about the move of fieldwork online as I was concerned that it would restrict the sense of trust from participants. However, I found that many participants were very comfortable with speaking to me through their phones. Indeed, Sugie (2018) notes that one of the key benefits to research at-a-distance using mobile phones is that they can be an easy extension to the way some people communicate in their everyday lives. In a time when it was otherwise difficult to do so, this was one ways of “attending to the rhythms of the sea” (Gustavsson, 2021) as it meant that fishers could participate at a time and from a place most convenient to them. Several interviews took place while participants were out navigating towards the fishing grounds, which fit conveniently in their schedule, as opposed to having to meet with a researcher after a long day at work in a place where others would see them speaking to an outsider. This was significant since the topic discussed was often described by participants themselves as sensitive. The full list of participants is provided in Table 2. Their names have been changed, and their titles (when applicable) generalised to increase anonymity. Some participants expressed that anonymity was not a priority for them as their views are already publicly known and said I could use their real names if I wanted to – nonetheless I chose to use pseudonyms or generalised descriptions of their roles. In cases where anonymity was more of

⁴ I interviewed two people twice, and I had two interviews where more than once person spoke to me at once.

a concern to individuals, some minor descriptive details about them may have been altered to reduce the risk of recognition.

Table 2: List of participants

Title or pseudonym used throughout the thesis	Additional notes on their role in the industry	Interview date	Notes
ETF Representative	European Transport Worker's Federation representative	19.5.2021	Zoom, transcribed
Academic working on labour in fisheries		24.5.2021	Informative conversation, not formally recorded (notes only)
ITF Representative	International Transport Worker's Federation representative	26.5.2021	Zoom, transcribed
Fisheries Association Representative A		7.6.2021	Zoom, transcribed
Policy/compliance officer		9.6.2021	Informative conversation, not formally recorded (notes only)
Policy/compliance officer		11.6.2021	Informative conversation, notes only
Policy/compliance officer		11.6.2021	Informative conversation, not formally recorded (notes only)
Fisheries Association Representative B		22.6.2021	Zoom, transcribed
Policy/compliance officer		12.1.2022	Informative conversation, not formally recorded (notes only)
Policy/compliance officer		13.1.2022	Informative conversation, not formally recorded (notes only)
Ana	Onshore fisheries employee, moved to Scotland from Poland	14.1.2022	MS Teams, transcribed
Angus	Former fisher, Outer Hebrides	26.1.2022	Zoom, transcribed

Adam	Retired Fisher, East coast	27.1.2022	Zoom, transcribed
Donald	UK-based recruiter	2.2.2022	Zoom, transcribed
James	Skipper, West coast	9.2.2022	Zoom, transcribed
David	Recruiter, based in Ghana	15.2.2022	Zoom, transcribed
Rodrigo	Recruiter, from the Philippines	February 2022	WhatsApp, texts only
ITF representative		24.2.2022	Follow-up interview, phone, not recorded
Academic, studies migration from the Philippines to the UK, translator		28.2.2022	Informative conversation, not formally recorded (notes only)
Fisheries Charity Representative		1.4.2022	Zoom, transcribed
Representative of a Ghanaian Fisheries association		12.4.2022	Zoom, transcribed
Academic, studying labour migration in fisheries	Academic, studying labour migration in fisheries	26.4.2022	Informative conversation, not formally recorded (notes only)
Euan	Part of the wider fishing community, Outer Hebrides	14.5.2022	During fieldwork in the Outer Hebrides, transcribed
Calum	Fisher, Outer Hebrides	14.5.2022	“in-situ” conversation during fieldwork in the Outer Hebrides, notes only
Policy/compliance officer		16.5.2022	During fieldwork in the Outer Hebrides
Stuart, Marco, Samuel	Informal conversations during harbour tour	14.5.2022	During fieldwork in the Outer Hebrides
Alasdair	Stornoway-based skipper, vessel owner	8.6.2022	Zoom, transcribed
Fisheries Association Representative C		25.8.2022	Zoom, transcribed
Fisheries Association Representative D		31.8.2022	Zoom, transcribed
Fisheries Association Representative A (follow-up)		7.9.2022	Follow-up, Zoom, transcribed

Neil	Fisheries-dependent business owner, Outer Hebrides	15.9.2022	In-person, transcribed
Fiona	Works for a fisheries-dependent business in the Outer Hebrides	15.9.2022	In-person, transcribed
Andrew	Fisher, West coast	26.9.2022	Zoom, transcribed
Fisheries Association Representative E		28.9.2022	Zoom, transcribed
John	Fisher, East coast	29.9.2022	Zoom, transcribed
Terrence	Fisher, Outer Hebrides	20.10. 2022	Zoom, transcribed
Two policy/compliance officers	East Coast	28.10.2022	MS Teams, informative conversation, not formally recorded (notes only)
Peter	Former Home Office Employee	2.11.2022	Zoom, transcribed

In the pilot stage, in spring 2021, I interviewed representatives from NGOs, unions and the industry, as well as some academics with experience in the empirical setting. These interviews were used to gain a general understanding of the situation of migrant fishers working in the context of Covid and Brexit, determine potential field sites and places where employment of migrants is common practice, establish the most pressing issues for workers, employers, and communities, and snowball contacts for subsequent interviews. Most participants in the pilot were interviewed in their capacity as employees or volunteers of NGOs or fisheries organisations, so the interviews ranged between semi-formal and formal. Most of them were representing their professional stance, not their personal views and beliefs. I continued with the fieldwork at the start of 2022, when I returned to this group of participants and recruited more widely, to cover various charities and fisheries organisations from around Scotland. I returned to two participants for a follow-up interview, which was beneficial, as I was able to ask more specific questions and use my newly gained knowledge of the situation to reflect on the points they were presenting (Read, 2018).

To better understand the procedures and challenges involved in the international recruitment of fishers, I spoke to three people directly involved in recruitment. This is a small field, so to ensure anonymity I will avoid describing each individual participant. The recruiter who works

from Scotland seemed to see connecting skippers and fishers as an important contribution he could make to the industry. I also spoke to agents who work in the Philippines (via WhatsApp messages only) and in Ghana. Recruiters were evidently accustomed to communication over text and continued to provide updates via WhatsApp and Messenger. This was useful, because recruitment is one of the more hidden aspects of labour migration that is difficult to understand without direct input from people with first-hand experience. Two of the recruiters were not native English speakers and, in these cases, it was especially useful to use texts to be able to cross-reference the understanding of somewhat complicated bureaucratic procedures.

I also conducted semi-structured interviews with fishers who employ or work alongside migrant workers; I spoke to skippers, deckhands, of which at least six were also vessel owners. One person I spoke to was a vessel owner not skippering his own boat. Most of these interviews took place over Zoom or Teams, with two taking place in person. The interviews covered the interviewee's background and their experience working in fisheries, their experience working with fishers employed on transit visas. We also spoke about how they are impacted by changes accompanying Brexit and Covid-19 and how the changing immigration restrictions affect their own livelihood and relationships to their work. Depending on the fisher's role and attitude towards the interview process, the intensity of the conversation could vary from covering their knowledge of practicalities around recruitment of migrant workers, to sharing of personal anecdotes and their views and opinions.

To gain a wider range of perceptions and attitudes towards migrant fishers, I spoke to other members of fishing dependent communities and people employed in other parts of the local economy (e.g. retired fishers (3), people employed in fish processing (3) and those working in harbours (6) – some fit within multiple categories and they are not all explicitly stated in the table to preserve anonymity). Three of these interviews took place in-person, while others were on Zoom. They were asked similar questions as other participants, with the discussion focused on their views on the employment of migrant fishers and how changing immigration restrictions might be impacting the wider community. Additional informal conversations took place during field visits and were recorded in the field diary.

4.4.3. Surveys

To facilitate a more anonymous mode of data collection I used an online survey which I distributed through forums, Facebook groups, posters at field sites, by emailing fisheries organisations, the Filipino Overseas Labor Office, and through Fishing News. I used Jist to

create surveys which could be accessed via a single link which allowed respondents to self-identify in the first question based on what survey they felt was most appropriate for them to answer:

- A survey for migrant fishers in English
- A survey for migrant fishers, translated to Tagalog,
- A survey for fishers who are UK nationals, working in Scotland
- A survey for other residents of fishing communities

Again, it became apparent that it would be very difficult to speak to migrant fishers from my position; the survey also initially received no responses. I wanted to try to find some way of gaining and including their perspectives (see previous section), which led to contracting a surveyor in Ghana who undertook a survey of people who had worked in the UK, or applied to work in the UK but are currently living in the Takoradi region of Ghana. I prepared a separate online survey using Jist, which he was able to access on his phone and input information directly from the participants to the survey interface where I was able to then access and download the data. The survey received 13 responses. All surveys were designed as supplementary methods of data collection and the ones conducted online garnered only short responses and were designed to recruit participants for interviews. The responses were coded thematically and taken into consideration in a qualitative sense as the small sample did not allow for another form of analysis.

4.4.5. Data analysis

The data involved in this research included interview transcripts, notes from the field diary, survey responses, text and email correspondences. Most of the interviews were recorded and transcribed (as indicated on the table of participants). A few interviews were not recorded at participants' preference; in those cases, I took detailed notes and made some reflections following interview interactions and field visits in the form of a research diary. Other reflections from field visits, and notes from more informal conversations with people in the field are included in the analysis when applicable. Survey results were downloaded from Jist. The data here was scarce, but nonetheless it was a useful complementary source of insights to results emerging from the interviews. To collate additional perspectives missed through other methods of data collection, I considered policy and policy-adjacent publications from the Scottish and UK governments on fisheries and immigration. I also considered reports on the

conditions of migrant fishers produced by the ITF and Nottingham University's Human Rights Lab. To better understand the public narratives, I searched the archives of *Fishing News* and *Fishing Daily* for articles containing key words related to labour migration.

All data was collated and analysed using thematic coding. In this process it was important to remember that “codes do not stand alone but are part of a web of interconnected themes and categories” (Cope, 2010: 442). I began with coding drawing on grounded theory techniques, starting with line-by-line coding of printed-out transcripts (Charmaz, 2014). Once the key themes were established, I used focused coding in NVivo, which made it easier to navigate the data in the write-up process. The grouping of key themes achieved through this process informed the focus and structure of the thesis.

4.5. Methodological approach

Addressing the different identities and positionalities – critical geographer, woman, intern working for the Scottish Government, migrant – is also central to identifying the epistemological and methodological frameworks of this project. To unpack this further, it is worth considering what the different actors involved in labour migration in Scottish fisheries consider to be valuable and valid forms of knowledge production and how I chose to navigate this in the research process.

Recent research on fishing communities often appears methodologically split between approaches in human geography and anthropology and those which fit more squarely within the emerging field of marine social science. For instance, Penny McCall Howard (2017) undertook several months of ethnography on the West coast of Scotland to explore the relationship between fisheries labour, the environment and the sea, spending months working as a fisher and living on a boat to draw her findings from autoethnographic accounts of her own experiences and interviews with other fishers. Works by Gustavsson (2017; 2021), Djohari and Whyte (2021), and Duffy (2022) combine ethnographic fieldwork with various interviewing techniques, while Human Rights Lab (2022) use surveys and trauma-informed interviewing with advocates and interpreters to obtain testimonies from migrant fishers. Meanwhile much of the research in marine social sciences is focused on mixed methods or quantitative accounts using surveys – see specifically publications on marine spatial planning (Kafas et al, 2017; Smith, 2018, but also McDonald et al's (2020) work on studying illegal crewing practices using satellite imaging and GIS). Beyond academia, the approaches used to

produce reports on fisheries often focus on the economic or environmental aspects of the industry (Marine Scotland, 2021; 2015), with only more recent reports (Human Rights Lab, 2022; ITF, 2022) going beyond statistical information on employment in the sector.

The tension between policy relevance and critical research also appears in the kind of methodological approaches the respective fields consider to be credible. I undertook two internships with the Scottish Government during the PhD, both of which involved conducting a review of literature to inform the policy teams on what the latest academic and grey literature says about a topic. These experiences provided insights into what kind of broadly social scientific literature is valued in social policy. Here I sometimes struggled between my generally constructivist views and the rigidity of broader policy and political contexts: while I see policy as socially constructed, “it” does not necessarily understand itself as such (e.g. some social policy areas rely almost exclusively on positivist interpretations of quantitative data). These are context-specific observations, but they influenced my own perception of research impact, as discussed in section 4.2.3.

As a human geographer, I have used interviews, participant observation, and explored creative methods, such as body mapping or personal archive curation in past projects. These experiences made me understand and value the richness of data that is obtained and produced through qualitative research (Dowling et al, 2018). Furthermore, learning to reflect on how I as a researcher make sense of the information gained through fieldwork and critically engage with my subjectivity has led me to see the world as socially constructed and understand human experiences as individual and subjective. As I began to engage people from different backgrounds who all have an interest in fisheries through various marine social science groups and seminars, it became apparent that the types of data and interpretations which I consider to be valid are not universally valued.

Stemming from my own experience, the starting point of this project’s epistemology is interpretivist, centred on the understanding that the experiences of each participant in the research, or each actor in the fishing industry as subjective and individual. I look to feminist research traditions to develop a curiosity and reflexivity on how the researcher’s identity shapes our encounters within the field (Valentine, 1997; Hall, 2017). Ontologically, I want to recognize and foreground how intersectional facets of individual identities (re)produce relations of power between the industry, the employers and the workers. Feminist mobilities scholars have called to question and subvert the dominant paradigms in migration research and social sciences

which see migration as something out of the ordinary (Nawyn, 2010; Roseman et al, 2016; Silvey, 2005). This approach is related to decolonial research practices which foreground the everyday experiences of bordering. Aparna et al (2020: 110-111) call for a reflexive methodological praxis, "to bring attention to the shifting positionalities emerging in relation to the shifting mutations of migration and border regimes questioning the very foundations and assumptions of conventional disciplinary methods underpinning research." While I do not see my research as explicitly decolonial, these perspectives encourage a reflexive research practice and raise important questions for any study of mobility. In approaching the complex empirical context at hand, I find it productive to look at the point where individual agency and collective/systemic conditions of oppression interact to consider both individual's subjective experience and interpretation of their own lived reality – which should be recognised and acknowledged (Aguilar, 2018) – and the theoretical assumption that the employment of migrant workers on temporary programmes perpetuates conditions of exploitation for all workers in the industry (Ypi, 2016) can be methodologically addressed. Finally, drawing together Marxist (Foster, 2000) and feminist (Ahlborg and Nightingale, 2018) political ecology I foreground individual/everyday experiences of fishers but also place the study in the environmental context; critically examining how the exploitation of labour and exploitation of the environment co-exist within the current political and economic system.

By bringing together these approaches and emphasising how they complement each other to provide a more nuanced insight into the research context I offer a new way to articulate the experiences in/of the industry within a broader political and ecological context. Allowing for shifting and multiple perspectives necessitates a high level of reflexivity and awareness of the underlying epistemological assumptions over the course of the research process. Following this discussion of how I approached the collection of the empirical material used for analysis, I move on to discussing this material in the subsequent three empirical chapters.

Chapter 5:

Situating migrant fishers in the UK immigration regime

5.1. Introduction

The past decade of discourse around Brexit, voiced a clear sense that fisheries – otherwise contributing a mere 0.03% of UK’s total economic output (ONS, 2021) – have been a central tenet of the process. This perception originated during the Brexit campaign which targeted and used UK fishers, particularly those working off the East coast of Scotland (Whale, 2023), and continued to evolve through negotiations which included the challenging talks surrounding the transfer of EU fishing quotas in the UK waters. In more recent years, it culminated amid reported nation-wide labour shortages, at times attributed to the post-Brexit changes of the UK immigration system, which significantly affected the fishing and aquaculture industries. While the views of fisheries organisations and skippers often seemed represented in media and political discourses, the views of fishers themselves (e.g. deckhands), particularly migrant fishers, were proportionally under-represented and excluded from key negotiations, leaving them caught in discursive and bureaucratic nets of a system which influences virtually every aspect of their lives. This first empirical chapter critically situates labour migration in Scottish fisheries within the realm of UK labour and immigration regimes. Specifically, its key contribution is the analysis of how changes to UK immigration policies and UK and Scottish Governments’ narratives surrounding immigration from the time of the Brexit vote through to the end of the fieldwork shaped the structures of employment and modes of working in the industry. In doing so, this chapter argues that such changes worked to perpetuate unsafe and illegal labour practices and begins to demonstrate how migrant fishers’ experience of work and immigration to the UK are characterised by precarity and instability perpetuated by the UK immigration regime, evidencing one of the key arguments of this thesis.

Migrants working in the Scottish fishing industry are caught between the UK state-imposed immigration restrictions, labour regulations, conditions created by employers, migration brokers, as well as interpersonal relations ‘in situ’ and at home. This chapter highlights the role of the UK state, drawing on Anderson’s (2010) work on institutionalised uncertainty and building on Penny McCall Howard’s (2017) analysis of fishers’ precarious positioning in

relation to the state and the global market to argue that state-imposed immigration restrictions and enforcements actively produce and reinforce the precarity of migrant workers through constraining their mobilities and agencies and perpetuating exploitative employment practices. I also posit that the dependence of the Scottish fishing industry on the overseas migrant workforce constitutes a spatial fix – David Harvey’s (1982) concept which stipulates that capitalism seeks to overcome barriers to its expansion and profitability by spatially relocating to new areas, temporarily resolving crises of capitalism, while often inadvertently producing uneven development. In deploying this term in an empirical context, I challenge Harvey’s (1982; 2001) contentions as I show how restrictive and often racist government immigration policies at times challenge the logic of capital.

This chapter begins with an exploration of the growing labour shortages in Scottish fishing communities and changes in demographics of the fisheries workforce to demonstrate that the reliance of the fishing industry on temporary overseas workers can be understood as a spatial fix (Harvey, 1982). Having established this premise, I situate migrant fishers within UK immigration structures, specifically by outlining and critiquing the use of the Transit visa loophole, and discuss how changes in policies around Brexit affected worker mobilities in fisheries. I then unpack how the UK conceptualised “skills” in the immigration discourse, arguing that “skills-based” immigration systems are a means of differentiating between desirable and undesirable migrants. I conclude by highlighting the rise in dangerous and illegal immigration and labour practices and frame them as a direct consequence of existing immigration routes. Throughout the chapter, I draw on interviews with a range of participants and an analysis of policy and media discourses to argue that post-Brexit immigration controls have increased precarity among fishers and hyper-precarity (Lewis et al, 2015) among migrant fishers.

5.2. Labour in Scottish fisheries and the ‘spatial fix’

Labour shortages in the UK, and particularly in the fishing industry in rural Scotland, are not a mere byproduct of Brexit, but rather the unintended destination of a decades-long trajectory towards rural depopulation and a growing reliance on the international labour markets. The following discussion on labour shortages in Scottish fisheries will elaborate on these factors by critically engaging with participants’ accounts. Drawing on Scott’s (2013) writing on migrant work in British agriculture, I posit that the fishing industry’s employment of migrant workers

constitutes as the spatial fix (Harvey, 1982). This section thus shows how increasing labour shortages and the drive for profit maximisation within the industry led to a geographical expansion of the pool of fisheries workforce; a ‘fix’ first facilitated by the EU free movement agreement, and then through the employment of migrant workers from non-EEA states on Transit visas.

Labour shortages in the UK in the context of Brexit and the Covid-19 pandemic are widely reported on, discussed, and politicised (Whale, 2023). Fisheries are an industry experiencing the shortages to a significant degree, with some even suggesting that its very existence is threatened by an inability to attract workers (see headlines on figures 7, 8, 9 below from Chanel 4, *Press & Journal* and *Fishing Daily*).



Figure 7: Headline from the Press and Journal (2024).



Figure 8: A contribution from Chanel 4 (2021).

Carmichael raises crippling labour shortages for fishing in Parliament

by Oliver McBride | Nov 28, 2023 | Latest News, Scottish Fishing Industry

Figure 9: Headline from the Fishing Daily (2023).

In the popular discourse, the decline of the fishing industry is a relatively novel issue that the Brexit campaign illuminated. Yet, this moment was but a continuation of a trajectory outlined in Chapter 2. This decline has come amid environmental regulations as well as more profitable, stable, and reliable employment opportunities for people with comparable skillsets in offshore oil, gas, and renewables. In some parts of Scotland, such circumstances, when coupled with unstable markets (due to Covid, Brexit, and rising costs of fuel), environmental issues, working conditions, and changes in regulations, mean that fishing is no longer perceived as a desirable occupation for new entrants into the labour force.

This was a prominent topic of discussion during the fieldwork in the Outer Hebrides and arose in an interview with Donald, a recruiter passionate about the strength of the fisheries workforce. He explained that he started to work in recruitment because he recognised that many of his skipper friends struggled to find crew:

“I’ve had one skipper say to me that he reckons in about 10,15 years’ time you’ll be lucky if there’s a UK skipper left on the boats. [...] It’s a good gait of the balance of exactly where the industry is sitting at, because there’s about 23 UK crew registered on it [a recruitment company] and like 170 something overseas crew.” (Donald, UK-based Recruiter)

He used the word ‘lucky’ in this context to highlight that the underlying narrative of the interview expressed a sadness at the disinterest of young locals for working in the industry, rather than a sense of displeasure with the hiring of migrants. Their decision to choose other professions may be regarded with some disappointment but is also seen as pragmatic and profitable.

“It’s now quite prohibitive to enter fishery, not least to remain a fisher your whole life. Also because of the rise in oil, fishing tickets [qualifications] can be

used in the oil industry.” (Euan, Part of the wider fishing community, Outer Hebrides)

These comments are widely corroborated in interviews with domestic fishers and residents of fishing communities and contribute to a common narrative which indicates that the move to increasingly hire migrant workers can be seen as the spatial fix. In outlining the concept, Harvey (1982) argues that in cases where the crises of capitalism cannot be fixed through a devaluation of labour power, or a devaluation of capital, many industries will resort to either exporting a part of the labour process abroad (e.g. in the UK this would be most industrial production), or by bringing in foreign workers to fill the gaps (e.g. in the UK these are common in agriculture and construction sectors).

More geographically, Harvey (2001: 24) explains it as “capitalism’s insatiable drive to resolve its inner crisis tendencies by geographical expansion and geographical restructuring”. Most of Harvey’s (1982, 2001) discussion of spatial fixes draws on the former – geographical expansion; he tends to see capital as mobile, but labour less so. In that sense, the example of fisheries echoes Scott’s (2013) application of Harvey’s work to temporary labour migrations in UK agriculture, a sector highly dependent on seasonal migrants from the EU. As profit margins in some parts of the industry declined and operational costs grew, the ‘local’ labour force became less willing to work for offered wages. Drawing on the international labour market and using existing immigration routes, the industry was able to attract an international workforce willing to work under these newly created conditions (lower pay, at times more strenuous fishing due to changes in zoning and fish stocks). These conditions were considered acceptable by many fishers moving to work in the UK from lower income countries as the pay was relatively lucrative in comparison to wages in their ‘home’ setting.

Discussion with fisheries association representatives and skippers indicate that employment of migrants in Scottish fisheries is a means of filling the vacuum left by the declining numbers of local crew. When I was conducting interviews with fishers, the interviewees often bypassed my introductory opening questions by immediately responding with an emphasis on the need

for foreign labour in the industry and how this need came about in their local fishery⁵. Euan, who works closely with fishers in the Outer Hebrides but never worked as a fisher himself, immediately launched into a narrative explanation of the transition from a traditional locally crewed industry, where different parts of Scotland would use their own versions of share-based systems to an industry which largely relies on foreign labour.

“Traditionally there was a shared fisheries arrangement, in the 60s, 70s people worked on the boats and there was, you know, various share arrangements, East coast would have their method, Shetland theirs, here [Outer Hebrides] theirs [...]” (Euan, part of the wider fishing community, Outer Hebrides)

The share-based pay is a longstanding tradition in Scotland, and in fisheries globally. Many people I spoke to, including Euan, look upon it with a sense of pride, as it is thought to create a camaraderie aboard, provides a mutual sense of accomplishment, and is an incentive for an increased effort for those working on the vessel as everyone proportionally benefits from a successful trip⁶. It continues to be a method of remuneration on many vessels operating today, even creating a separate tax category for fishers in the UK. However, with an increase in employment of migrants there is an increasing number of instances where fishers are remunerated with a contracted wage. The benefit of this is that it provides a more stable income, but in practice, it often means that contracted employees earn less than they would if they got their full share of the catch.

In this first empirical section, I draw in large part on a conversation I had with Euan during the later, in-person stage of my fieldwork in the Outer Hebrides. While presenting an individual view, his narrative account of the trajectory of Scottish fisheries from the perspective of someone who has lived his whole life surrounded by fisheries without being directly dependent on them, raises a host of issues which are felt by the industry today. It is at once representative of common narratives apparent through interviews with various stakeholders, and critical of all actors. As a daily observer of fisheries activities, he bears a responsibility for upholding the health and safety standards for ships docking in his harbour, which means that he has built a

⁵ It was difficult to establish if this was generally a common narrative, or if it was partially a product of them being used to explaining this to researchers because some government/EU project workshops were taking place on the Isle of Lewis in the same week as my fieldwork.

⁶ Depending on the agreement, the cut of the share may differ based on experience, and there are varying ways in which expenses are calculated

friendly rapport with fishers, yet is at times critical of their actions and attitudes. As a life-long resident of the Hebrides, however, he grew up with many of the fishers and has a subjective (at times favourable and at times unfavourable) insight into the reasoning for their business choices.

One of the more impassioned points he made was in expressing a critical view towards the move to more profit-intensive fishing – away from share-based remuneration and towards waged employment. The way in which the employment of migrants on contracted wages lends itself to profit maximisation echoes Harvey's spatial fix argument. Euan was sceptical of the reasons skippers give for explaining their reliance on foreign crew.

“Gradually we went away from that [vessels crewed with domestic fishers on share agreements], and they were, I think, my own personal view, some of the owners became greedy and they were keeping more for the boat and less for the crew and the crew said ‘there's other ways to make a living’ [...] Lots of people have gone to work in the offshore [oil] industry, hundreds and hundreds of guys that a generation ago would have gone to fishing. And you can't compete with the offshore industry in terms of conditions. You know, it's very... at the end of the day, fishing, it's not a guaranteed income, fishing... it's a tough way to make a living.” (Euan, part of the wider fishing community, Outer Hebrides)

He is referring to young men from the islands who attend nautical colleges and would have traditionally partaken in fishing but increasingly find employment elsewhere, often in offshore oil and gas industries, or in global maritime transport. The most frequently cited reasons for this are on the one hand the pulls of those industries – they tend to provide more secure and often larger income and more stable hours – and the pushes of the fishing industry, which is often regarded as gruelling, dangerous, and somewhat less profitable.

“The people [in the Outer Hebrides] just refused to do it [work in fishing] and here they weren't really investing in new boats and with quota being something you have to buy and could own, you know, it became very capital intensive and so it really just became... in Stornoway it very much swung towards shellfish of one kind or another. And the boats that have crew, trawlers that needed crew, it wasn't seen as an attractive job for people and people took anything else.” (Euan, part of the wider fishing community, Outer Hebrides)

The introduction of quotas is widely regarded as a crucial shift for the industry which produced changes in labour relations on a global and local level. This closely ties Euan's sense of the situation with the conceptualisation in prominent writing on the subject. McCall Howard (2017) suggests that the introduction of quotas was the first step to changes in remuneration practices. On a community level this effectively means that fewer fishing boats are owned by the crew, and fishers are instead hired to work on them (see also Cardwell and Gear, 2013). In contrast to traditional organisation whereby multiple fishers would share one boat and divide the value of the catch equally. In an earlier interview, a representative from ITF reflected on fishers' status, as he argued that this difference between share-based and waged labour creates a key distinction between owners and workers in fisheries work:

“In the UK most people involved in fishing are owners, not workers, because they own the means of production. If you own your own fishing boat, fishing gear... you can join the union if you want it but as far as my definition goes, you're still an owner rather than a worker. Migrant fishers for sure are workers, no question there, on some larger boats the crew and deckhands are also workers, although not employed through a contract they're self-employed and get a share of the catch.” (ITF representative)

St Martin (2007) argues that the changes from traditional share divisions to waged labour have transformed fisheries from non-capitalist to capitalist industries. St Martin (2007) and McCall Howard (2017) both emphasise that these changes were largely imposed onto fishing communities by governments' introduction of quotas and outline how the increasing pressures the industry is facing globally make employment in fisheries significantly less desirable relative to other maritime work for workers with a comparable set of skills. Specifically, they cite high expenses and a more intense labour process due to overfishing, or having to travel further to reach the grounds in which they are allowed in/able to fish – consequences of both government policies, environmental change and the fluctuating value of the catch on the market.

Those working for wages have little hope for eventually purchasing a fishing boat themselves, lessening the incentive for locals not already tied to a family fishing boat to join the industry. The direct consequence of this development is the spatial fix, by which skippers – interested in maintaining or increasing profit margins, but unable to find domestic workers to work under the newly created conditions – began to turn to the overseas workforce. Vessel owners who

own quotas now accumulate growing profits as they take in an increasingly large proportion of the value of the catch by hiring migrant fishers employed through fixed-pay agency contracts. This fix was initially enabled by a combination of EU's Freedom of Movement principle and the Transit visa system which will be discussed in subsequent sections.

There is, of course, no single reason that draws people to working in fisheries; each fisher is led by individual motivations and life circumstances. Reasons cited in interviews include the need to earn a living, inheriting a family fishing boat, the love for working outdoors, the opportunity for potentially earning a lot in a short but intense time-span, etc. However, skippers and vessel owners aside, increasingly the crew who remain in the industry fall into two categories: domestic workers with ownership and financial incentives (e.g. those working in the most profitable parts of the sector, like demersal trawling) and migrant workers.

“Very often these guys [domestic fishers] had issues with substances and that was the only work they can get and the vicious spiral, you know, there was a lot of drink and drugs, and the owners would take people no questions asked and then complain. And because of the long hours, uncertainties, it appealed to a certain type of character and personality.” (Euan, part of the wider fishing community, Outer Hebrides)

Chapter 7 further analyses the construction of domestic and migrant crew as good/bad workers as well as the construction of migrant fishers as ideal migrant subjects, but it is worth briefly reflecting on these themes as they emerge in Euan's observation, because they appear to be embedded in the context of the UK immigration regime. Foreign crew are frequently characterised as highly skilled, hard workers who tend not to drink or do drugs; they are presented as “good” and necessary for the survival of the industry (Findlay et al, 2013; Collins and Bayliss, 2020). The cited reason for this is often their cultural background, especially in the case of Filipino fishers where their hard work is often attributed to their devout Catholic faith and a culture which nurtures a high level of loyalty and respect for authorities (Djohari and Whyte, 2021). However, it is important to critically analyse these characterisations and narratives. On the one hand they are, in part, indirectly linked to migrants' hyper-precarity, where failing to exhibit this kind of behaviour could lead to a loss of income and a subsequent loss of the right to enter the country (their visa being contingent on their employer). On the other, the way these narratives are constructed by employers can be linked to Anderson's

(2010) argument that migrant workers' hard work and reliability are often praised and valued because they are more profitable hiring choices. Indeed, it was apparent that interviewees were used to carefully constructing their answers in a way that would persuade the ultimate recipient of their message (perhaps targeting the Home Office or The Scottish Government⁷) to create immigration routes which would suit the industry. This is an example where James, a skipper who struggles to hire fishers on Transit visas because he primarily works within 12nm, is trying to justify why migrant fishers should be allowed to enter the country by both praising their work ethic, but also characterising their intentions as harmless to the immigration regime:

“These guys, they are all Filipino, Sri Lankan, Indonesian, Ghanaians, the majority of these guys are all happy and keen to work, there's always a few bad eggs but they are all figured out, but those guys want to come to this country, not wanting to settle in the country, but wanting to come and work here, to make a better life for themselves and their families back home.” (James, skipper, West Coast)

His answer emphasises that they do not want to stay in the country, perhaps thinking that this might be a useful point of argument given Home Office's Hostile Environment policies which tend to favour temporary visas and do not allow family reunification (Brittle, 2019). He invokes a “win-win” scenario, where skippers would be able to employ ‘hard working’ foreign crew at affordable rates, the industry and therefore the UK economy would be highly productive due to the work of the foreign crew while not having to provide potential long-term benefits because they are not looking to stay in the country, and the migrants would be able to be relatively well-off in their home countries through remittances. The latter related to what Jones et al (2020: 22) refer to as “the principle of contractual entitlement”, whereby fishers “appear willing to sign contracts for less remuneration than the UK minimum wage, but for significantly higher remuneration than their home country minimum wage”. They critique this view by emphasising that individual fishers might appear willing to sign contracts due to desperation, misinformation or misunderstanding and this critique will be furthered in Chapter 7.

⁷ While the Scottish Government on its own is not able to create immigration routes the way participants spoke sometimes either did not reflect a full awareness of this, or they did but wanted the Scottish Government to do more to lobby the UK Government on this issue.

Moving back to discussing the growing proportion of migrant workforce in fisheries, Euan outlines how the reliance on foreign crew came about in a gradual and bifurcated way. On the one hand, EU migrants were able to enter the UK under free movement and filled labour shortages in many industries in rural Scotland, from hospitality, to fishing (offshore, and in seafood processing, see Duffy, 2022). While EU migration under free movement would allow people to move with their families, this was not always the case in fisheries.

“But then what saved them, in a way, is the EU and what saved many aspects of the industry in the UK was being able to recruit qualified – from hospitality to lots of things including fishing – good, qualified hard-working people who, you know, could be paid less and end up living in the boats. And the boats were designed for people to go in and out and go home at night, they were not designed to live on them.” (Euan, part of the wider fishing community, Outer Hebrides)

Because EU migrants (he singles out those from Romania) were often in the UK seasonally, their wages were then sent to their families, they did not have the same housing needs and they were often paid less, with the assumption that their money would go further in their ‘home countries’. It is pertinent, therefore, to consider how the spatial fix, in the context where expansion happens with workers moving to new areas (as opposed to the production process moving), provides hidden subsidies to employers, as well as governments of the states in which they are working, in terms of social reproduction. Workers access most public services outside of the UK, and much of their family, domestic social reproductive work takes place in their ‘home countries’ as well.

“They were paid enough to make it worth their while, and I think they were probably making what to them was good money compared to anything else.”
(Euan, part of the wider fishing community, Outer Hebrides)

The way he emphasises that immigration from the EU initially saved the industry aligns with Harvey’s (2001: 24) deployment of the ‘fix’ metaphor as a temporary solution to a problem that continuously recurs – the craving for increased profit margins and the need for a workforce which will enable those. The increase in the numbers of EU workers moving to the UK first stabilised, then dropped slightly around the time of Brexit, and finally dropped significantly following the end of UK’s participation in the free movement agreement (Migration

Observatory, 2023). Euan, as well as other interviewees, indicated that this coincided with a rising demand for workers, fixed by the temporary migration of non-EEA fishers. As will be evidenced in later sections, this fix was also merely temporary, as new challenges continued to emerge. The same logic applied to non-EEA fishers, working in the UK on Transit visas, who also work in the UK seasonally, sending remittances to their families.

Living on vessels is common among migrant fishers, even though the narratives around the suitability of this vary between participants. The ITF (ITF, 2022) and the Rights Lab Reports (Sparks, 2022) and many non-skipper participants underline that vessels are unsuitable for living. Many skippers do not see an issue with this, but some provide alternative arrangements such as rented flats or caravans near harbours. This speaks to the importance of thinking about forms of social reproduction, a component of the “fix” underexplored in Harvey’s accounts. One skipper stated that migrant fishers prefer to stay near where they work and would rather earn more money (on top of their wage) than seeing money spent on more expensive accommodation. It should be noted that local crew do not live on vessels beyond the length of a fishing trip. With a growing housing crisis across rural Scotland (Scottish Government, 2023), which pushes many young families away from the islands, this indicates another layer to the spatial fix, as this approach enables an increase in the workforce while bypassing the increasing demand for housing.

In summary, in this section I argued that the fishing industry in Scotland employed spatial fixes by expanding the geographical pool of their workforce in order to increase or maintain profits. Drawing on an analysis of a narrative discussion of an interview with a harbour employee in the Outer Hebrides, I demonstrated how a series of developments, starting with the introduction of fishing quotas, influenced the move from share-based to waged remuneration practices and produced a more capital-driven industry which relies heavily on cost cuts enabled by a reliance on temporary migrant workforce. This initial analysis also serves as an introduction to the empirical component of this thesis, as many of the issues emerging in the discussion with Euan reappear and are further discussed throughout the three empirical chapters. This begins with the next section which focuses on critically unpacking the changes to UK immigration narratives and policies following the initial campaign for the UK to leave the EU.

5.3. Pre-Brexit routes for EU and non-EU fishers & the Transit visa

As discussed earlier, the United Kingdom's decision to leave the European Union has brought about changes in immigration regulations governing the entry and employment of migrants in different industries and influenced subsequent shifts in labour dynamics across various sectors. Through sections 5.3 and 5.4. I analyse the regulations surrounding the employment of migrants in Scottish fisheries before, during and after Brexit – those outlined by Euan in the previous section – to situate migrant fishers working on Scottish vessels within the UK immigration regime. In this chapter I focus on analysing these policies on paper, while I will further discuss how they are enforced in Chapter 6. In this section I focus on the Transit visa route, which has been used primarily by non-EEA fishers. I argue that it has actively made non-EEA fishers further marginalised and put them at risk of exploitation⁸. Continuing the spatial fix argument, I contend that existing regulations, as well as the frequent changes to said regulations, have contributed to the hyper-precarity of fishers by curtailing their mobilities and agencies.

Prior to Brexit, there was a clear difference between the paths to employment in the UK for EU fishers and for those from outside of the EEA. The 8.1% of fishers from the EU working in the UK in 2015 (Scottish Government, 2016) were subject to the same immigration conditions as all EU migrants, having the right to work in the UK based on the Free Movement agreement. These numbers could be underrepresenting those fishers who acquired UK citizenship in the process. The Free Movement agreement allows citizens of EU member states to move freely to other EU countries regardless of their employment status, meaning that fishers were able to move to the UK temporarily or permanently, with or without their families. Meanwhile, 19.4% (Scottish Government, 2016) of fishers from non-EEA states were largely employed in the UK on the Transit visa.

Over the course of the fieldwork, most of the discussion was focused on non-EEA migrants but a few participants outlined the trajectory of migration of fishers from the EU to Scotland. Fisheries Association Representative D referred to the timeline of people from the EU moving to the area on the West Coast where he lives⁹, which closely follows the timeline of Eastern

⁸ Developments after February 2023 are not included in this analysis, but it is worth noting that this route was formally discontinued in 2023 after the end of the fieldwork.

⁹ Deliberately vague to increase anonymity.

and South Eastern European countries' accession to the EU (Latvia joined the EU in 2004, Romania in 2007):

“Probably 15-odd years ago, we started getting people from Latvia moving into the hospitality trade, fish processing then from Romanians coming in to crew fishing vessels. Some of them have moved their families here and they've settled, particularly to [redacted].” (Fisheries Association Representative D)

He said that this had become “a steady flow of access to labour” for local scallop catching and processing enterprises and continued by emphasising how well-integrated the EU migrants are in the local community, noting that many have married locally, with children going to school and learning Gaelic. The theme of valorising migrants' integration by showing their appreciation for them speaking Gaelic was common in interviews with people on the West Coast, especially the Outer Hebrides, and is further explored in Eleanor Chapman's (2024) PhD thesis on multiculturalism, migration and minoritised languages in the Outer Hebrides.

While migrant fishers from the EU could previously work freely in the UK, migrant fishers from outside the EEA had always required a work permit to fish within UK territorial waters – the territory within a 12 nautical mile perimeter from the UK shores. To circumvent this requirement, many of them were employed on a seafarer Transit visa (also known as the CRM01) which allowed them to work outside of UK territorial waters but restricted workers to working on a “named vessel” and required that said vessel docks and leaves port within seven days (Jones et al., 2019). The visa was intended for international seafarers but is used in fisheries as a loophole (ITF, 2022). While they are required to undertake their work outside territorial waters, in practice, most migrant fishers tend to live on vessels, in UK ports. The details of the Transit visa regulation, its interpretation, and enforcement are discussed in more detail in Chapter 6. Returning to the key theoretical framing of this section, it is perhaps worth noting that the practices used to circumvent the regulation and interpret it favourably in a way which serves the accumulation of capital for the largest firms are commonplace and again act as a “fix” within an increasingly restrictive immigration system and a shrinking UK labour market.

According to Euan, the proportion of EU fishers has decreased, while the proportion of non-EEA crew has increased (corroborating figures from recent reports in Chapter 2), and labour shortages remained a prescient issue on the islands. He noted that it was after this initial

migration of EU fishers that non-EEA crew started to move to the area, although this happened sooner on the East Coast where Transit visas were more widely used (Djohari and Whyte, 2021).

“Euan: Then Filipinos started appearing, but obviously non-EU, and they would come in on the technicality that they were ship crew joining a ship

Katja: The Transit visa?

Euan: Transit visa, yes, but they were not transiting, they were, it was a loophole, exactly that. And the Ghanaians, I have no idea, I have no idea what the connection was there and again good, hard-working guys, I would say, from very conservative Christian backgrounds the ones I've seen and obviously this is... How they come here I don't know.

[...]

Their local MP is very much pushing for this to be allowed, the skippers do well, the owners do well and obviously these people make a living better than they would be, but whether it's fair, whether it's fair working conditions, personally I don't think so... but to an extent it's the way the world rolls as well, but it's not fair.” (Euan, part of the wider fishing community, Outer Hebrides)

I will discuss the wider questions that this part of my discussion with Euan raises throughout the rest of the empirical analysis, but in this instance I should underline that the perspectives of migrant fishers, skippers, fishers, other locals, the Scottish Government, and NGOs on the legitimacy and fairness of the use of the Transit visa vary. I discuss the moral economies that build particular narratives around the variety of views more in depth in Chapter 7. Broadly speaking, local politicians, skippers and industry representatives in the Outer Hebrides were keen to use this option and present it as one that works out for the benefit of everyone involved, while many NGOs are strongly against the use of the visa. Meanwhile, this practice has been widely critiqued from organisations ranging from the ITF (2022), the Nottingham University

Rights Lab (2021) and the Scottish Government (see *Blue Economy Action Plan*, 2020)¹⁰ for enabling exploitative, unsafe, and, at the very least, unfair employment.

Interviews with fishers, skippers, recruiters and relevant NGOs confirmed that the UK immigration system increased the potential for the full spectrum of labour rights abuses. Transit visas are a source of hyper-precarity among migrant fishers (see also Djohari and Whyte, 2021). Their insecure status is compounded. As migrants, they do not have residency rights in the UK (to free medical care, to bring families, to settle); as workers, their employment is dangerous, their status is bound to a named employer, and their pay sometimes works out to as little as £3/hour (ITF, 2022).

Aside from filling in for shortages of domestic crew, employing fishers on Transit visas allowed the employers to bypass some of the UK labour regulations, such as the minimum wage, indicating another layer to the spatial fix provided by the reliance on non-UK workers. A representative from the ITF summarised the issues which arise with the use of Transit visas in fisheries:

“I think in the UK there’s a whole issue around working hours and minimum pay. I think the average going rate for a Filipino deckhand is £250/week. They’re probably working not a 30-hour week, but more a 70-hour week so they are getting grossly underpaid.” (ITF representative for UK fisheries)

These figures are in accordance with most frequently reported estimates that workers on Transit visas usually earned £1200 per month (Rights Lab, 2021) and a commonly noted figure of £1600 mentioned in interviews – considering that they tend to work over 70 hours per week, this worked up to well below the UK minimum hourly wage. This contrasts with the domestic crew, or EU crew pre-Brexit, who were paid a share of the profits from the vessel’s catch which tends to work out to be much higher. Since migrant fishers are comparatively skilled, and often characterised as particularly hard working in contrast to the domestic crew, large parts of the

¹⁰ “Use of this visa route limits non-EU citizens to working outwith 12 nautical miles, severely restricts their right to enter and remain in the UK, and means that UK employment law does not apply to these workers (including the UK “National Living Wage” and the ability to freely change employer). This places workers in some parts of the fleet at significant risk of maltreatment and exploitation; up to, and including, possible offences under the Human Trafficking and Exploitation (Scotland) Act 2015. The payment of low wages to foreign crew also significantly undercuts domestic labour, hampering efforts to attract new domestic labour, hampering efforts to attract new domestic entrants.” (Scottish Government, 2020b: 34)

industry were able to pay the crew less in return for the same standard of work and higher overall profits. This underscores the argument from the previous section as the way employers circumvent regulations is through literally ‘fixing’ the fishers on transit visas beyond the 12nm line from the shore also (temporarily) ‘fixes’ the profitability margins for employers (i.e. keeps them steady or increases them). The ITF representative went on to further complicate this critique by highlighting the broader context which enables this fix:

“Obviously, some of these people are coming back year after year to be – as I see it – exploited. Although the skippers, owners, or fishers themselves don’t see it, because it’s much better here than working on a Taiwanese boat or a Chinese boat.” (ITF representative)

The moral economies which allow individual employers and the global market for fisheries labour to rationalise exploitative practices will be further discussed in Chapter 7, but it is important to recognise his final point; that rather extreme instances of trafficking and forced labour are not absent in the UK context. Indeed, Transit visa regulations which restrict the mobility of migrant fishers to ports, vessels, and, primarily, areas outside UK territorial waters, simultaneously enable these practices and render them invisible.

The situation for migrant fishers on Transit visas – and, as will be evidenced in the next section, for most migrant fishers after Brexit – fits squarely within the historical narratives and trajectories of UK immigration politics, which both led to and perpetuated the vote for Brexit. As contextualised in Chapter 2, the narrative aim of the UK government in the 2010s was to “create, here in Britain, a really hostile environment for illegal immigrants” (Theresa May in 2012, in El-Enany, 2020: 8). While the former Home Secretary refers to “illegal immigrants”, it is important to note that this policy of “state-imposed legislative violence” (El-Enany, 2020: 10) has disproportionately affected racialised migrants, including those in the UK legally. Transit visas enable migrant fishers from non-EEA countries, who were largely non-white, to enter the UK to work on UK vessels but remain largely *out of sight*, living on vessels and working outside territorial waters, with limited access to public services, and no routes to family reunification or permanent settlement – all while paying them below the UK minimum wage.

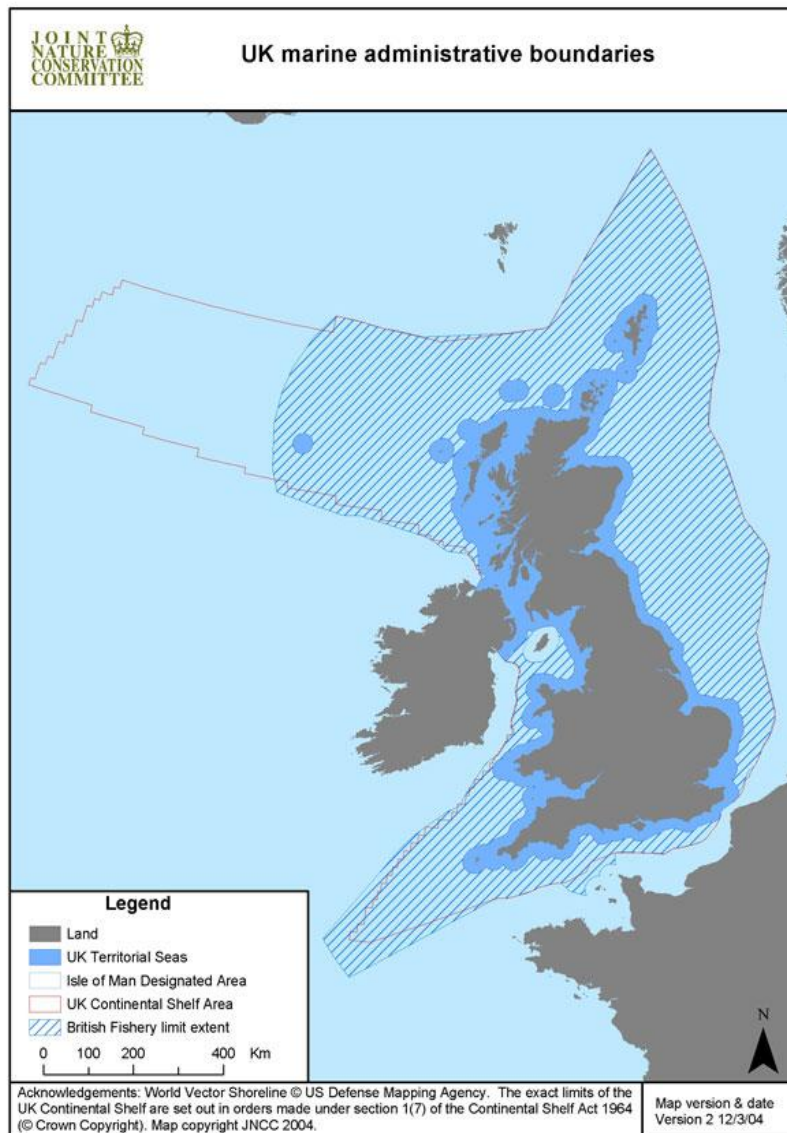


Figure 10: Map of UK territorial waters and the Exclusive Economic Zone. (Joint Nature Conservation Committee, 2004).

The use of the Transit visas is further complicated by the geographical restrictions to its use across Scotland. Smaller, inshore fishers, especially in the West of Scotland have found it more difficult to hire non-EEA crew, because few of them fish predominantly outside of the 12nm perimeter from the coast. West Coast fishers need to travel further to get outside of the 12nm limit, while East Coast offshore fisheries can rely more easily on migrant labour (see Figure 10). This distinction created tensions within the industry because it contributed to differences in profitability between the coasts, as well as uneven conditions on the market. Among the sub-

sectors, migrant fishers are most often employed on demersal vessels under 24 meters and on nephrops trawlers which operate largely outside the territorial seas. The need for this ‘fix’ is lesser on demersal vessels larger than 24m as they are more lucrative for domestic fishers in terms of profits (Scottish Government, 2016).

As labour shortages are said to be limiting the UK’s economic growth (ONS, 2021; Parliament UK, 2022), this outcome of the current regulation system whereby fisher on the West coast are not able to hire migrant workers poses a challenge to Harvey’s argument, as the UK governments’ restrictive immigration regime seemingly acts against the logic of capital. However, as the final section of this chapter will show, these challenges are still continuously ‘fixed’.

This section summarized existing critiques of the reliance of the fishing industry on the Transit visa loophole as developed in the publications of the ITF, the Scottish Government and others (Human rights lab, 2022; Djohari and Whyte, 2021). It moved beyond these existing critiques, to integrate them with the analysis of the spatial fix and drew on postcolonial critiques of the UK immigration system to argue that the Transit visa system curtails workers’ agencies and restricts their mobilities by perpetuating unfair and at times exploitative employment practices. It also demonstrated how the route disproportionately disadvantages West Coast fishers and smaller vessels when they operate in the same market. While the routes of entry for EU and non-EEA migrants to work in the UK were different before Brexit, the following section analyses how they changed with the implementation of new immigration policies following UK’s exit from the European Union.

5.4. Critique of constructions of skill

With the UK’s exit from the EU in 2020, a slew of changes to immigration pathways into the country took place over the following years, as contextualised in Chapter 2. One of the key changes was the establishment of the Skilled visa, established to provide a route to entry to migrants who would fill in labour shortages in “skilled” professions. This section considers the fraught involvement of fisheries with these new routes by unpacking how emerging immigration policy narratives employ the concept of ‘skill’. I argue that the points-based system is a means of differentiating between desirable and undesirable migrants, as those who speak English to a high level, those vying for higher paying jobs and with more advanced

qualifications are more likely to score highly, even though labour shortages are actually most prominent in lower paid jobs.

In February 2020, following the UK's exit from the EU on the 31st of January 2020, the Home Office released a policy strategy outlining the new points-based immigration system. Figure 11 below outlines how the system rewarded applicants for meeting certain criteria.

Characteristics	Tradeable	Points
Offer of job by approved sponsor	No	20
Job at appropriate skill level	No	20
Speaks English at required level	No	10
Salary of £20,480 (minimum) – £23,039	Yes	0
Salary of £23,040 – £25,599	Yes	10
Salary of £25,600 or above	Yes	20
Job in a shortage occupation (as designated by the MAC)	Yes	20
Education qualification: PhD in subject relevant to the job	Yes	10
Education qualification: PhD in a STEM subject relevant to the job	Yes	20

A total of 70 points is required to be eligible to apply; some characteristics are tradeable.

Figure 11: Summary of criteria for awarding points through the point-based immigration system. A total of 70 points are required to apply (UK Home Office, 2020).

The accompanying statement presented the evolving UK immigration policy as “firm and fair”, underscoring the importance of a stricter control over immigration and borders relative to the pre-Brexit period:

“For the first time in decades the UK will have full control over who comes to this country and how our immigration system operates.” (UK Government, 2020)

In practical terms, the policy statement outlined aims to reduce the net migration numbers through “end[ing] free movement and not implement[ing] a route for lower-skilled workers”

(UK Government, 2020). This marked a stark change from the period of free movement, when EU migrants could reside and work in the UK without a visa, and when employers in sectors which struggled to recruit UK workers could rely on migrant labour from the EU (Consterdine and Samuk, 2018). In the new immigration strategy “those with the highest skills and the greatest talents” are prioritised (UK Government, 2020); the statement emphasises that this approach is fairer for not privileging EU migrants and will, overall, lead to higher economic growth by shifting the reliance on cheap migrant labour to investments in automation and technology. This discourse around fairness emerged at the intersection of immigration and employment policies. In broad strokes, it attempted to address the moral panic over the high level of immigrants perceived as low-skilled workers and the UK’s relative underperformance in certain emerging fields in science and technology. While ostensibly economic in nature, the distinction between ‘high skilled’ and ‘low skilled’ migrants apparent in the new immigration guidelines resulted in qualifying certain groups of migrants as more desirable than others. In practice, the Skilled worker visa employs camouflaged terminology along with income and education indicators to restrict certain groups of migrants from working in the country.

In the context of employment, the Office for National Statistics formally defines “skill level” as follows:

“Skill level is defined with respect to the duration of training and/or work experience recognised in the field of employment concerned as being normally required in order to perform the activities related to a job in a competent and efficient manner [...] Skill levels are approximated by the length of time deemed necessary for a person to become fully competent in the performance of the tasks associated with a job. This, in turn, is a function of the time taken to gain necessary formal qualifications or the required amount of work-based training. Apart from formal training and qualifications, some tasks require varying types of experience, possibly in other tasks, for competence to be acquired.” (in MAC, 2020: 13)

In responding to a request from the Home Office, the Migration Advisory Committee (MAC, 2020) used this definition to outline the rationale for their shortage occupations list, a document designed to identify jobs where labour shortages were to be expected following Brexit. The objective of this list was to generate a category of occupations that could be deemed

technically/formally “skilled” and included in the points-based system, without meeting the higher salary threshold. Those trained in these occupations would be able to obtain a visa to work in the UK; they could be paid at 80% of the standard wage according to their secured job offer (as opposed to 100% required for other applicants who meet the 70-point threshold). In a system where skill is considered something that adds value to a worker (presumably leading to higher compensation), this approach appears contradictory in and of itself. Among other recommendations, MAC suggested that “deckhands on large fishing vessels, 9 metres and above” (p16), with at least three years of experience be reclassified as skilled (moved up to the RQF3 bracket) and placed on the shortage occupation list. Despite this recommendation coming from the UK government’s own advisory body, it was in the first instance rejected by the Home Office, by successive immigration ministers.

The fishing public was discontented with this rejection, their views aptly summarised by *The Fishing Daily*, where a journalist referred to the MAC report to underline the skills necessary to be a fisher:

“The report notes that this now requires deckhands ‘to have good knowledge and skill across all aspects of the job, but also to have in-depth competence in at least one area such as engineering, net repair, fish handling, catch presentation and the sea’. It states that the role requires ‘a higher level of responsibility, given the dangerous conditions in which deckhands are operating’[...] This includes ‘complex hand-eye skills... for net-mending and rope splicing’, ‘minute-to-minute responsibility and autonomy’ and ‘a wide range of technical, legal and regulatory knowledge’” (The *Fishing Daily*, 2020)

Further to this, the high level of skill necessary to be a fisher is apparent through conversations with fishers and numerous reports and publications. The Marine Scotland (Scottish Government, 2016) report on employment in fisheries states that most migrant fishers must partake in UK-based training to work on a boat registered in the country. Beyond that, most hold mate or engineering certificates as well as degrees from nautical colleges gained abroad. Their labour is often manual but requires expertise, dexterity, competence, and is highly risky. Fishing crew are 115 times more likely to die at work than the average UK worker with migrant crew having a death rate of over three times higher (McCall Howard, 2017: 192). These figures are stark and there is a sense, while interviewing fishers, that they are consistently aware of the dangers of their work as well as who in particular is at risk.

Interviewees from across the industry repeatedly emphasised the difficult nature of work in fisheries and the wide variety of skills necessary to operate a vessel, undertake work with on-board machinery, navigate the challenging conditions at sea and ensure safety of themselves and others:

“[...] fishing is a skilled job; it’s overlooked quite how skilled it is. You have to multitask just to stay on your feet, you’re looking for hazards, looking out for the guys next to you, trust they’re looking out for you, have to get really fast rope work to get your gear back to the water and if you’re an offshore fisherman, taking watches responsible for everyone while they’re asleep.” (Angus, former fisher, West coast)

This quotation gives a key sense of how notions of skill are developed and contested. Both MAC’s and interviewed fishers’ descriptions of fishers’ work emphasise a degree of responsibility and autonomy that it takes to fish safely (see Attewell, 1990). Fishers are autonomous in the sense of making minute-to-minute decisions in often dangerous situations which qualifies them as “skilled” according to MAC (2020), but not according to the UK Government’s initial decision regarding their inclusion on the Skilled worker visa scheme. This loss of autonomy is familiar to fishers as their autonomy in relation to where, how and how much to fish has been continuously restricted by government actions, which could also be understood as another dimension of precarity. I elaborated on this in more detail in earlier discussion around quotas and critiques of Marine Protected Areas in Scotland¹¹.

Speaking to the level of skill necessary to not only do the job, but do a dangerous job safely, a Donals, the UK-based recruiter, aptly summarises the contradictions apparent in the immigration policy.

“Filipinos, Ghanaians, Sri Lankans, Indonesians, they’re shipping nations, so they might not know this job specifically, but these guys will pick up these jobs

¹¹McCall Howard (2017) draws on Foster (2000) to provide an interesting analysis which frames fisher’s continuous loss of autonomy as alienation of workers from nature and from the labour process.

quickly. Plus, they can tie ropes, splice ropes, splice wires, mend decks, they protect them with watch keeping certificates. Right now, British people get basic certificates and that's them... The danger factor, you're going to think that the hydraulics we have aboard these vessels, aboard every vessel, it doesn't matter if it's a [inaudible], if something gets caught up in that, it's dangerous, it could be fatalities. And some guys just don't understand the danger that's involved in the job." (Donald, UK-based recruiter)

Importantly, Donald implies that the skills of racialised migrants appear to be implicitly ignored. Literature on the Canadian point-based immigration system can act as a useful reference point for parsing the new UK policy. For instance, Guo (2015) critically unpacks how race has been connected to the concept of "skilled migrants" in the Canadian migration regime. He points to the contested definition of the term "skill", taking the view that "skill is a floating signifier that obscures context, inequities, and the social nature of the learning process itself" (Guo, 2015: 237; drawing on Sawchuk, 2008).

Herzog and Sandoz (2018) argue that the "highly skilled migrant" category is too often abstracted and taken for granted. Alongside this, the context suggests that it is also politically mobilised in key strategic ways to achieve desired goals said by governing decision makers to best benefit the state. In that sense the shortage occupation lists and conditions required to obtain the Skilled worker visa seem to presuppose what constitutes as highly skilled. Ultimately, they argue that being considered a "highly-skilled migrant" depends less on migrants' characteristics and more on interest groups and stakeholders. Joppke (2005) argues that "skill" is sometimes utilized by governments to regulate entry for certain groups of migrants on grounds of race, nationality, gender, or class, even when this is not an explicit goal of a policy. "Skilled migrants" are prioritised, even if this means bringing competition to certain labour markets and regardless of if there are shortages of "low-skilled" workers (Boucher, 2019).

This feeds directly into the recent UK immigration narratives, where the exclusion of certain professions from the shortage occupation list despite MAC's recommendations to classify them as "skilled", and the different classification of certain professions as more "skilled" than others, is apparently based on racist and classist judgments. This distinction between "highly skilled" and "low skilled" migrants is especially problematic as it reflects some of the imagined and

somewhat dangerous ideas of the “good” or “desired” migrant (Findaly et al., 2013). Skills necessary to undertake the work, alongside the inherently dangerous and difficult nature of fishing, are crucial in underscoring the contradictions in the Home Office’s decision to refute MAC’s recommendation. The new UK immigration strategy can therefore be seen to construct racialised migrant fishers as unwelcome and unwanted. Despite the economic (MAC, 2020) and social (Scottish Government, 2020b) need for their labour and presence in rural fishing communities, they have practically no routes to permanent residence in the UK.

Furthermore, in December 2020, the UK government proposed a “frontier workers permit scheme” (UK Government, 2020) which allows entry to seasonal workers from EEA countries who had previously worked in the UK and have kept working in the UK at least once every 12 months since they first started working in the UK. The distinction between entrants from the EU and those not from the EU in this instance undoes the Government’s stated intention to equalise the chances EU and non-EU migrants. This rule can be further connected to Joppke’s (2005) point as he states that – regardless whether this is its actual intention or not – migration policy often regulates the entry of migrants on the basis of race; in this case Filipino and Ghanaian fishers, some of whom have fished on UK vessels for over a decade (Scottish Government, 2016), are still excluded from working within UK territorial waters .

After intense pressures from the industry, in April 2021 the Home Office made experienced deckhands eligible for the Skilled worker visa. However, it still did not include fishing on the shortage occupation list¹², despite widely reported labour shortages. This means that to obtain the visa, the migrant workers’ sponsor/employer must guarantee a salary of at least £25,600¹³ for a contracted period of three years in line with other non-shortage occupations. Their pay must also be at least £10.10 per hour. While this sounds encouraging – and pay of £10 pounds per hour is preferable to agency pay of £1200 pounds per month – this change of regulations failed to take an opportunity to close the Transit visa loophole, or to create an immigration route that works for both migrant fishers and Scottish fishing communities. It also did not account for the unstable seafood market and variations in profit intrinsic to the fishing industry,

¹² Since the end of the fieldwork “share fishermen, trawler skippers and experienced deckhands” were added to the shortage occupation list, but this was more than two years after the developments discussed in this chapter (UK Government, 2023).

¹³ These are figures for 2021 and are adjusted every year.

where pay is traditionally share-based. This means that in Scotland, employers who qualified could continue to employ workers on the Transit visa which allowed them to obtain higher profit margins. In practice, skippers and recruiters voiced contrasting opinions on the feasibility of this requirement. McCall Howard's (2012) nuances this by arguing that, while share systems in fisheries might appear as non-capitalist due to the distribution of the fishing surplus, they can still function within fully capitalist relations when labour itself becomes a commodity. In the Scottish case, the breakdown of shared ownership in boats and gear has allowed share systems to act as a variable and casual wage, masking the capitalist dynamics of exploitation and commodity production underpinning the fishery.

Practical issues faced by Outer Hebrides Fishers were summarised by a fisher who emphasises contradictions permeating the employment of migrant fishers in Scotland:

“All these guys from abroad, they have all gone to a marine college and learned net mending skills, rope working skills, splicing, engineering skills and they can run around a lot of British guys, but we can't get them because of this 12-mile rule, and because some of them can't pass the English language tests, and because 26k is a lot of pay to guarantee – for three years, Katja! - for smaller fishermen.” (Angus, former fisher, Outer Hebrides)

This view is particularly prevalent among smaller and inshore fishers from the Outer Hebrides who are not able to use the Transit visas and do not have the safety net that some bigger companies have with regards to protecting themselves from other volatilities of the market. The seafood market, especially in the period surrounding Covid, Brexit, and wider consequences of environmental change, experiences constant variations in profit for fishers and the fishing industry. As discussed, pay in fisheries was traditionally share-based and, as such, specific pay for fishers guaranteed for a three-year period is a significant commitment for smaller businesses to take on, which are incidentally the companies most affected by these changes.

The English language requirement is a key obstacle preventing fishers from obtaining the visa. As shown on Figure 11, an English language qualification is worth 10 points, but is not a tradable criterion, meaning migrants must fulfil it in order to qualify for the visa. This is a particularly contentious issue in Scotland where fishers often speak Scots, Gaelic or Doric and use terminology not tested for in formal English language tests; two interviewed fishers in the

Outer Hebrides said that they predominantly speak Gaelic on board which renders the English language requirement even more futile. Many interviewees suggested that it is much more important that the fishers are able to understand and communicate to the extent that ensures safe work on vessels – whereas written English skills to a particular level of TOEFL qualifications required by the point-based system are of little relevance to their work. Indeed, the level of qualification required should be reconsidered as various jobs on the shortage occupation list require various levels of English to be spoken by applicants.

In the context of critiquing the immigration policy for failing to sufficiently understand the degree of skill required to work as a fisher, it is worth reflecting on the salary ranges discussed here. While I argue that the existing routes for migrant fishers do not work for the industry or for the migrants for various reasons, including a strict salary requirement for an industry where pay has traditionally fluctuated seasonally with variations in value of the catch and shares, it does not seem unreasonable to nonetheless expect the employer to guarantee a certain amount of income security for their employee. While the difficulties involved in paying workers consistently is frequently mentioned, some fishers challenge this idea. Alasdair, a skipper who takes pride in mostly employing local workers, explains that he thinks the minimum salary arrangements are not unreasonable:

“One of the big problems that people are naming is that the 27,000 minimum salary is way too much. Now, I'm sorry, but if we're sitting here as an industry, saying that you want a guy to come from halfway across the world to work on your boat, but you're not willing to give them 27,000, then we have a fundamental flaw.” (Alasdair, skipper, West Coast)

Alasdair raises a contentious point among skippers, as many claim that money is not the issue as long as workers are available to take on the work, while others suggest they would struggle financially. This indicates variations in the need for the spatial fixes within the sector, with those in inshore fisheries, those already struggling – perhaps with vessels in need of servicing – being the most reliant on it. The ITF representative for fisheries spoke about the increasing concentration of power and profit in some parts of the industry:

“The power and money in fishing are extremely concentrated and these businesses are lobbying for increases in quotas, the flexibility with visa systems, controlling the debate around Brexit, really this issue is going to affect

the mid-range less profitable mobile gear sector that have had to employ migrant crew for 250 quid a week... this is something to think about because doing things properly and paying them a minimum wage will mean that some fishing boats go out of business, they cannot survive paying for a fair wage. It means to me that it is a problematic industry.” (ITF representative)

His words raise important questions about fairness and potential need for government support in fishing. Yet, the most prevalent line in the industry is that a change in policy fails to account for the unstable seafood market, the effects of the Covid-19 pandemic, unpredictable costs of fuel, and variations in profit intrinsic to fishing. The requirements to obtain the Skilled worker visa are deemed unreasonable and Transit visas are still the main entry route for migrant fishers. In fact, a freedom of information request by the ITF revealed that not one fisher entered the UK on a Skilled worker visa in its first year (ITF, 2022)¹⁴. Desperate amid worker shortages, employers either would not commit to paying £26,000 for three years, or they could not find suitable candidates who met the criteria, usually because of the language requirements. Interviews also indicate that initial excitement about the route turned into frustration with the incompetency of the process:

“My mate applied for sponsorship for two crew, got a reply from the Home Office to say that the registration hadn’t been recorded and they wouldn’t give him a refund either.” (Angus, former fisher, Outer Hebrides)

Initially there was limited information on the use of the Skilled worker visa, but speaking to skippers and recruiters suggested that this route was not viable for smaller fishing businesses (e.g. vessels skippered by their owner) and did not allow them to compete with larger enterprises, or those working with crew on Transit visas. This means that in Scotland, employers who qualify could continue to employ workers on the Transit visa which allowed them to obtain higher profit margins. At the same time, employers fishing outside the UK territorial waters are able to continue using Transit visas to increase profit margins while bypassing multiple UK employment policies (i.e. minimum wage standards)¹⁵. It is worth

¹⁴ After I had finished the fieldwork, I did get in contact with some people in the islands again who mentioned that they heard of people applying for the visa, although at the time, in late 2022, this was still relatively rare.

¹⁵ The use of the Transit visa was discontinued in spring 2023 a few months after the end of data collection for this project, but the consequences of this were unclear at the point of writing.

noting that this is also the only feasible option for crew who want to move to the UK but do not have language certificates.

The developments to immigration routes discussed in this section challenge some of the ideas surrounding the implementation of the spatial fix and the way they were deployed earlier in the chapter. Harvey's (1982) original discussion of the concept assumes a certain level of rationality of capital; that the geographical expansion will be increasingly enabled to facilitate the maximisation of profit. However, the UK Government's decisions in the face of Brexit – in this case related to immigration – do not directly follow this logic. Through an empirical application of this concept this section has complicated and broadened the discussion of it by drawing on a postcolonial critique of the UK immigration system as it showed how UK government's immigration policies in the period following Brexit perceive and scrutinise migrants' skill levels through inventing language barriers and cultural norms leading to the racialisation of migrants' supposed (lack of) 'skilfulness'.

5.5. Illegal and unsafe labour as a consequence of the UK immigration regime

In the final section of this chapter, I underscore how the failure of existing immigration routes to secure feasible pathways to migrant employment can work to enable and perpetuate unsafe, unfair, and at times illegal practices. This discussion further complicates the idea of the spatial fix within this context, as I show how the government's actions towards restricting immigration – which the previous section showed to be in conflict with the logic of capital – were circumnavigated as workers and employers found ways to bypass regulations. This discussion also serves as a useful transition to the next chapter which will analyse the enforcement of regulations in maritime spaces – moving beyond a discussion of rules as presented on paper and towards an analysis of the real-world conditions.

In the midst of the fieldwork, in early 2022, it appeared that the Skilled worker route was not working for anyone – workers, employers or potential employers. Yet the labour market was such that vulnerable migrants were desperate for work, and many skippers were desperate for a (cheap) workforce. With restrictions to the use of the Transit visa for West coast fishers, the regulations were at times evidently bypassed. A fisher implied that his friend who did not receive a reply from the Home Office ended up getting foreign crew illegally.

“So, yeah, he says “we’re just gonna get the crew anyway”, I said “don’t tell me

these things, I don't want to know". So, there is obviously some way that they can still get these people in illegally and some guys are just doing that [...] So, I don't know how these guys do it (...) I suppose there's rogue traders throughout the industry." (Angus, former fisher, Outer Hebrides)

It appears, then, that where there are opportunities for the extraction of capital, and a maximisation of profit, formal regulations will be bypassed in the absence of safe, legal routes. While it is easy to point fingers at individual fishers – illegal employment is wrong in itself – the desperation of some employers was evident. Rather than utilising outright illegal practices, there was a tendency to lean into 'grey areas' in places where policies could be interpreted in their favour. For example, I saw migrant workers in ports in the Outer Hebrides working on vessels which were unlikely to fish *predominantly* outside of territorial waters (although impossible for me to know). When I asked locals if they knew how they entered the country, they mentioned both Transit and Standard visitor visas (I never pushed or challenged those topics in interviews so as not to alienate participants). People I interviewed rarely outlined how the restrictions were bypassed, and never referred to themselves as bypassing the regulations, speaking more of their friends, or shaking their heads, providing non-committal answers and referring to work permits or naming various visas that were not related to work permits which indicated the existence of these grey areas. I spoke to fisheries NGOs and recruiters in Ghana who underlined how prospective migrants who often face poverty and environmental decline in their own fishing communities are choosing between entering the UK on a Transit visa, not entering at all, or entering illegally. In one sense, the Transit visa allows them some mobility — more than the Skilled worker visa which they are not eligible for: on a Transit visa they are able to work abroad and provide for their families.

It is widely recognised that unregulated employment of migrant workers might lead to unsafe and exploitative practices (Lewis et al, 2015; Strauss and McGrath, 2017). Indeed, it is vitally important to challenge employers implementing these practices. However, I draw on Anderson (2010) who calls for the situation of precarious migrant workers to be analysed within the context of labour markets and immigration restrictions, rather than being relegated only to exploitative employers. He outlines how the image of an exploitative employer obfuscates the responsibility of the government to create conditions in which workers can act autonomously

rather than rely on the goodwill of employers¹⁶. The frequent image of a fisher in the UK public discourse is of an anti-authority figure, discontented with Brexit, a risk-taker. But ultimately, it is the post-Brexit government regulations that create short-term, employer-contingent migrant statuses, create unfeasible criteria for entry that migrants with necessary practical skills do not meet, and maintain loopholes which allow employers to exploit workers and restrict their agencies and mobilities.

Euan provided some indication as to how foreign crew are able to enter the country:

“Interviewer: and how do the crew usually get here?”

Euan: the Romanians flew into Stornoway, the Ghanaians, I think boats were going to Ireland, so there was obviously some backdoor route through Ireland.

Interviewer: interesting, there are reports that Ireland has big issues in fisheries in terms of human trafficking...

Euan: yeah, yeah, and there is, you used the right phrase, that's what it is, or one step away from it anyway...”

A key consequence of inadequate immigration routes for non-EEA fishers is therefore the illegal and unregulated entry of crew, which in itself leads to a myriad of health and safety issues, and increases the risks of labour rights abuses, trafficking and exploitation. The spatiality of fishing – at sea, “out of sight, out of mind” – renders abusive practices more invisible than they would be on land. This further increases the hyper precarity for migrant fishers in relation to the state, because they are in the UK illegally, and in relation to employers who are able to avoid any labour regulations. Accounts of abusive employers and rogue traders are worrying but, crucially, uncommon when feasible legal routes exist. As outlined by McCall Howard’s (2017) work on the vulnerability of UK fishers in the global market, employers face precarity themselves and are stuck in desperate situations, creating a direct relationship between migration policy and labour exploitation.

¹⁶ A key question here is the East/West coast divide on a regulatory level in terms of employment of migrants and who bears the responsibility to create/address the conditions where one part of the industry is not put at a significant disadvantage relative to the other because of a loophole

5.6. Conclusion

In this chapter I showed how the UK state regulates immigration to suit its needs and preferences, simultaneously attracting the labour of racialised migrants, policing their legality and status, and regulating their future right to stay through continuous changes of immigration policies. I then moved to an exploration of skills in immigration rhetoric as I discussed the different approaches to defining a “skilled migrant”, reflecting on the role of government policies which use disingenuous rhetoric surrounding immigration to control which migrants are allowed entry. Throughout the chapter I critically applied the concept of the spatial fix (Harvey, 1982) to this empirical context. I demonstrated that the Transit visa might act as the ultimate spatial fix through the way it appears to serve the logic of capital, while outsourcing the work and burdens of broader social reproduction to migrant’s ‘home countries’. I also nuanced Harvey’s analysis by challenging the notion that the state will continue to ensure a geographical expansion due to increasingly stringent immigration restrictions, yet demonstrated, in the final section, that Harvey’s thesis still holds, as new fixes continue to emerge following every challenge.

Strauss and McGrath (2017: 206) argue that unfreedom and precarity are produced through immigration regimes which “actively create conditions of subordination and dependence for migrant workers”. In the case of migrant fishers working in Scotland, this dependence is in relation to the state, the migration broker, and the employer. Here I built on Anderson’s (2010) work on labour immigration regulations and McCall Howard’s (2017) work which explores how fishers are affected by capitalist forces in the markets they sell to, to argue that the UK state is ultimately responsible for the hyper-precariety of migrant fishers working in Scotland, as it both constructs the policies which create precarious immigration and labour conditions for fishers, and enables – at times pushes – employers and migration brokers into fostering precarious employment relations with their employees in order to sustain their livelihoods.

Ultimately, I showed that it is important to find alternatives to the Transit visa loophole and advocate for feasible, safe, legal routes that reduce the hyper precarity of migrant fishers and work for small business owners. Given the likely trajectory where the UK will have to continue to ‘fix’ its entry requirements to balance labour shortages and the restrictive attitude to immigration, the post-Brexit immigration routes will require continuous scrutiny. The subsequent chapter will build on this discussion of regulations affecting fisheries by analysing

the intricacies surrounding the enforcement of state-imposed regulations at sea.

Chapter 6

Working and bordering at sea

6.1. Introduction

The material conditions of work and employment at sea are profoundly shaped by the materiality of the marine environment – a dynamic, unpredictable, and often dangerous space that imposes particular spatial and temporal rhythms on labour. As McCall Howard (2012) demonstrates, the transformation of Scottish fisheries from share-based systems to profit-driven enterprises reveals the ways in which economic logics of capitalist accumulation are embedded in and mediated by the materiality of the sea, where the variability of fish stocks and the inherent risks of maritime work render labour highly precarious. Gerstenberger and Heide (1996) similarly highlight how the seafaring context – long periods of isolation, the omnipresence of risk, and the ship as a "total institution" – produces distinct forms of labour relations, social organisation, and subjectivities that are inseparable from the material and spatial conditions of the ocean. Together, these analyses suggest that the commodification of labour at sea is not merely abstractly a distinct process but fundamentally entangled with the physicality of the marine environment, where the sea itself is both a resource to be exploited and a force that continually exceeds and disrupts human control.

As a material and conceptual backdrop to the context of Scottish fisheries, and by extension this thesis, the sea binds together human, physical and environmental geographies affecting migrant fishers. Their emplacement at sea, removed from land and invisible to most, is a key underpinning of their situation. The sea's fluidity makes their work not only uncomfortable (wet, unstable), physically difficult, and emotionally demanding, but also dangerous (McCall Howard, 2017). Despite the apparent transparency of water, maritime spaces can be rendered opaque as their vastness obscures the many tragedies which take place at sea. Historically, ships have been vehicles of colonialism (Bremner, 2015), slave trade (Rediker, 2008), the circulation of goods and thus the establishment of present-day global economic and political systems (Campling and Colás, 2021). These histories and geographies spill over, affecting many contemporary issues; uncertain futures of rural fishing communities experiencing emigration and the allure of more profitable sectors, families of migrants at home often caught in "precarity

chains” (Silvey and Parreñas, 2020), destabilisation of marine environments through changes in ecosystems and their governance, and ultimately, the challenges of establishing global food security and sustainability under the changing climate. These factors contribute to the hyper-precarity experienced by fishers which was outlined in the previous chapter.

Building on the discussion of *regulations* of labour and migration from Chapter 5, the key contribution of Chapter 6 is its discussion of the *enforcement* of these regulations at sea (although this intrinsically necessitates a continuous discussion of regulatory practices, too). I explore how the conceptualisation of oceanic spaces – in our geographical imaginations, in policy and discursive abstractions, and in individual and collective lived realities – as an unstable and ever-changing place can enable and obfuscate the precarious labour practices in Scottish fisheries. I argue that the existing regulations of these spaces posed by state-level and international actors are attempting to stabilise an intrinsically mobile space, leading to ineffective over-regulation, as the seas’ characteristics simultaneously pose challenges to the enforcement of regulations. Effectively the sea’s materiality leads to both over-regulation (in attempting to control a space that is ‘naturally’ challenging to control) and under-enforcement (failure to enforce this control). This combination of over-regulation and under-enforcement of labour/fishing/migration practices means that those working under the most dangerous and hyper-precarious conditions are the least protected.

Maritime geographers have sought to differentiate the sea as a space distinctly different from land across a range of recent publications. This view is not only present in critical reflections on the nature of maritime spaces, but also resonates with sentiments expressed by people who live and work at sea. In this chapter I critically appraise Peters’ and Steinberg’s (2015, 2019) writing on (more-than-) wet ontologies by applying their theory to the empirical context at hand. Campling and Colás’ (2021) commentary on wet ontologies in their book *Capitalism and the Sea* questions whether wet ontology approaches fall short of carrying political potential. Meanwhile Germond’s (2022) work on seapower challenges the dominant discourse which represents the sea as an “empty space” by calling to examine practices of security and control at sea. I build on these discussions through a fine-grained analysis of empirical materials which uncover how different agents involved in working and bordering at sea re-work, re-articulate and re-negotiate the regulatory frameworks. Through this, I argue that considering the role of the seas’ material fluidity in an empirical context can enhance our understanding of the affective and more-than-representational dimensions of ocean spaces and the way those who

inhabit them interact in/with them. It can – perhaps, if we lean more fully into the discussions around the seas’ fluidity – contribute to finding solutions which evade planners and legislators which often seem to want to pin it down and conceive it in the same way they would a solid, landed space. At once, discussions of the sea as a ‘special’ type of place can serve to romanticise it as it is easy to get carried away by evocative descriptions and imagery, failing to consider the conditions of social reproduction. Indeed, broad, and abstract discussions about the sea’s material instability can detract from the very real experiences of insecurity and precarity of people whose labour takes place at, or depends on, the sea.

I begin this chapter with a discussion of the implementation of the United Nations Convention on Law of the Sea (UNCLOS) and the ILO 188 Convention on Work in Fishing in the UK which highlights the discord between policy and practice in enforcement of regulations in fisheries. This leads into a section which considers the specificities of the sea as a workplace, engaging the themes of invisibility, danger, risk, racialisation and masculinity. Finally, I analyse the processes which contribute to the bordering of migrant fishers and considering the border regime’s relationship with maritime spaces.

6.2. Governing oceans: Conventions

Lehman (2022) delineates the role of geography in mapping oceans and its subsequent contributions to establishing imperial power dynamics over oceanic spaces. She uses the term “negative space” to describe how the sea resists “the imposition of boundaries and other markers of territory” (2022: 23). Nonetheless, there are consistent efforts to territorialise and enclose the sea through mapping, effecting real, lived consequences (Lehman, 2022: 23). One of the principal ways in which this happens is through international conventions. To begin the analysis of maritime regulations and their implications to the context of this research I start by outlining two key conventions which influence the way the life of (migrant) fishers working in the UK today is regulated; the ILO 188 Convention on Work in Fishing, and the United Nations Convention of the Law of the Sea (UNCLOS). This section introduces them, before bringing forward some key perspectives on from interviews with participants.

6.2.1. UNCLOS

I outlined the key implications of UNCLOS (1982) in Chapter 1, and in more detail in Chapter 2, so this section serves primarily to remind of some of its key principles and underline its significance. UNCLOS is one of the most comprehensive conventions regulating maritime space, establishing the governance of all uses of oceans and their resources. It is, thus, a prime

example of the imposition of boundaries at sea. One of the key principles established by UNCLOS is the division of the territorial sea into maritime zones. These zones regulate the states' rights within certain maritime territories. Figure 12 below shows the principal maritime zones, whereby the zone delineating Territorial sea is the most relevant to the discussion of labour migration in Scottish fisheries. It denotes 12 nautical miles from a state's shore; the zone in which fishers on Transit visas nominally should not be working in.

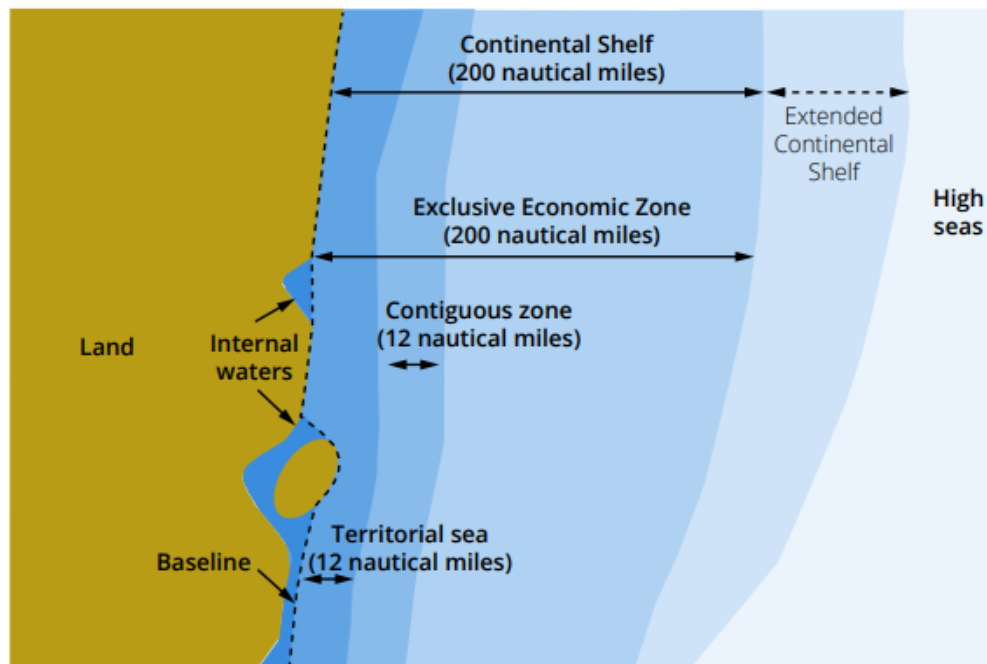


Figure 12: The main maritime zones defined by UNCLOS (Parliament.uk, 2024).

UNCLOS has implications for regulations of legal matters at sea related to this project, including fishing, working, and bordering. The introduction of Exclusive Economic Zones granted states territorial rights over marine resources, and propelled the introduction of the quota system, leading to the market-based fisheries management systems which are in place in Scotland and most major fisheries countries today (Winter, 2009; Costello, 2008). This had implications for ownership structures, employment in fisheries and fishing communities more broadly as quota ownership can be inherited and passed through generations. A seemingly practical territorial division therefore has implications not only for marine governance on a global and national level, but also on individual livelihoods and community relations.

6.2.2. ILO 188 Convention on Work in Fishing

The second pertinent convention is ILO 188 Convention (2007) on Work in Fishing, which the UK ratified in 2018. It subsequently came into force in 2019, shortly before the start of this project. ILO 188 establishes minimum standards for working conditions in the sector; this includes safety, the provision of food, accommodation and medical care, as well as employment practices, ensuring basic insurance and liability standards are met, establishing written work agreements, and securing social protection on par with other workers.

Speaking of the ratification, a representative of the International Transport Workers' Federation (ITF) was critical of the discrepancies between bureaucratic rules, their enforcements, and the lived situation at sea.

“It’s a disconnect between theory and practice, between ratifying a convention and actually enforcing it. I think it’s very easy to sign a bit of paper, it’s what comes next that really matters and has an impact on people’s lives. Turning the realms of bureaucracy into a tangible tool to improve working conditions is what’s needed there.” (ITF representative)

It is rather common for international conventions to be signed as well as ratified, but still not fully enforced at national levels (think states ratifying the Paris Climate Accords but not complying with the required reduction of gas house emissions). The ITF representative notes the challenges of so-called “soft laws” which are often included in intricate legislation or guidance on a national level – enforced on paper – but difficult to regulate at sea:

“The ILO, WFC [work in fisheries convention], other conventions, there’s probably 10 international conventions that are relevant, but it’s how countries choose to turn that soft law, international law and apply it – that’s the issue. With fishing it’s really tricky, the activity is out of sight, out of mind, it’s hard to inspect. When people inspect vessels, they’ve been trained in measuring fish of different sizes, not [in the] extremely complex and sensitive area of forced labour. You can’t just go into it without the necessary training. People might have been abused, traumatised, almost like you need to send social workers in rather than fisheries inspectors.” (ITF representative)

I reflect on the recurrent theme of fishing being “out of sight, out of mind” later in the chapter. Here I want to highlight two other points arising from his comment. Firstly, the immense

complexity of social issues that can arise in fisheries that require officers potentially enforcing regulations to not only be able to know regulatory frameworks for fisheries (e.g. to be able to measure that fishers are catching the allowed amount of a type of catch), but also processes related to employment, labour and immigration regulations. These themes will arise again in analysis later in the chapter. On another hand, his answer suggests that there is a lack of political will to change anything as too many profits are being made at the top, benefiting from the stagnating situation, or because it is simply too politically sensitive ‘to touch’ (see his quote on p126). Beyond his example, labour unions have criticised the lack of political commitment of the Scottish Government in terms of not only speaking of but actually addressing certain labour issues – while at the same time comparing them favourably to the UK Government’s attitudes¹⁷. Finally, the ITF representative suggests that bridging the gap between regulations and practice in a way that creates safe workplaces is crucial for the sustainability of the industry:

“If we want to make fishing a good 21st century job that communities want to do, we need to sort these problems out” (ITF representative).

He questions the implementation of ILO 188 in the UK and the challenges of enforcing the regulations more strictly under current inspection practices and budgets – in a similar vein as with the changing immigration regulations outlined in Chapters 2 and 5. He notes that that fixed date pre-announced inspections are not fit for purpose for enforcing regulations at sea.

“I’m also interested in how the government intends to enforce ILO 188 properly if it’s only incorporating some of these checks into the 4- or 5-year vessel routine inspections. I think to do this properly you need specifically trained people and a budget to go and do inspections. You don’t say ‘hey, in 3 years I’ll come and see your boat on the 26th of April, please make sure you have everything in order then’. That’s not how forced labour or labour exploitation work and they’ll make sure they make all changes to obscure any illegal activity. So, I think the way the UK is going about it is very bureaucratic and doesn’t seem to be fit for purpose if you’re interested in identifying and remediating labour abuses.” (ITF representative)

¹⁷ Roz Foyer from STUC speaking at COP 2022, she makes a similar point in the [Herald](#).

A representative from the European Transport Worker's Federation noted some challenges with the ILO 188 ratification (Spain, Italy being two big European fishing countries which have not ratified it), despite the minimum standards being lower than usual for Europe specifically related to distant fleets – which fish far away outside of their national waters (in high seas or in EEZs of other countries).

Understanding these two conventions reveals their critical roles in shaping the practices surrounding labour in fisheries. They highlight the attempts to impose 'order' on the fluid, "negative" space of the oceans and reflect Lehman's (2022) analysis on how legal frameworks and mapping seek to territorialise the seas. The narrative provided by the ITF representative highlights the tangible consequences of these regulations on the lived experiences and rights of fishers. Throughout the rest of the chapter, I discuss the enforcement of these conventions, and other legislation impacting the lives of fishers in the UK, to explore how these regulations impact working and bordering practices at sea.

6.3. Working at sea

Geographers' study of the sea has tended to be related to the role it plays for human mobility from one landed place to another (Anderson and Peters, 2016). In this section I draw on Peters and Steinberg's (2015, 2019) writing on (more-than-) wet ontologies to consider how the sea's characteristics create a distinct place of work, and how this often fails to be acknowledged in the way labour at sea is regulated and enforced. Specifically, I argue that the emplacement of fishing in a physically unstable environment can enable and obfuscate precarious labour practices. Throughout this section, I outline the principal themes that emerged from interviews related to the construction of the sea as a distinct kind of workplace.

6.3.1. Invisible (smooth, empty)

One of the key themes which emerged during the fieldwork is that work which takes place at sea is practically invisible to most people; because most of us do not often see activities on the open sea, we imagine it as vast and void. Expressing frustration with the lack of consideration for offshore labour by relevant bodies, it is worth repeating this part of the quote stated by the ITF representative for fisheries:

“With fishing, it’s really tricky, the activity is out of sight, out of mind.”

(ITF representative)

This summarised a sentiment prevalent across the profession; that the full extent and intricacies of fishing are never considered by those not directly involved in the work. There is a perception by those working in fisheries that while regulations on paper are deemed necessary because of occasional pressures due to environmental causes (see Marine Protected Areas), or political pressures (see small boat crossings in England), there is no real interest in understanding how fishers can be supported in doing their work. Even when attempting to engage with fishers, those with the power to make decisions that would influence their lives and livelihoods would be more likely to visit vessels while they are docked, or close to the shore. The dynamics of the sea mean that the experience of visiting the vessel as a workplace while docked, or in territorial waters, is significantly different than when it is fully operating, when it is wet, windy, and moving in all directions. Through this thesis I argue that what consequently emerges are a territory and an industry which appear at once under- and over- regulated, without a real sense of who these regulations are serving. As evidenced by some of the discussion, those most affected by them rarely encounter those who would enforce them *while* they are actually fishing.

The idea of invisibility was particularly pertinent as this research began at the time of the Covid-19 pandemic. A UK representative of an international fisheries charity noted how Covid appeared to worsen existing effects of this invisibility.

“Certainly, yes, fishers particularly, they are already relatively invisible, prior to the pandemic. In the UK context one of our concerns is that they were largely invisible, they were... and then add Covid to all of that. They are scared, you know, like all of us, that they’ll catch Covid, so there’s that factor and there’s also the way in which Covid has made global travel incredibly complicated now.” (Fisheries Charity Representative)

Elaborating on the context of Covid he explained how the invisibility of migrant fishers became particularly apparent in the way they initially fell through when it came to vaccinations and international travel arrangements during the pandemic. While these issues were eventually resolved, there was a delay and a lot of insecurity which effectively meant that some of them caught Covid working in frontline conditions of elevated risk (food production), in close

proximity with others. Hyper-precarious migrant workers were particularly vulnerable as many migrant fishers ended up staying on vessels for double or triple the amount of time they had initially signed up for due to border closures and complex, expensive logistics of travel (see De Beukelaer, 2020 on crew change crisis).

The condition of invisibility threads throughout the rest of this chapter – in discussions of both labour and bordering at sea – as the seas’ real and perceived remoteness obfuscates what happens on it and in it. Germond (2022: 49) suggests that the idea of the sea as an empty space normalises the free flow of goods and freedom across a smooth space, but also makes it a space that is at the same time exploited and supporting exploitation. Its ability to sometimes render events which take place in/on it invisible are two key points which connect the accounts of migrant fishers with Peters and Steinberg’s (2019) writing on more-than-wet ontologies, where they argue that what happens at sea is not constrained to it, but affects and is closely connected to landed worlds. Fishers’ work takes place far away from land, but it, quite literally, makes its way there as the food they catch lands on our plates. This connection is physical, as their labour’s product is brought to and consumed on land, but also imagined – and at times veiled in mystery as many people rarely know where the fish we consume come from (Ryan, 2006).

6.3.2. Real and perceived dangers

Not unrelated to the previous point on remoteness and invisibility was the recurring theme that work at sea is physically difficult and mentally challenging. Fishers spend a lot of time isolated with small groups of people, far from land and not always able to reach loved ones¹⁸. This section considers factors which interact with invisibility that create a sense of both real and imagined danger around working at sea.

Reality-style documentary programming such as the *Deadliest Catch* (Discovery Channel, North America) and *Trawlermen* (BBC, Scotland) are often invoked as sources of the imagined dimension of work at sea. Fishers like to refer to it as something people might be familiar with, or something they like to associate their job being like:

¹⁸ There is usually no signal and while some vessels have internet the connection is usually not as stable as it would be if working in a populated location.

“Offshore crab fishing, it’s kind of, they call it, it’s like the Deadliest Catch, but it’s just a bit... usually 3 months offshore, in and out in and out, you land twelve hours in the harbour. It’s quite intense.” (Angus, former fisher, Outer Hebrides)

One person I spoke to suggested I watch the shows in preparation for fieldwork, to get a sense of work fishers undertake. While I had not seen Trawlermen, I grew up watching Deadliest Catch on Discovery Channel with my family. My grandfather was in awe as the wild waters of the Bering Sea provided a much stronger adrenaline rush than the Adriatic that he was used to. I vividly remember being glued to the screen as waves (seemingly?) three times the size of the boat crashed all over the decks and as heavy cages full of crabs were blown around by strong winds, in one memorable instance crashing into and injuring a deckhand, prompting the crew to reflect on past injuries and deaths among their ranks¹⁹. These dramatic sequences are, of course, carefully chosen to attract viewers (such as my grandfather who would shake his head in disbelief but live vicariously through them), but people in the show are doing their real jobs, in a real environment. Injuries are not infrequent, but high risk often comes highly rewarded.



Figure 13: Still from Deadliest catch (Indiewire, 2019).

¹⁹ According to Wikipedia, the pilot episode of the show which aired in 2005 cited one fisherman death per week during the main Alaskan king Crab season, with injury rates near 100%.



Figure 14: Image of fishers from Trawlermen (IMDB, 2024).

In her autoethnographic research, Penny McCall Howard (2017) found that accidents which happen at sea are often perceived as “tragedies of nature”. This is how deaths at sea are portrayed in the scenes from the show described earlier. The nature offers high reward, and some are willing to risk it all to potentially gain sizable profits. McCall Howard (2017) is critical of these types of representations, noting that many of these tragedies – in which migrants working in fisheries and other maritime professions are disproportionately overrepresented – are a consequence of the pressures fishers face as their livelihoods are dependent on the conditions of the global fisheries market. These days the pressures are associated with rising costs of fuel, changing fish stocks, and consequences of nationwide labour shortages, which in many cases mean under-crewed vessels. A consequential reduction of profits means difficult choices regarding vessel servicing, especially as they are “at the mercy of” policies which are often described by them as nonsensical. For example, the restrictions related to immigration regulations mean that vessels with migrant fishers aboard are increasingly pushed into fishing more than 12 nautical miles away from the shore, meaning that fishing takes place in more open waters, and it can take vessels longer to reach their fishing grounds. Similar issues have been raised by fishers contesting Scottish Government’s Highly

Protected Marine Areas proposition²⁰, as increased zoning of marine territory by usage pushes fishers away from the fishing grounds in which they traditionally fished in, comparing them to highland clearances (Figure 15; The Guardian, 2023).

Scottish fishers say marine protection plans will wreck coastal communities

Outcry includes protest song comparing closure of inshore fishing grounds to Highland clearances



Barra creel fisher Angus MacPhail, founder member of the band Skipinnish, on his boat. Photograph: Stephen Kearney

Figure 15: Headline from The Guardian in which a Scottish fisher compares recent developments in fisheries to Highland clearances (The Guardian, 2023).

These accompanying conditions are rarely represented in discussions of tragic deaths at sea, both in the popular discourse, but even among fishers themselves. Adam, a retired fisher from the East coast in his late 70s, spoke of his fellow fishers' deaths with the narrative that "the sea took them". It is perhaps easier to dismiss or rationalise the accidents as results of natural force, or even a kind of fatalism where they are constructed as an inevitability, but this leads to a lack of considerations of the core causes of the pressures mentioned above. As Germond (2022) writes, these "collective imaginaries" of the sea as an inherently dangerous place then "produce[s] and normalise[s] practices and governance structures" whereby the striation (of

²⁰ At the time of the final edit, this proposition is no longer going ahead

the otherwise “smooth sea”) takes form of increased regulation in terms of vessel safety, which might make it more difficult for the fishers to pass the periodic vessel inspections.

For instance, one government report about an accident in the Northwest Coast of Scotland with one fatality from 2015 makes four recommendations to the owner of the vessel, of which two make a direct reference to poor weather conditions and two ask for improved risk assessments protocols (gov.uk, 2015). This is just an example of a common practice which, McCall Howard (2017) argues, originates from a somewhat romanticised idea which perceives the sea as mysterious and inherently dangerous. She suggests that this obfuscates the role of the pressures of the global markets under which fishers operate, and which lead to fishers fishing in unsafe conditions. This call against a romanticisation of the sea can appear at odds with Peters and Steinberg’s (2016; 2019) call to consider the sea as a site with its own ontology, especially their later work on more-than-wet ontology which at times romanticises the ideas of representations of oceans in poetry and visual media. Indeed, it is at this point that I argue that geographies of the sea, particularly when it comes to issues of labour, should be viewed not only as a site of natural, but also social reproduction.

The waves, winds, and currents make fishing vessels a moving, swaying, unstable workplace. It is the social, political and economic factors, however, that, in interaction with its physical characteristics, produce the sea as a precarious workplace. An important exemplifier of this is that the records for loss of life and limb in the UK are notably worse for fishers who are not UK nationals, a fact which threads through the entire thesis (McCall Howard, 2017). A former Home Office employee mentioned a tragic case involving migrant fishers living and working off the coast of Scotland.

“Two Filipinos and a Ghanaian national were killed in the fire and there were a lot of concerns about how that had happened. They were on a steel ship in the middle of winter. And then we got some reports from Northern Ireland, not directly related, but it was about foreign national fishermen having to do their washing and showering from a cold-water standpipe on a pier.” (Peter, former Home Office employee)

These fishers died in conditions that domestic fishers are not normally exposed to; due to bordering regulations outlined in section 6.4., they lived on a vessel. Repeated occurrences of

accidents and reports of high-risk situations pushed his Home Office colleagues to look more closely into the working and living conditions of migrant fishers.

“As we started looking more closely, we were quite concerned about the terms and conditions in which they were living. You probably know deep sea boats go out for however many days it is, the crews stay on board. But of course, domestic crew, they come off the boat and go home, whereas the foreign nationals were staying on the boat.” (Peter, former Home Office employee)

Rather than only considering the vessel as a workplace, the living conditions then also had to be considered. It was apparent from Peter’s comments that he found some of the situations he encountered somewhat troubling. Rather pragmatically, he emphasised the safety elements:

“Is it watertight? Is it warm, is it safe, can they cook, bedding facilities do they have toilets? That's what we're saying. We don't want to find people sleeping on steel hull boats in the middle of winter, with a paraffin stove. We know that went wrong. So please just do it properly and pay people properly.” (Peter, former Home Office employee)

This relates to the point made by the ITF representative in relation to the enforcement of ILO 188; the officials whose remit is to enforce regulations at sea are not appropriately resourced or trained to deal with complex and sensitive issues at hand. The direction of the discussion often touched on the different ways work in the industry is experienced by local and migrant fishers. Real accidents happen, and most people I spoke to had heard of people dying or getting injured while working at sea. James, an experienced skipper working on the West coast mentioned falling overboard earlier in their career, and several mentioned deaths of their colleagues. James criticised new entrants for scoffing over some safety precautions:

“The two three years ago, maybe longer, they brought in that you have to wear the PFD [personal flotation device]. People were in uproar, they were going to have to buy life jackets or something, but people were in uproar about a regulation. Now this can be a life jacket that if you do hit the water it will blow up. Or you can get a flotation vest like body warmers that will keep you afloat in the water. And people were in uproar over this. ‘Ooh I’ve never had an accident in my life, ah it’s a load of rubbish’. Well, I can tell from personal experience, you’re never more glad to have some sort of life jacket that keeps

you afloat. I've done it and at the time it wasn't regulation. When you're working outside on my vessel you wear your PFD or your insurance is not valid, but guys think it's an inconvenience. Well, what's an inconvenience a 100£ life jacket or losing your life?" (James, Skipper, West coast)

James' quote here demonstrates the complex interplay between fishers perceived, performed, and real senses of safety. Simultaneously they (have to?) justify the risks taken while doing their job by playing down some dangers – so as not to encourage further restrictions as they fear they would be restrictive or nonsensical – as well as advocate for safer conditions. As he indicates, the opinions of individual fishers on this are varied and on this topic interviewers often contradicted themselves and each other. Indeed, James' reflection on the nonchalance of some of his colleagues towards the imperative to carry a PFD is indicative of the rather gendered notions of bravery that have come to be expected from and amongst fishers. In general, it has been challenging to exemplify the evidence for these socio-culturally conditioned views as they only came out in small sound bites from longer-form interviews. There was a real sense of effort from fishers to be nuanced in showing their understanding that certain things in the industry had to change, while also presenting their work in the positive way that reflects their love for the profession. For many working outside in rough conditions evoked a sense of pride and joy. The next section makes a more explicit connection between the dangers of the job, risks, and masculinity.

6.3.3. Who works at sea?

In the previous section I introduced the real and perceived dangers brought about by working at sea. Here I begin to unpack why work at sea is experienced differently by different people. Participants' views on difficulties and dangers of working at sea were at times contradictory. They spoke of the dangerous atmospheric conditions, difficulties with seasickness, hard, manual labour with heavy equipment, but at the same time questioned why young locals are opting for other jobs. Angus, a former fisher, spoke of his son's brief foray into fishing.

"It gives a good perspective on the UK workforce. Not many people want to do it and as the years have gone on... I've got an 18-year-old son, and he's a lot softer than me when it comes to work (laughs). [...] He tried it, you know, he just couldn't do it. I don't know what's changed?" (Angus, former fisher, Outer Hebrides)

Donald uses his son to exemplify how he perceives the UK workforce. He asks an important question, even if it is somewhat rhetorical as the reflections in his interview were very insightful and indicate that he is aware of the answer. He went on to describe how his son got seasick and went into a delirious state after four days fishing offshore, not seeing land.

“First day was great, second day the weather was bad, he couldn’t see land, in his head he started cracking up and I got on the phone [unclear]. I said ‘I told you that’s what’s gonna happen. The exhaustion will hit you if you don’t sleep, your mind will start playing tricks on you, just push through, it gets better after a few days.’ Everyone has that when you start fishing, it’s a serious dark state of depression, you’re exhausted, your body is adjusting on a physical level, so it’s horrible place to be in. And I said to him, ‘Look, I told you this was going to happen, just keep on going, it will lift it’s like a depression. It’ll lift once you start getting a bit of sleep.’ [the son replied] ‘No, no, no, no, I think I made a mistake here dad. I think I made a mistake.’ I said, ‘You’re making 500 pounds a day, that’s not a mistake, you made 500 pounds yesterday, and today. You push through, the money you’re making, the prices, are good...’ I don’t know how... How this happened, but we’re slowly migrating to more and more foreign crew.” (Angus, former fisher, Outer Hebrides)

Subsequently his son chose not to enter the industry and found work elsewhere. Angus specifically noted the physical challenges of working in a place that is physically moving, causing seasickness, danger, and inconvenience to those fishing. He originally had to change careers because he got injured when he was fishing, yet he was still passionate about and proud of the industry. While he was aware of the challenges, there was an interesting sense of intergenerational expectations around the performance of masculinity he expected from his son – to be able to withstand the challenges and wait until his exhaustion lifts, “like a depression”. Just as his had, and as many of his friends’ had over the generations. These challenging conditions are inextricably linked to labour shortages and spatial fixes which were discussed in Chapter 5, as well as the discussions of fisheries as a global labour market which will be discussed in Chapter 7.

While Angus’ acknowledgement of the difficult conditions and his disappointment with his son’s decision appear at odds, conversations with fishers reveal that these very conditions, along with the danger they encountered at work, are also a source of pride, adrenaline, joy and

excitement. Fisheries Association Representative E noted that his son has taken on fishing and loves it.

“It can be unpleasant. It's very rewarding because you've got you know, you're your own boss. You're earning a good a good amount of money. It's if you're, you know, if it's the right boat for you, then it's good fun. You're working out of doors. You are, you know, it's sensational. I... my youngest son is working in the fishing industry. He has his own boat, and he fishes locally. You know, and he loves it. He wouldn't change. He just says ‘Why would I go Why would I do anything else? This is my office. Looking at the mountains, the sea and the sun’. I still remind him of that when it's blowing half a gale and it's miserable. You don't catch it. But if you're going to be an entrepreneur, you've got to take risks.”

(Fisheries Association Representative E)

Fisheries Association Representative E highlights the key pull factors of the industry when the best case scenario is considered. It is notable that his son owns the vessel he works on, making his job financially significantly more lucrative and his working conditions much more flexible.

The former Home Office official I spoke to noted that fisheries are competing with other maritime industries, specifically referring to support vessels for North Sea oil rigs which offer a more stable schedule and secure income:

“After the disaster in the North Sea oil rigs they had to have these support vessels now standing by off the rigs in cases on fire. So again, I think we lost a lot of skilled seafarers to those vessels. Because it was guaranteed work. It wasn't boom and bust. Depending on the catch. They're getting a regular salary working on boats and they weren't walking around the decks and trying to fish in a storm.” (Peter, Former Home Office employee)

The conditions at sea – constant motion – as well as the heavy machinery necessary to operate the vessels and fish in the open sea influence who can work in the space. This includes both the skills they possess (see Chapter 5) and their ability to withstand seasickness, and not seeing land for long stretches of time.

“Fishing requires a very specific set of skills, you've got to be very fit, you've got to be, you know, the medical certification to get a crewman certificate

nowadays is quite, quite significant, you know, you will have to prove that you are both psychologically and physically capable of doing the work, then you are put through a training program whereby you are taught the basic survival skills, you're also taught basic boat management skills.” (Fisheries Association Representative E)

While skippers and fisheries associations representatives acknowledge the difficulties of acquiring these skills, they are often dismissive of people who find these conditions too challenging, or dismiss alleged crew complaints.

“You know, we get crew coming in here crying every other day, because they don't love to work. It's tough work, they're seasick all the time. A skipper keeps shouting at them. Well, he needs to because it's loud noises and it's for your own safety.” (Fisheries Association Representative A)

This quote from Fisheries Association Representative A closely ties in with Djohari and Whyte's (2021) argument that socio-cultural practices of fishing which normalise certain kinds of verbal and non-verbal communication obscure abuse of migrant fishers. He may find shouting acceptable, or even necessary, while a fisher may not. There is a lack of cultural consensus as to what constitutes appropriate behaviour even when crew all come from a shared socio-cultural background, but the issue of interpretation of potential aggression is even more challenging in cases of international crews where this background is not shared.

James, shared Fisheries Association Representative A's sentiment over the necessity for the crew to accept a certain level of discomfort given the requirements of the job. He spoke about the local workforce, commenting on the skills necessary to work at sea and the ambient factors which create difficult working conditions.

“I'm not saying it's a macho thing, but the boy just couldn't handle the constant motion, the noise, the smell. So, there's a lot of things that need to be looked at. [...] people just do not want to do this job, it's not a glamorous job, it's a dirty, smelly, cold, wet, windy, hard, physically hard job. When you can get paid 10 pounds an hour for stacking shelves at Tesco or driving a delivery job, they're not gonna take this job where they can work all week and get paid 200 pounds. That's the bottom line.” (James, skipper, West Coast)

Peter shares a similar sentiment:

“You try and get some of the locals to do this. It's pretty grim, pretty horrible. One of the things that surprised me when I came back up to Scotland in 2004 events was the Fraserburgh, Peterhead, Aberdeen were all hotspots for class A drug use. According to the police, it's the oil industry and the fishing industry that promotes that. The oil industry is pretty well paid not a lot to spend money on in those places.” (Peter, Former Home Office employee)

There appears to be a conception that foreign crew are more willing to persevere through the physical difficulties and heavy labour necessary for the job, but the reasons for this are rarely explicitly stated. This resonates with literature on migrant division of labour (Willis et al, 2010) as well as long-standing racialised discourses of seafaring, such as the idea that ‘lascars’ (South Asian sailors on British colonial vessels) could withstand the temperatures in the engine room better than white seafarers (Ahuja, 2012; Campling and Colás, 2021).

David, a Ghanaian recruiter, outlines challenges that experienced Ghanaian fishers experience when they first come to fish in the North Sea, where the conditions are often more severe than those they are used to.

“Yeah, I assume if you spend like years at sea, you won't be thrown off. If you go for the first time [to fish in the UK], it's depressing, depressing because you're sick. The first time the person will get seasickness... It's a tough job. It's so hard again. It's a tough job at, but I'll say that Ghanaian fisherman have skills and they are hard working.” (David, recruiter based in Ghana)

These are similar reactions that Angus's son and when he tried fishing. The difference is that he had other options for employment (labour shortages in the Hebrides exist across industries), while this is less likely to be the case for migrant fishers for whom fishing in the UK is already considered a relatively lucrative opportunity.

As it may have been evident in some of the quotes above, many participants referred to fishing as a ‘macho’ profession (the word appeared 4 times in interviews), gendering it as masculine.

“it's a very macho, risk-taking kind of livelihood. But in reality, you know, people die and just before Christmas, near where I live, 5 people were taken off

one of the big Irish boats under the suspicion of being modern slaves. These problems are very real.” (ITF representative)

This firstly characterises the fisheries workforce as predominantly male. Beyond this, it underscores the need for a certain type of physical and character strength to withstand the conditions and complete the job and implicitly relates it to particular performances of masculinity - this is evident both in Angus’ description of his son’s experience and in the representation in the television programmes mentioned earlier. While peripheral to the topic on labour migration in fisheries (I only ever heard of male migrant fishers), this notion of fisheries as only a male space should be interrogated. Recent Seafish (2022) employment surveys for Scottish fisheries indicate that about 1% of employees in fisheries are women, however a Scottish Government report (2022a) suggest that this is an under-estimate because their surveys underrepresent onshore employees. For example, the Seafish survey of seafood processing staff in Scotland indicates that about 37% of people working in seafood processing are women. A more accurate figure for the industry may be 15%, corresponding with Gustavsson’s (2020) report on *Women in UK fisheries*. Women are more likely to work onshore, in admin, sales, processing, and provide unpaid support to fishing families and communities mention that sexism and abuse are present throughout the industry. Gustavsson (2020) states that the idea of the “fisherman” as the only person speaking for the industry must be challenged by looking at women’s contributions – paid, unpaid, offshore and onshore. This included the less visible, often unpaid work of social reproduction, such as childcare, ad-hoc work in family businesses, and net-mending.

6.3.4. Between real and imagined dimensions of maritime labour

Through the analysis of the empirical materials from interviews, this section contributes to literatures on ‘real’ and imagined dimensions of labour in maritime spaces. I have shown how labour at sea is perceived and imagined by people who are working on it, and how this is constructed through popular culture, community narratives, and intergenerational expectations of masculinity. Drawing on McCall Howard’s (2017) literature on the ideology of nature in fisheries, as well as Djohari and Whyte’s (2021) analysis of socio-cultural practices aboard fishing boats, I showed that the real dangers of fishers’ work is often obfuscated and the blame for challenging conditions and poor labour standards is mistakenly placed on the sea’s atmospheric characteristics. This critical discussion of the sea’s liquid, material, ‘natural’ qualities is largely absent from Peters and Steinberg’s (2015, 2019) writing. I maintain that

understanding how the seas' distinct epistemologies and ontologies contribute to creating the challenges is crucial but should be considered, but this should be in conjunction with a broader understanding of social reproduction in fisheries. Where Germond (2022: 47) argues that representation of the sea in collective imaginaries normalises certain practices and structures of governance, he is referring principally to the notions of seapower. However, drawing on the empirical material at hand I argue that the same normalisation and acceptance process applies to risky labour practices and the invisibility of labour. Importantly, though, he suggests that these imaginaries have a political dimension and influence practices of governance at sea – this will be further examined in the next section of this chapter which focuses on the enforcement of border regulations at sea in the context of Scottish fisheries.

6.4. Bordering at sea

Chapter 5 outlined formal regulations concerning migrant fishers' routes of entry into the UK. As indicated by the analysis of the continuous changes to regulations, precarity emerges as a dominant condition of the bureaucratic process of planning or attempting to migrate to the UK to work in fisheries. In this section I analyse how migrant fishers are bordered, and how the process of bordering (El-Enany, 2020) is again complicated by the material conditions of the seas. In doing so I respond to Peters' (2020: 1) call to critically consider ontologically and geographically informed modes of thinking about territory in ocean governance and management "to make sense of its past successes and failures, its present functioning and its future directions." In this piece where she builds on her work on wet ontologies, she writes about the challenges governing a space that is fluid and constantly moving (see also Havice, 2018, on more-than territorial dimensions of ocean resources). Many marine issues transgress national boundaries because the substance is liquid – resource distribution, marine pollution, or labour migration. As I suggested in the conclusion of the previous section, examining and expanding on these ideas by drawing on the empirical context at hand, reveals present failures of governance. The section begins by briefly explaining the immigration routes for migrant fishers into the UK, before outlining the changing practices of enforcement of the Transit visa rule (which was discussed as a regulation in Chapter 5). I follow with an analysis of the enforcement of regulations from the perspective of a former Home Office employee which leads to a discussion of emerging inequalities in enforcement practices.

6.4.1. Routes of entry to the UK for migrant fishers

As described in Chapter 5, there are several ways in which migrant fishers are bordered and checked when applying to enter the UK, when entering the UK and when working in the UK. They need to fulfil the (changing) visa requirements, apply for said visas (often through their employer, or a recruitment agency), undertake relevant competency tests, comply with various laws, immigration and tax requirements both in the UK and in their home countries²¹. Once they enter the UK, usually – but not always – at an airport, their documentation is checked, at which point they are either denied or permitted entry.

During my fieldwork I heard of numerous instances of migrants being denied visas – namely from a recruitment agent, but also through skippers who had applied for crew – and one distinct instance of migrants denied entry at the airport. In this case, they were a small group of EU migrants after Brexit, returning after a period on a break in their ‘home’ country. They were refused entry on the grounds of lacking documentation proving their right to work. Andrew, the skipper who told this story, was in a relatively privileged position as he was well-connected, and the workers were eventually permitted entry after he called up an official and explained that they possessed all required documentation. His employees were also returning workers from the EU which meant that their paperwork was less complex (they are allowed entry in the UK without a visa), their travel was likely cheaper, they had a positive relationship with their employer who could ultimately invest a significant amount of time, money and influence to resolve the situation. Even in this 2020 case, which could be attributed to bureaucracy and confusion of post-Brexit regulations, the skipper stated that he lost significant income (“thousands of pounds”) from having his vessel tied for an additional week, and emphasised the stress caused on himself and his employees during the incident.

In a world of countries and borders, this type of bordering at the point of entry (at the airport, at the embassy – at ‘the Border’) is expected. However, as posited by El-Enany (2020), the immigration regime’s bordering practices are not constrained to those places and moments of physical border crossings. Rather, they are ongoing and increasingly operate internally, within the territory of the state, by “ordinary” citizens (Yuval Davis et al, 2018). Given that bordering

²¹ For instance, in the Philippines they must register and comply with the rules set by the Philippines Foreign Labour Office.

is an “ongoing expression of empire” (El Enany, 2020: 8), it is significant to note that most migrant fishers from outside of the EU are racialised as non-white, which can increase the intensity of their experiences of everyday bordering within the UK, especially in rural parts of Scotland which are often ethnically less diverse than large urban areas (Scotland Census, 2022).

Formally, a principal way in which the border regime is enforced in fisheries is through physical inspections of vessels operating in UK waters, and satellite tracking of vessels in and near UK waters. These forms of inspection are aimed at ensuring that boats are fishing where they are allowed to fish in terms of meeting environmental restrictions, labour regulations, and complying with international law of the sea.

6.4.2. ‘12 nautical miles’: Grey areas

The distinct characteristics of the sea discussed in section 6.2. (invisibility, fluidity, instability) make it difficult to enact control and border within/on it. The difficulties in patrolling the maritime space, its distance and differences from the land, mean that the regulations at sea can be fuzzy and challenging to enforce.

The most pertinent example is the changing and at times contradictory interpretation of the 12 nautical mile rule, whereby fishers on Transit visas are not meant to be working within 12 nautical miles of UK territorial waters. Each individual I spoke to had an ever so slightly different interpretation of the rule; they disagreed on whether the 12 nautical mile restriction pertained to where “all” or “most” of the work undertaken by migrants had to take place, whether vessel or net mending counted as work (or whether only the act of fishing counts), whether fishers were permitted to reside ashore while working at sea, and even what type of visa was needed to work within 12 nautical miles. These varied, evolving and often simultaneous interpretations related to an enforcement or regulations of a maritime space are directly related to the challenges Peters (2020) ascribes to the sea’s wet ontology and its evasive fluidity. In fact, the latter somehow makes the regulations seem evasive. Determining the 12 nautical mile line is relatively easy on a map (a little less so in practice, at sea); measuring exactly how much time a vessel spent either side of this line is a little more complex and requires resource-intensive monitoring; determining whether or not a migrant fisher aboard said vessel undertook whatever the regulators deem to be “work”. In a workplace which originated the expression “all hands on deck” this is practically impossible without plausible deniability.

The various accounts of skippers' interpretations immediately appeared confusing, but I attributed this to my own lack of knowledge at the start of the fieldwork. After familiarising myself with relevant policies, my internship with the Marine Directorate, and initial interviews, this confusion failed to dissipate and a sceptical part of me started to think that interviewees were deliberately unclear, or were interpreting the rule at will, to suit their interests. It was only when I spoke to figures I subjectively perceived as somewhat more "official" (e.g. industry representatives, people who had worked in policy making or enforcement) who also did not possess definitive answers – that I realised that perhaps these did not exist.

This was all made more complicated when the formal interpretation was clarified over the course of the fieldwork²². Making sense of these forms of negotiation and fragile governance was challenging, but it was revealing that the constant changes to the bordering practice was happening at sea. A representative from a prominent fisheries organisation noted that the previously ambiguous boundary became clearer at the end of summer 2022, when the border force announced a strict enforcement of the 12 nautical mile rule at a meeting in Mallaig.

“And there was ambiguity, because mainly in, largely, I'd say, 12 [nautical miles] was the definition before, but there was ambiguity about what that meant. Now there is no ambiguity. You're inside 12, you're in trouble. Whether they apply the full force of the law... No one knows. But they're not going to tell you, they're not going to.” (Fisheries Association Representative A)

He is referring to the anticipated shift from the lax interpretation of the 12 nautical mile rule outlined earlier, to the strictest version of the interpretation. This was, again, ambiguous, but for the most part it suggested that vessels employing migrant fishers were not allowed to fish within the 12 nautical miles. As he indicates, there was little way of knowing how strictly this would be enforced. In an interview conducted around the same time, one skipper operating on

²² The guidance on the UK government website changed twice, initially in April 2023, right at the end of the fieldwork, and then again in November 2023, after analysis was completed: <https://www.gov.uk/guidance/offshore-workers>. This is in addition to the announcements over stricter enforcements throughout the second half of 2022.

the West coast speculated that they might make an example of one or two vessels initially by fining the skippers and deporting the workers, or giving them warnings²³.

Explanations for this become more apparent when the practicalities of this enforcement are considered. There are two border control vessels operating in Scotland, the principal one being “Seeker” which I saw docked in Oban on my way to fieldwork on Barra (Figure 18).



Figure 18: Seeker docked in Oban - 12/9/2022, photo taken from the Oban - Castlebay ferry.

It is a relatively small vessel with limited capacity for enforcing the border regulations across Scotland, a country with hundreds of islands and almost 20 000 kilometres of coastline, with seas nearly six times the size of its land area, if the total area of the Exclusive Economic Zone is considered (Scottish Government, 2023b). According to a former Home Office employee whose perspective I discuss in the next section, even the operation of this one vessel itself is challenging and expensive, especially in the winter and in areas in the Outer Hebrides near the 12 nautical mile distance from the shore.

²³ Throughout the fieldwork, and to the time of writing, it was somewhat unclear what ultimately happened in practice – I had only heard of warnings.

Several participants noted that the vessel was operating off the West coast of Scotland for a period of time in late 2022. Just as the skipper mentioned earlier speculated, officials were boarding fishing boats within UK territorial waters and checking visas and work permits, as well as issuing warnings to foreign nationals that they would have to leave the country after the first of October 2022. If they failed to do so, the skippers would be fined £20 000 per non-UK employee on a Transit visa or without a visa, while the migrants working on it would be deported. While this caused much upset and anxiety, once the date had passed, the threat appeared to not be acted upon, and fishers noted no significant changes in enforcements or vessel checks. This gives a pertinent insight into the regulatory process. They seemed aware that this was an intimidation tactic, and while more care was taken to not directly counter the regulations, not much had changed in practice. It was still perceived to be up to the interpretation and whim of officials how they enforced them.

6.4.3. Regulator's perspective

Later in the fieldwork I received contact details of Peter, a former Home Office employee who used to work in policy and enforcement in Scotland. I passed him my details through another researcher who also interviewed him for a different project, and it was notable that he spoke frankly and was very keen to share his experiences. When I, eager to finally get to the bottom of the confusion, asked him directly about how he understood the guidelines, he admitted that they had generally had leeway in their interpretation of the rules:

“I can tell you what the original definition was [for employees on transit visas before Brexit]. And we made it up, right. It was that ‘a majority of the time should be spent beyond territorial waters’.” (Peter, retired Home Office employee)

His account aligns with the interpretation of many fishers – it was an unwritten agreement, common knowledge. Peter insinuated that despite the ability to track vessels' journeys under the International Maritime Organisations' monitoring system, the enforcement of bordering of fishing vessels was rather lax.

“As far as we were concerned, if a ship had gone – the technical word was – foreign, left the British waters, it didn't have to go to another port before coming

back. It had just had to leave the UK territorial waters and come back again.”

(Peter, retired Home Office employee)

In the time before the changes of narratives following Brexit outlined in the previous chapter, this type of enforcement whereby the vessel’s journey outside territorial waters was not considered, was crucial to the loophole which enabled employment on Transit visas.

Another key factor is the interpretation of what is meant as ‘work’. Workers on Transit visas can be on vessels when they are within 12 miles as they are leaving a port (‘transiting’), but should technically not be working. This question was raised by the ITF representative early in the fieldwork, but was reinforced later by Fisheries Association Representative A who attended a meeting with current public officials, asking for a clarification of what was considered by regulators as ‘work’:

“I asked yesterday, what is the definition of work. And they see things like landing the fish, mending the nets as operational issues on the vessel and not work as such. A concern was that the definition was ‘anything other than rest’. That would have really caused us a problem. So, at least the vessels who can operate outside 12 will still be able to maintain the transit visa, but those that operate within 12 now face difficulty.” (Fisheries Association Representative A)

He principally represents skippers and vessel owners, so he was happy with the explanation provided by the officials. However, their answer raises a host of wider issues, reinforced in a follow-up interview with a representative from the ITF; if operational issues aboard a vessel are not considered as work, how are fishers compensated for them? This is illustrative of the broader variations of enforcement/strictness of regulators which ultimately perpetuate precarity for those doing the work, and those who must continuously speculate how strict the interpretation of regulations will be.

Returning to the discussion of enforcement, Peter provided interesting insight into the decision-making processes which leads to enforcement and interpretations of policies. He explains how

practical, logistical and ultimately political reasons influence the decisions and actions around enforcement as they centre Home Office's priorities.

“From an immigration perspective... If there's no serious evidence that these people are decamping from their ships and coming illegally in the UK – coming ashore and getting jobs ashore – I've been saying, what's the point of over-regulating. If it was being found as an avenue for illegal immigration, in other words, signing up to work on these vessels, but a high percentage of them were disappearing then we want to regulate it, but regulating it just from the point of view of regulating it... I can't imagine Border Force has enough people who run around chasing small fishing boats left right and centre.” (Peter, retired Home Office employee)

This posits an interesting parallel with the small boat crossings of the Channel which became an increasingly prevalent topic in media and politics between the time of fieldwork and the time of writing. While both contexts are evidently challenging to enforce, it is worth noting that the atmospheric conditions in the North Sea are significantly more challenging compared to those in the Channel. Crucially, however, the distinction between the enforcement of legality of labour migration in fisheries and of migrants crossing the Channel is dependent on which one is perceived to be more of a ‘threat’ to the border regime. On this, Peter emphasises that the aim of enforcement of Home Office regulations is:

“about regulating the flow of non-British nationals in and out of the country.”
(Peter, retired Home Office employee)

In the interview it was apparent that he specifically means ‘regulating’ migrants’ attempts to immigrate and permanently settle in the UK, on land. This is something most migrant fishers do not do but is the perceived aim of those crossing the Channel. Peter was critical of the ongoing changes and an increasing emphasis on securitisation and stricter enforcement of regulations at sea in Scotland regarding fisheries.

“We haven't got a problem but we're trying to solve it and the solution is going to be really complicated. We're not probably going to be able to enforce it because it's so complicated. That, I think is where you have to have some serious

conversations with policy people who tend to come up with wizard ideas that are totally impractical.” (Peter, retired Home Office employee)

The narrative he builds is that as long as people are restricted to moving around in their capacity as fishers, at sea, near ports, and on their way to and from their point of entry into the country to the port they are not seen as a concern, or threat to the border regime. Effectively migrant fishers represent a different set of issues to ‘the UK public’ than irregular migrants who – despite their individual intentions and sets of circumstances – are grouped together strategically as illegal immigrants to personify a threat that governments claim they can do something about (rather than actively put a stop to immigration which would inhibit economic growth). Migrant fishers who work in the UK temporarily are then constructed as less of a threat to the border regime than those crossing the Channel. In relation to the bordering practices in the Channel, political interests, will and priorities emerge as determining factors. Peter’s comment on the disconnect between policy and practice is significant, as it indicates that policy officials do not have realistic ideas around the feasibility of enforcing the border regime at sea, which directly responds to Peters’ (2020) questions around decision-makers understanding on how to regulate at sea.

While there is no evidence that the immigration routes for fishers are being widely used as a route for long term-settlement or illegal entry into the country, it is difficult to get a sense of what is happening in individual cases as each migrant has their own set of reasons for migrating, never singular and linear. A recruiter spoke of people entering the UK under the guise of working in fisheries, and then leaving their work and ‘disappearing’:

“There’s a boat called [retracted] and they had two Ghanaian crew and after they worked 2-3 weeks, next thing they’re on the phone to MCA [maritime coastguard agency], complaining about slave labour... so the boat’s tied up straight away... they’ve been told ‘it’s your word against the skipper, but the two of you, if you do that, you gotta run’. And they were on the run in the UK. I don’t even know if these guys have been found, you know. And it’s basically people that are sent here by fraudulent agents not to work but they just want asylum, they’ll cry slavery and away they go, and off they go to....” (Donald, UK-based recruiter)

These types of comments usually placed the bulk of the blame on ‘rogue agents’, externalising both their own and the migrant fishers’ agencies as they hesitated to put blame over bad experiences on people that they worked with and had relationships with. It seemed that people’s motivation to come work in the UK was something skippers had increasingly started to think about, perhaps an extension of public narratives which effectively increase the practices of everyday bordering (Yuval-Davis et al, 2018) among employers who question their (prospective) employees’ motivation to work for them. This emergent narrative influenced how those calling for valid routes for migrant fishers to work in the UK spoke about the workers. In speaking to one of the recruitment agents, it appeared like he was trying to ensure to me that he is ‘one of the good ones’, that his crew are wanting to work hard, and not mess about – noting that he had the “UK fishing industry at heart”. He was seemingly formulating his responses in a way which would address and curb popular discourses and moral panics.

It is interesting that the main thing considered by both the Home Office and by fishers I spoke to, was the potential use of fisheries for either claiming asylum or entering the UK illegally, while little concern was given to the legal status of migrant fishers aboard Scottish vessels. Quite a few people mentioned various routes migrant fishers take to enter the UK. One harbour employee noted the “backdoor route through Ireland”, while another mentioned bringing in workers who have Transit visas but enter the UK at sea through “Ireland or Faroe Islands”. As mentioned in Chapter 5, the current immigration restrictions which restrict legal options of entry for migrant workers fail to put a stop to illegal and potentially dangerous practices; like the fisher who said his skipper friend whose crew were denied visas managed to get crew “somewhere else”. Because these migrant fishers are at sea, mostly outside territorial waters, invisible, and do not even necessarily step out of ports in the UK, they are often only considered where skippers are concerned that their employees will run away and leave them without crew – long an important tactic in maritime resistance.

Referring to the tragic incident mentioned earlier where two fishers died in a fire aboard while staying on a vessel with a paraffin stove, Peter underlined that it is when incidents occur the attention is drawn to the regulations, and these are questioned and managed. He later emphasised the challenges of regulating conditions beyond territorial waters, and a lack of a consensus interpretation for many of these issues even within the Home Office and the Border Force.

“There's always been a theoretical debate of what happens if somebody gets murdered on a boat, mid-Atlantic from UK to the United States and who takes territorial jurisdiction, and the answer is, it could be toward the departure of the port of arrival. But it's one of those things, it's certainly, during my time on the job, that just went round in circles. And nobody ever really came to a conclusion.” (Peter, retired Home Office employee)

While the above is a hypothetical question, he outlined how the question of responsibility becomes more real within fisheries.

“Apart from ferries and fishing boats, most of these boats [with crew on Transit visas] go away and they may not come back for months. Going backwards and forwards to Calais [ferries], or going on a day trip to the North Sea and coming back to the UK. That's where it starts to be, instead of just being a transitory problem, it starts to become a permanent problem, or an ongoing issue for the UK. And then that starts to worry people because you then start to say we've got some sort of responsibility for this. So, what is that responsibility? How far does it go? What's legal what's not legal, what can we do what can't we do – it becomes very messy because of the interaction with international law.” (Peter, retired Home Office employee)

This is an interesting insight into questions which are rarely openly discussed. It highlights the gaps that policy and legislation often have with navigating messy situations; rather than accounting for them, the enforcement and interpretation in these contexts is often left up to individuals, on both the side of enforcement and on the side of the industry.

A fisher spoke of an incident from several years ago where his friend, a skipper who primarily employed Ghanaian crew, got stopped and taken off the boat by six border force agents when the vessel monitoring system caught the boat moving within the 12 nautical mile area, despite not undertaking any work there and correctly understanding the interpretation at the time.

“They weren't even fishing, they were just dredging up and down and they've come over the 12-mile line and he didn't realise, for a start, that he wasn't

allowed them inside 12 miles, he just thought he had to be outside the majority of the time. And when he came into the harbour there were 6 border force agents sitting there, they took him away and told him... he thought, you know, I remember talking to him. He says, 'I'm not dodgy, I follow every rule in the book, and I thought my life was over, 6 border force agents came, and they took me away.'" (Angus, former fisher, Outer Hebrides)

His final reflection is an indication of the stress and anxiety experienced by skippers and crew alike when faced with UK bordering practices. The frustration is felt with regulations which are perceived to be changing and somewhat flexible, but chiefly as working against the wellbeing of individuals and the industry. Once again this highlights the vulnerabilities associated with regulations that have been illustrated throughout this chapter.

6.4.4. Inequalities in enforcement

Fisheries Association Representative E, based on the West Coast, noted an additional frustration felt by their members; recent exceptions had been granted to Norwegian 'well boats' operating in UK territorial waters as part of the fish farm industry – they have "a kind of a pool" for live capture salmon farming.

"Similarly, of not being able to get crew, they argued and exemption with the home office 18 months ago because their crew operate in the same waters, inside the 12-mile limit. The crew certification in other words, the duties that they undertake that's similar identical to what a fishing boat needs a crewman. But these Norwegian companies are allowed to bring in people, mainly from Norway, but from anywhere, for as long as that Norwegian companies employing them. [...] Now, it's an identical job operating side by side with the inshore fishing community. Yet this industry has been allowed to accommodate a Norwegian company to bring foreign workers into the UK." (Fisheries Association Representative E)

He did mention that the workers on these boats operated on two weeks on two weeks off basis, which is something the fishing industry could not afford whether logistically, or in terms of operational costs. Fish farming is more lucrative, and Norway is closer and better connected than the countries of origin where migrants working in Scottish marine fisheries tend to come from. This exception was perceived to be so easily granted for foreign vessels with workers

from Norway, but domestic vessels with migrant workers primarily from Ghana and the Philippines have long fought for some type of an exception but perceived to never be seriously considered. As Chapter 5 demonstrated, the route for migrant fishers from outside the EEA is bureaucratically increasingly complex and the conditions to their entry are increasingly difficult to meet.

The same representative spoke of the consequences of these ever-changing regulations and lack of clarity with their enforcements, not only for the fishers, but for the wider community.

“Clyde, the same period last year, Katja. November, Border Force came around, looked at vessels, took details and then went away again, they then issued enforcement notices with 10 days to leave the country in February. So, again we don't know whether it will be November first, they come and physically remove the people from the vessels? Or whether it will be in February? It's lack knowing, it's so debilitating. It means local businesses are not investing. Because they don't know, you know, whether they'll be able to survive with a lack of crew, why would I buy new nets? Why would I buy this? Why would I invest in having my vessel taken out the water, inspected? And re-engineered? Why would I, you know, buy a new winch if I don't know if my business will be viable. So again, this is another area that's had, you know, such loss of earnings, the local infrastructure that supports the fishing industry has been feeling, you know, tremendous financial constraint because the people that are wanting their work are so uncertain. We need certainty. It's like any business, you need certainty you need stability.” (Fisheries Association Representative E)

He emphasised that industries beyond fishing, and rural livelihoods in general, are also affected by these insecurities. He also noted the insecurity experienced by migrants under these changing circumstances.

“Yeah, just a very precarious situation for everyone. And I suppose it's also... Not knowing if you're gonna be able to stay in the country for the next 10 days or five months or whatever. That must be just really awful.” (Fisheries Association Representative E)

It was quite stark how few people spoke about the precarity of migrant fishers, and how it often came secondary to considering the effects of regulations on locals. The insecurity was located, and very present, in their own livelihoods, leading to a reproduction of the narrative of ‘migrants as labour’. This speaks to the uncertainty produced through patchy and punitive governance which is made more insecure for those working at sea. While most actors involved are just looking for some certainty surrounding their lives and work, their livelihoods (and often experiences of safety at work) are inter-dependent. The way in which this is negotiated in practice is further discussed in the next chapter (Chapter 7).

This section illustrated the bordering practices experienced by migrant fishers in the UK. The characteristics of the sea – fluid, dynamic, wet – combined with the bureaucratic complexities of immigration regulations perpetuate a constant state of uncertainty, and indeed hyper-precarity. The ambiguous and evolving interpretations of the 12 nautical mile rule highlight the challenges of governing marine spaces. Furthermore, as demonstrated through the discussion provided by the Home Office employee and evidenced by accounts of fishers’ lived experiences, the ultimate decisions over interpretations are at the disposal of political will and priorities as well as individual enforcers.

6.5. Conclusion

In arguing that we should pay attention to the processes of creation of ocean knowledge Lehman (2022: 31) posits that “the ocean is variable and often simultaneously constructed as a space of risk, of resources, of opportunity, and of potential catastrophe on a planetary scale.” These contradictory constructions are rarely unpacked when it comes to policymaking and enforcement practice. Through this chapter I showed that this is likely precisely because of the epistemological discord between how ocean knowledge is produced by those experiencing the sea and how it is consumed by those regulating it. Following from this I underscored the unique challenges posed by the fluid and unstable nature of maritime spaces, which in turn reflect the precarious lives that depend on working at sea for their livelihood. Further, I uncovered the unstable and contested ways in which these spaces are governed. The empirical analysis highlighted the need for clearer, more consistent regulations which consider people’s lived experiences and acknowledge that maritime spaces cannot be fixed to suit a regulation, but rather that regulations might have to be more fluid to fit the condition of the spaces they are

regulating. The examples provided by fishers in interviews indicated an issue of over-regulation with various international conventions, treaties, their implementation on the national scale, the changing visa rules outlined in the previous chapter, on top of already strictly regulated rules around where, what, and how much to fish. On the other hand, evidence suggests a minimal level of enforcement of regulations in the fisheries, which, I argue, is a consequence of both political priorities with regard to the UK border regime, and characteristics of the sea – its vastness, fluidity – which make it difficult to enact governance. Stopping short from a direct recommendation on any one of the policy subjects at hand, I would urge policymakers to primarily consider the wellbeing of those in the most hyper-precarious positions. Here a crucial point to consider is that while this vulnerability has a tendency to be attributed to the imagined ideas of the sea as dangerous, the real dangers are less atmospheric, and more a product of often times fraught and precarious labour relations and market conditions.

By connecting the findings to the literature on wet ontologies (Peters and Steinberg (2015; 2019), ocean governance (Germond, 2022; Lehman, 2022; Peters, 2019), and everyday bordering in the UK (El-Enangy, 2020), this chapter produced a better understanding of the complex processes of regulations and enforcements which govern the lives of migrant fishers. Beyond this, I highlighted the benefits of considering more-than-representational approaches developed by Steinberg and Peters (2015; 2019) together with literature which critically considers the political context which creates the conditions under which marine space is experienced. In this case, the politics of bordering in the UK and the international conventions (interpreted/enforced in local contexts) governing what takes place at sea. While existing regulatory frameworks often fail to achieve satisfactory outcomes for any actor involved and fail to protect those most vulnerable, engagement with them and their experiences with a genuine prioritisation of safety, wellbeing, and equality could yield productive results.

Chapter 7

‘A global sense of fairness’: Moral geographies of fisheries across scales

7.1. Introduction

“1. WE WILL promote fishing as an attractive and safe career of choice, with a focus on improving safety standards, fair work, supporting new entrants into the sector, and equal treatment regardless of national origin or gender. We will not tolerate illegal treatment of any worker in any part of fishing industry.” (Scottish Government, 2020a: 26)

Scotland's Fisheries Management Strategy 2020-2030 (2020a) is a Scottish Government publication which outlines the strategic and practical steps which aim to align policies pertaining to the marine environment with Scottish Government objectives. The above statement is the first of a 12-point action plan, explicitly framing fairness, safety, and equality as ideals for Scottish fisheries. In the title of the thesis, I draw on the language of the Scottish Government policy which has recently begun to emphasise *fairness* in its discussions around labour and environment, including a strong discursive emphasis on social, environmental, and economic sustainability. In Chapter 6 I unpacked the processes of regulating and enforcing regulations at sea; I also began to indicate that regulations are not straightforwardly deployed just because ‘rules’ exist on paper, but rather within a set of subjective circumstances where power often lies within the remit of an individual. In this chapter, I build on this observation to analyse how ideals of fairness and individual moral economies impact the practices of enforcement. I consider how the issues present in Scottish fisheries are both experienced on an individual level by fishers working in Scotland, and at once connected to the international issues experienced by fisheries globally. As asserted by Massey:

“[...] the character of a place is not somehow a product only of what goes on within it, but results too from the juxtaposition and intermixing there of flows, relations, connections from ‘beyond’. Flows, relations and connections which may, indeed, go round the world.” (Massey, 2004: 98)

The key contribution of this chapter, therefore, is considering these connections from “beyond”, as well as from ‘here’; a deliberation of the challenges facing fisheries as interconnected, across scales. This includes considering individual experiences of work in fisheries, the political context of immigration, the material implications of the sea’s fluidity, through to bigger questions of environmental justice. As well as attending to a “fisherly imagination” (Cardwell and Thornton, 2015), this multiscalar approach therefore seeks to answer questions posed by Massey in defining a “global sense of place”:

“first, what is the geography of those relations of construction of our local economies?; and second, what is (or should be) the nature of our social and political relationship to those geographies? What, in other words, are the potential geographies of our social responsibilities?” (Massey, 2004: 101)

In doing so, I contextualise labour migration in Scottish fisheries within global fisheries challenges and pose some difficult yet crucial questions about the future of the industry. Conceptually, the themes I discuss through the chapter relate to literatures on labour migration and hyper-precarity discussed in Chapter 5 and the literature on wet ontologies and bordering discussed in Chapter 6. Wilson Gilmore (2017) argues that Racial capitalism (Robinson, 1983), whereby racialised and other differences in the workforce are used to divide workers in a way which ultimately generates more profits for capitalists (Gearing and Rogaly, 2019) is historically connected to structures of agricultural labour and unfree labour. Through applying the idea of Racial capitalism to the empirical case at hand, I argue that this extends to fisheries. In this chapter I show how colonial histories continue to permeate this form of maritime labour both through continued existence of unfree labour practices (Strauss and McGrath, 2017) and in the ways in which labour onboard shipping vessels has historically been divided (Ahuja, 2012), serving as a reminder of the significance of the roles maritime spaces played in the histories of slavery and colonialism (Rediker, 2007; Campling and Colás, 2021).

I begin the chapter by addressing the accounts of labour rights abuses in the UK fisheries from both interviews and recent reports, contested through the perspectives of the industry and various actors in coastal fishing communities. This sets out the context for the rest of the chapter, as I move on to highlight that the views on the issues of justice and fairness are not universal, as the actors involved possess a wide range of opinions and see the situation as highly

nuanced. I continue with an analysis of the situation at the level of the individual and the local to consider how the idea of an ideal fisher is constructed through discourses and relationships between employers and workers in Scottish fishing communities. I relate the discussions to experiences of Scottish fishing communities and the Scottish policy landscape by discussing Scottish Government's *Future Fisheries Management Strategy* and the industry's reliance on the overseas workforce in certain sectors. Here, I ask who is willing to work in fisheries and why. Finally, I reflect on the contributions of this research to the questions of global fisheries justice, bringing into the discussion the issues of overseas fisheries agreements, climate change, blue economy and blue justice narratives, and considering fisheries as both a global workplace and a global responsibility.

7.2. Navigating real and perceived injustices

Scottish fishers have been portrayed in popular discourses as exploitative of marine resources for their reputation of being against Marine Protected Areas, for overfishing, for opposition to quota-based fisheries management, and for voting for Brexit in hopes of better trading conditions (McCall Howard, 2017). Recent publications and breakthrough stories increased the notoriety of fisheries for instances of labour rights abuses, contributing to this challenging public persona. Examples of recent work on the topic within the UK context include the Nottingham University report *Letting exploitation off the hook? Evidencing labour abuses in UK fishing* (Human Rights Lab, 2022), the ITF critique of transit visas *A One Way Ticket to Labour Exploitation* (ITF, 2022), and Djohari and White's (2022) paper on verbal and psychological abuse of migrant fishers in North East Scotland. These publications emerged throughout the year of my fieldwork, and I noticed that some fishers I spoke to felt as if they unfairly placed the industry under particular scrutiny. Fishers often chose their words carefully and frequently expressed feeling vilified by the media and by politicians. In this section I analyse the contested narratives surrounding unfair labour practices in Scottish fisheries.

Instances of mistreatment of workers were acknowledged by many interviewees, however, their opinions on the situation in recounting their firsthand experience varied widely. As was the case in the narratives unpacked in the previous two chapters, participants presented both contradictory and nuanced accounts, painting a complex picture of the way the industry views itself regarding issues of labour rights abuse. In one of the first interviews at the start of the

fieldwork, someone I spoke with who works a non-fishing job in a Scottish port²⁴ suggested that the mistreatment is often exaggerated. Referring to some emergent reporting, he said:

“People would like to make it a problem, but there aren't problems.”

As it was often the case, his comments on this topic came somewhat unprompted, more a response to the popular discourse than to my direct questions. He suggested that skippers might use different “techniques” to communicate with their employees but that that is usually done in the interest of safety of everyone on board; that yelling instructions is at times necessary due to conditions on board and in cases where there might be a risk to injury. This links with the discussion on the comment of the Fisheries Association Representative A at the end of Chapter 6, and is in accordance with some perspectives recounted by Djohari and White (2022: 19) who argue that this “white noise of coarse language” effectively obscures (migrant) crew’s real experiences of maltreatment.

Throughout the interviews there were several instances where skippers yelling and rough language were characterised as just being part of the communication appropriate for the dangerous environment, evoking the “tragedy of nature” narrative discussed in Chapter 6 (McCall Howard, 2017). However, there were also several acknowledgements of existing examples of labour rights violations, recognition that trafficking is an existing (albeit relatively rare) issue in the industry in Scotland, and a rather widespread acknowledgment of the fact that migrants are often not fairly compensated relative to local fishers. These themes, while recounted quietly, resonate with Rogaly’s (2021: 527) call that understanding the present-day food supply regime in Europe and North America necessitates “confronting its roots in colonialism and slavery, including the regime’s continued reliance on racialisation and on unfree labour”.

Donald, a UK-based recruiter, admitted that the mistreatment of migrants became a part of the mainstream narrative in UK fisheries, but maintained that the discussions around it were disproportionate and often exaggerated. He suggested that this causes reputational and real-terms financial damage to the skippers.

²⁴ This is deliberately vague as it was an informal conversation where consent was given to take notes but not audio record.

“There’s a boat called [redacted]. They had two Ghanaian crew and after they worked 2-3 weeks, they started crying, next thing they’re on the boat to MCA [Maritime Coastguard Agency], complaining about slave labour. So, the boat’s tied up straight away, they’re [migrant crew] being told ‘it’s your word against the skipper’ and the next thing, they were on the run.” (Donald, UK-based recruiter)

The reference to the crew members “crying” could be viewed as diminishing the significance of the issues they were experiencing. While the recruiter complained that the abuse in this case was exaggerated, he stopped short of placing blame on the migrants. Indeed, the narrative that is most often created is one of fraudulent agents who take advantage of both employers looking for crew and the vulnerable people looking to migrate to the UK.

“And it’s basically people that are sent here by fraudulent agents not to work but they just want asylum, they’ll cry slavery and away they go, and off they go to...” (Donald, UK-based recruiter)

There is no straightforward way of unpacking the situation from this quote. Donald’s comments evoke the hostile environment discourse, whereby there is constant burden of proof on asylum seekers to demonstrate that their reasons for claiming asylum are genuine and worthy of the status. From his narrative I interpreted that he believed some of the existing accounts of mistreatment of workers but thought that this made it easier for fishers to complain about poor working conditions even when he deemed their complaints unfair. Such comments from people involved with the industry – although only expressed to me twice – also suggest that there is a concern that prospective migrant employees are using work in fishing as an immigration route to enter the country. However, the discussion with a former Home Office employee analysed in the previous chapter (Chapter 6), indicates that this is not considered a widespread means for asylum seekers or migrants to enter the UK, nor is it mentioned in political discussions around immigration restrictions. The perspective of migrants which is missing in these empirical accounts would be crucial to better understand the situation. To supplement this lack of original empirical material I turned to the work of Djohari and White (2021) and the Human Rights Lab (2022) where different types of abuse in the UK fishing industry are evidenced through their data and analysis.

Following his discussion of the example above, Donald acknowledged that those migrants who come “ready to work” are often not fairly compensated for their work relative to the local crew, or relative to the skill and expertise that they bring.

“It also goes the other way Katja, where I don’t think they’re getting paid enough. They’re guaranteeing these guys, some of them are working for 300 pounds a week, especially Filipinos.” (Donald, UK-based recruiter)

When it is considered that crew work much more than a 40-hour work week (ITF, 2022) this amounts to significantly less than the UK minimum wage and is a rather stark figure, compared to some of the amounts domestic crews earning shares make²⁵. The most common estimate of pay for fishers on Transit visas that I heard was £1200-1600 per month, in 2021, but it was unclear what kind of contract or visas Donald was referring to. This reality whereby racialised migrants are depended on for labour, yet remunerated through different pay structures, and living completely different lives than domestic fishers echoes the key characteristics of racial capitalism (Gearing and Rogaly, 2019). Further, both interviews with fishers, as well as McCall Howard’s (2017) ethnographic accounts allude to the fact that migrant fishers often take jobs working in the toughest conditions (Schling and Rogaly, 2022). This was often brought up in a complimentary manner, emphasising Filipino fishers’ willingness to work hard, as experienced seafarers not thrown off by long hours, days away from the shore, or in bad weather. A later section will address the phenomenon whereby the Filippino crew tend to be universally spoken of as highly skilled and reliable which was also notable in the quotation from Donald above.

Throughout my fieldwork, various participants and sources consulted – industry representatives, agents, interviews with migrant fishers conducted by the ITF – continuously justified the discrepancies in pay with reference to the way this converts in the countries where the fishers’ families live, constructing an interesting sense of moral geographies of fairness. The strength of conviction in this argument vary; some fisheries representatives and fishers

²⁵ Scottish Government, statistics for 2015 estimate a monthly intake of £3002 per crew for share fishers (usually UK or EU crew) and £1308 per contract fisher (usually from outside the EEA), although it should be noted that these numbers were outdated at the time of fieldwork and even more so at the time of writing – hence the estimate at the time of fieldwork being 1600 for fishers on Transit visas.

outright defended the system, while the ITF mentions it more as a potential justification²⁶. However, it is interesting that most of those interviewees with recent experience of working aboard vessels either as fishers or skippers implied that they did not think it was fair.

“A Filippino agent I talked to, he says ‘it’s great money you know, it’s a lot of money for my guys’. That’s all fair and well, it may be a lot of money for the guys when they go home, in retirement, etc. In the industry for going on 30 years, very experienced guys, it’s well that that’s what they’re getting paid and they’re happy with it, but a UK fishermen won’t get out of bed for less than 100 pounds per day. I can make 300-700 pounds on a good day – might make 50p on a bad day, but you know that’s that side of it, are they being paid right?”
(Angus, former fisher, Outer Hebrides)

While some skippers admitted that being able to hire migrants for a lower wage was advantageous – especially as the times for fisheries were hard with fuel, Covid, and other converging crises – many of those who spoke to me suggested that they would be happy to pay them a share of the catch but would like to see this accounted for in the Skilled worker visa route²⁷.

McCall Howard (2017) writes about small and medium scale fishers’ increasingly and particularly vulnerable position in the Scottish and global capitalist system. As the ITF representative outlined in Chapter 5, most Scottish fishers are, for practical purposes, self-employed and some of them own the vessels they and their crew work on, so they are not straightforwardly classed as workers in the same way as migrant fishers on fixed wages. The dominant view amongst fishers that everyone working on a vessel should be paid a proportionate share of the catch complicated an otherwise widespread positioning of (racialised) migrants and (white) domestic workers against each other along racial lines that often happens in the popular discourse emerging from moral panics about immigration (Consterdine and Samuk, 2018).

²⁶ Jones et al (2020) elaborate further on potential arguments for and against this justification, but finally argue that “equal share” is the most “just” principle of remuneration.

²⁷ Usually amounting to more than the daily rate paid to migrant fishers – as discussed in Chapter 5, it was the guaranteed salary over a three-year time-period which made it difficult for employers to use the skilled worker route.

Schling and Rogaly (2022: 5) posit that the battle against racism in societies with a white majority is part of the class struggle “in the sense that white workers’ class interests lie in anti-racism and a unified struggle by all workers for better working conditions and higher pay”. There isn’t necessarily a straightforward sense that this mode of class consciousness is taking place in Scottish fisheries, but the belief in the fair share of the catch as the ‘right’ way to remunerate crew is a significant characteristic of a moral economy of Scottish fishers. Also happening is a recognition that the operating conditions for fisheries are challenging and often poor. A hopeful view, therefore, might be Roediger’s (2017: 12, cited in Schling and Rogaly, 2022) position that capital’s ability to divide workers is limited where “struggles for racial justice are sites of learning for white workers”. However, Schling and Rogaly (2022: 5) suggest that this necessitates “education about the entanglement of capitalism, slavery, colonialism”. These relationships and the prospects for a hopeful future are further complicated because (as showed by remuneration differentials) fishers working in Scotland do not all form the same class. Therefore, the poor working conditions are not just experienced, but also created by a proportion of those fishers who own the means of production.

The moral economies which fishers employ to negotiate their relationships with those working on their vessels are further analysed in the next section which presents the theme whereby some skippers are characterised as ‘good’ employers.

7.3. ‘Good’ employers

The insistence on paying all fishers a share of the catch outlined in the previous section, along with a couple of other traits, were common themes in the construction of individual skippers themselves as the “good ones”. This again points to a particular moral economy of fairness constructed through relationships and practices among fishers working in Scotland.

John, a skipper working off the West coast, said that he regularly paid migrant crew the share on top of their contracted wage, off the book. He also acknowledged that, while it is not as common as reports would lead us to believe, there are real cases of mistreatment of workers in the industry, both in the UK and internationally. In his response, he painted himself as one of the “better skippers” but acknowledged that some are “not good”. As a ‘good one’ he gets “quality” onboard snacks for his crew and pays migrants their “fair share” to top off the contracted wage, to equalise it in relation to how he pays the local crew. He emphasises the

need to separate the UK fisheries from those of “third world countries” in making the industry a lucrative employment opportunity for skilled fishers.

This view was shared by a couple of fishers with one saying he wanted to “drag the industry into the 21st century”, a sentiment closely mirrored by the ITF representative who said that if they wanted to make fishing “a good 21st century job that communities want to do, we need to sort these problems out [he was referring to fisheries’ reliance on ‘indirect subsidy of not paying fuel duty and indirect subsidy of not paying people the minimum wage’]”.

John – the self-described “better skipper” – criticised those skippers who are not willing to participate in improving the standards, which, in his opinion, would subsequently improve the standards of the crew they are able to employ and help the UK industry to catch up to the 21st century.

“Majority of contracts are upheld but a lot of the foreign national guys are frightened to speak up because they have been in boats before where they have been mistreated, some in this country, but some abroad. You hear some horror stories, Katja, that guys were whipped and beaten, shouted at and all that, physically abused, as well as verbally abused and it makes you wonder what, in some other countries, what are they able to get away with. And that’s where we cannot fall into that category of third world country standards. The standard of living on vessels. The standard of living on older vessels is horrific, but boats that are built 40, 50 years ago are not designed for doing what we’re doing now.”

(John, West coast, skipper)

John contrasts the UK fishing industry against the conditions in international fisheries, where he deems the issues of mistreatment of workers to be more prevalent. He relativises the issue on a global level; this spatial narrative – a global comparison – arguably works to take away from a focus on some of the injustices that exist in Scotland. This shifting scale of inquiry will be further analysed in subsequent sections. Indeed, the at-times uncomfortable and contradictory narratives outlined in this section provide a basis for a discussion of the questions of justice and the future of fisheries which continues throughout this chapter.

A more distanced and reflective account of the situation came from a Fisheries Charity Representative, who moved beyond accusations of individual behaviours and incidents, to suggesting that poor working conditions and mistreatment of workers are an issue of culture.

“I always suggest, in many cases bad practice emerges. [pause] There are some people that are cruel, basically, perhaps fishing is a front for labour abuse, drug trafficking, guns, general criminality. They are very much a minority. I think where bad practice comes from is a culture of tolerating the accidents, and each individual instance may not amount to much, but cumulatively it’s a problem. If one Filipino fisherman has a serious hand injury and that’s not reported, to the correct authority, that’s one case. But our experience is that the culture of not reporting – and it’s often not that they don’t care. They’ll make sure they’ll be seen by a doctor, get them to and A&E to patch him up, but reporting, no, because that will then trigger potential investigations. And I think that skippers are fearful of their businesses being disrupted by investigations. So, in some respects you almost need to move towards an amnesty to give people an opportunity to put their houses, proverbially, in order so there’s less fear of being compliant. Being compliant many fishers don’t consider it in their interest. That then creates this general culture where health and safety is lax and. It’s not necessarily malevolence on behalf of skippers, more malign [likely meant ‘benign’] neglect of the welfare of their crew.” (Fisheries Charity Representative)

While considering individual accounts is necessary because they represent real experiences and important perspectives on how fishers and skippers understand their own situations, broadening the scope to consider the culture and context wherein individual incidents occur provides a rather productive insight. This interviewee is a longtime observer of the industry, but not a fisher. His interest is primarily the wellbeing of most vulnerable members of the fisheries labour force (their organisation visits vessels, provides pastoral support and internet access in ports). His suggested solution of “providing amnesty” to employers is interesting, but would be relatively unheard of in any other industry, indicating to a rather troubling degree how normalised injustices and poor labour practices are difficult to effectively address, not least because of the challenges in over-regulation and under-enforcement at sea outlined in Chapter 6. Challenges of providing welfare for international seafarers and the work and views of

religious charities working with seafarers are more widely discussed in Sampson et al's recent publications (Sampson et al, 2023; Turgo et al, 2023; Sampson et al, 2024).

Shifting the scale slightly from the level of individuals, the next section considers how the imagined abstracted ideas of migrant and domestic fishers are discursively constructed.

7.4. 'Ideal' fishers

In Chapter 5 I outlined how immigration regulations construct ideal migrant workers through state-imposed immigration restrictions by drawing on Anderson's (2010) work which connects precarity and illegality. I also discussed how the concept of 'skill' has been racialised through UK immigration policy while this chapter so far has made an explicit connection between the labour migration in Scottish fisheries and Racial capitalism. In this section I demonstrate how employers, prospective employers, industry representatives, and the UK immigration policy construct migrant fishers as racialised ideal workers, discursively and through bureaucratic structures of immigration and labour regulations outlined in the previous two chapters.

Migrant fishers' precarious position, their wages and their migrant status hinged on their employers (Anderson, 2010), create a situation whereby they are less likely to oppose the decisions of the skipper, or complain about their working conditions, to maintain their employment in the UK which, as discussed in section 7.2., is often seen as relatively lucrative. While the immigration regime is a major enabling factor for this, it was interesting to observe how interviewees contributed to this construction of migrants as ideal fishers by presenting their (prospective) migrant employees in a way which would be deemed acceptable by the regime itself.

In various interviews with employers, recruiters and formal industry representatives, the construction of ideal fishers as good, "ideal migrants" (Shubin et al, 2014) was often simultaneously achieved by drawing attention to various issues employers face when they employ "local youngsters", to emphasise the necessity of maintaining the migration route as crucial for the continued existence of the industry in Scotland. Through this process both migrant and local fishers are racialised. As outlined in Deshingar et al (2019), this happens through creating distinct characterisations of migrant and domestic workers. Namely, the

distinction is between local youngsters, who are described by some skippers as “lazy” and “unreliable”, and migrants who are described as “skilled” and “hard-working”.

Donald, the UK-based recruiter speaking in an earlier section, made the distinction between ‘good’ and ‘bad’ employers as well as between ‘good’ and ‘bad’ workers, directly associating the ‘good’ with skilled migrants, “not afraid of hard work”, and the ‘bad’ with many local youngsters who he deemed to be unskilled and unreliable. In their arguments for more accessible immigration routes for migrant fishers, skippers and employers often state that these routes are necessary because of the labour shortages in their local communities, said to be caused by a combination of rural depopulation, the pull factors of offshore energy industries, and the lack of skills possessed by the available local workforce (evidenced in Chapters 2 and 5). The geographies in this articulation of (a lack of) skill are interesting considering that it is often migrant workers who are constructed as unskilled in anti-immigration rhetoric (Joppke, 2005; Boucher, 2019) – see the discussion on the construction of skill in Chapter 5. While rural depopulation and a move to other industries are acknowledged as factors, the lack of grit, skill and motivation among local young men is consistently brought up. One skipper spoke about his experience with a couple of local hires who would often turn up to work under the influence of alcohol, one of whom he caught smoking drugs in the ship’s toilet.

“Now, you can hardly smoke or vape in any workplace, nevermind smoke drugs, so why should we allow this to happen in our workplace?

[...]

The standard of experienced hands is shocking. The standard of men wanting to learn the job is shocking. When I started, I could work the fish, work the deck, work change bells. I knew all that before I started. It was my father’s boat, so I was well trained from a very young age. My grandfather taught me how to mend and splice when I was 10, 12. We don’t have that training set up, these guys getting in from abroad. All these guys from abroad they have all gone to a marine college and learned net mending skills, rope working skills, engineering skills and they can run around a lot of British guys, but we can’t get them because of the 12-mile rule.” (James, skipper, West coast of Scotland)

These skills were continuously emphasised in the context of the changes to immigration regulations (as analysed in Chapter 5). A skipper who is still active and works with a mix of UK and migrant crew on the West coast, said that the quality of the crew is important not only for his livelihood, but also his and the crew's safety. He elaborated by also bringing in addition, a particularly prescient issue facing rural fishing communities in Scotland.

“You know I've had a lot of guys come to me saying ‘we've had enough of UK crew’, there's a huge problem among the youngsters with drugs and drink which to be honest, there's always been, but we always said what you do ashore, it's your thing, but the minute you come back on the boat, stop. There's a big problem with the UK youngsters, they just can't even turn up when they're meant to they can't go for a drink at night on a night of without hitting drugs and not coming back to the boat the next day, so these guys [skippers] are more and more... turning to the overseas workforce because they're more reliant on the whole” (Angus, former fisher, Outer Hebrides)

His comment indicates that issues with substances are not new, yet seem to be considered in different light now that hiring international crews is possible and there are not enough UK fishers to fill the vacancies. To highlight the situation, Donald, the UK recruiter I interviewed, said that he had only 23 UK crew registered with him, compared to 170 migrant crew looking for work. In his experience, employers preferred to hire migrant crew vetted through “reliable” agents. He noticed that the UK crew tended to look for work through social media, but that meant that he was able to look up common contacts and often found that they were seen as unreliable by previous employers, again bringing in the issues with substance misuse.

“Recently one guy trashed this guy's boat, and he said he's terrified, you know. That's the other side of the job Katja, you kind of attract the people on the run. One time we were fishing out of Holland and the guy was actually trying to come off heroin and he was a junkie and his girlfriend was in Germany so he'd seen an ad looking for crew and thought ‘that's great I'm coming off of heroin, I'll just go on this boat and go 100 miles off to sea and I'll be fine’, next thing the man took money, [we] took the boat back into the harbour we had to lock him in the cabin. The job has got a tendency to attract all sorts.” (Donald, UK-based recruiter)

In many of the interviews the migrant workers were then immediately discussed in opposition to these comments about local youngsters. What is apparent is that the construction of ideal fishers, as well as ideal racialized migrant subjects appears simultaneously with the construction of whiteness of the prospective local workforce, who are said to be underqualified, unreliable, and, in many cases, not hard-wearing enough to do the job. The constructions of whiteness are competing and contested – these depictions are, of course, not fixed and can shift. An example of this contested representations is a young domestic fisher, praised in interviews, constructed as ‘good’, who has proven himself as willing to work under tough circumstances. Many interlocutors who are also fishers, or have friends who are fishers, also see themselves as in a positive light. These competing accounts resonate with the discussion around specific constructions of masculinities in Chapter 6. Euan, who spoke extensively through Chapter 5, proudly spoke of a young fisher who bought his own fishing boat and runs his own business despite the challenging economic circumstances. Conversely, migrant fishers’ ‘goodness’ begins to be questioned in the emergent, quiet narratives questioning their motives for wanting to work in the UK (as discussed in the section on bordering in Chapter 6).

At this point it is important to note that the comments praising the good character of migrant crew come in a climate where immigration is being restricted, consultations with fishers were taking place by Scottish and UK governments, and the employers and industry representatives are used to having to justify why migrants should be allowed to come to work in the UK. I often felt that they became accustomed to these narratives and continued to perform them in interviews. In trying to justify why people from the Philippines and Ghana should be allowed to work in the UK, skippers and industry representatives emphasised that their move is (or would be) temporary and only contributes to the economy, not taking anything from the government or the public. This mimics the language of some of the UK government migration emphases in the managed migration era (Consterdine and Samuk, 2018), distinguishing fishers as migrants who would contribute but not take away from the economy (as not usually using UK public services) and take on jobs that do not attract ‘local’ workers.

This next quotation shows that some participants were quite open about their thoughts and preferences regarding what their views were of various nationalities of fishers, drawing on racist stereotypes about “African culture” and the loyalty and hard work of Filipino migrants which they often attributed to their Catholic religion. However, the underlying reasons for their

reported skills and willingness to work hard – or any acknowledgement of migrant fishers’ precarity – remain largely implicit.

“The trawler crew, they love Filipinos especially. Ghanaians can be a bit of a hit or a miss, some of them are quite set in their ways, you know, it’s their [uses hands to make quotation marks] “African culture” coming through, others are very good, strong, hard workers, and they do long trips. They will stay, and they have to stay, a very, very long time.” (Donald, UK-based recruiter)

A question which poses itself throughout this analysis, is why migrant fishers work in a way that favours them relative to the local workforce. As the subsequent section will indicate, this is directly linked to their lack of other employment options relative to the quality of pay and conditions they can access in the UK., but nonetheless, the question requires further unpacking.

When I interviewed David, an agent operating in Ghana with years of experience recruiting into Scotland, he made an effort to emphasise his ability to spot those fishers who are not going to work hard, to the desired standard.

“It is actually the right thing to know if this particular person is going for adventure or if they mean business [...] So I’m able to distinguish between the two.” (David, recruiter based in Ghana)

Throughout the interview he emphasized that he had the wellbeing of the Scottish fishing industry at heart, that he did not want to send through “farmers” (I sensed that this was a derogatory word for unserious fishers, those looking for what he referred to “an adventure”) – only fishers who will contribute to the thriving of the industry. He also noted how the Scottish industry presented a great opportunity for Ghanaian fishers, reflecting the idea that UK fisheries representatives and skippers often note that migrant fishers find the UK conditions and wages relatively good compared to the wages they would be earning in their own local fisheries (Jones et al, 2020). While I argue that these perceptions, constructions, and attitudes should be challenged, there is no denying that the sacrifices of migrant workers are acknowledged and admired.

“I’ve got a lot of respect for these people who can come here and work for years and years just to provide for their families, you know, totally, it’s one thing being away from home, but if it’s not your own language and all that stuff,

you're stuck on a fishing boat having a hard time, it's tough, tough job, a few people have said to me.. to be able to do that and not break, you know, hats off to them, hats off to them." (John, fisher, East coast)

The reality is that these workers work in conditions which are just as difficult, doing the same job with the same dangers, but exist in socio-economic circumstances that are vastly different, that their livelihoods are hyper-precarious, their personal circumstances and families dependent on the income they accumulate while working internationally. The full extent of this remains unspoken. The narratives surrounding what constitutes a 'good' fisher often bring about characterisations which 'local' new entrants are not able to meet. A core root of this issue is the traditional perception of fisheries work as one which requires a strong, resilient man to do the job. Several fishers have critiqued young men learning for the job as "too soft". For example, the James, a skipper who talked about the experience of one of his crew:

"I'm not saying it's a macho thing, but the boy just couldn't handle the constant motion, the noise, the smell. So, there's a lot of things that need to be looked at, but where to start, right now, people just do not want to do this job, it's not a glamorous job, it's a dirty, smelly, cold, wet, windy, hard, physically hard job." (James, skipper, West Coast)

While James emphasised that it is not "a macho thing" – apparently aware of the potential critique I could have of his comments – he followed by characterising a fisher who found the job too difficult as unable to handle it due to it being physically hard. The idea of the ideal fisher is therefore also of a resilient, masculine, hard-wearing figure – commonly enforced in cultural depictions and stereotypes, such as Ewan MacColl's *Shoals of Herring* and the sense of masculinities that structure his song. There is a celebrated perception of migrant fishers being willing to take more risks, while data for loss of life or limb at work shows that they are more likely to get injured or die working than their UK colleagues, whose work is also dangerous (HSE, 2021; McCall Howard, 2017).

This was already introduced in Chapter 6, but it is important, here, to explicitly link the phenomenon of the prevalence of the employment of migrant workers as the spatial fix to the concept of Racial capitalism. Migrant workers, from the Philippines, Ghana, or elsewhere, work to extract economic value from nature for low wages, while granted fewer rights than their European and British counterparts, benefiting predominantly the individuals within the industry

who own the means of production. This, alongside the fact that migrant fishers from non-EEA countries are often segregated based of their residency status when not working – staying on boats while rest of crew goes to the pub, as mentioned by McCall Howard, 2017; treated differently and paid at the end of contracts – is typical of practices under Racial capitalism (for instance segregation of living quarters of migrant factory workers observed by Schling in Schling and Rogaly, 2022). This further indicates that the immigration regime and the current dominant labour practices reproduce long standing colonial tropes and divisions which have long existed in maritime industries (Ahuja, 2012; Campling and Colás, 2021). Migrant fishers are allegedly said to be “fine with this”; explained by skippers with reference to higher take-home wages as well as, in one case, with reference to the cultural and religious background of some migrant fishers who are said to not want to do things like go to the pub. However, discourses outlined in this section indicate that their compliance with existing conditions – and potential accusations that they are unjustly complaining against the skippers, whining, “crying” – is related to them being encouraged by the circumstances to perform the role of ideal migrant subjects, with the associated greater exposure to vulnerabilities.

It is important to caveat here, that the perspective of both these supposed “local youngsters” and migrant fishers are missing, as they were more challenging to access, so the discussions here are mere projections of the fishers and skippers that I did speak to. Domestic fishers – some of them young – that I interviewed never characterised themselves as ‘inexperienced’, or ‘lazy’. These perspectives of prospective new entrants (who may or may not end up working in fisheries) and of migrant fishers would be interesting to include in further research.

The emergence of narratives introduced through this section fit within the wider economic context, perpetuated by cost cutting desire for increased profit margins (as outlined in Chapter 5 on the spatial fix). Ultimately the ability to employ migrants for lower wages than domestic fishers, and the reduced costs to social reproduction which comes with them being temporary migrants living on vessels or in makeshift accommodation, enables faster accumulation of capital for employers. McCall Howard’s (2017) work with Scottish fishers provides an insight into *why* this cost cutting occurs and unpacks the fishing industry’s subservience to capitalist market logics in the context of decades of exploitation of marine environments which has led to a decreased productivity of fishing grounds in Scotland and beyond.

7.5. Scaling out: Scotland

I now consider these issues more explicitly in the context of Scotland and Scottish fishing communities on the national scale to draw out the interconnectivities between the local and the global implications of Scottish fisheries. As outlined in Chapter 2, starting from the introduction of the quota system which effectively pushed some traditional small-scale fisheries out of business, through the growth of the offshore energy sector, to a decline in housing and social provisions for rural communities, the challenges facing Scottish fisheries have come one after another (Lawler et al, 2023; Scottish Government, 2023b; Currie et al, 2021). Interviews with fishers, skippers and industry representatives bring into question the feasibility of enacting the principles of equality, safety, sustainability and fairness in a sector which is built upon age-old traditions and relies on masculine ideals; communities proud of the hard work which has been undertaken by generations of families, but a profession which would not exist today, in its current form, without the reliance on the overseas workforce. I begin this section by considering the narrative built by the Scottish Government (2020a) through the *Scottish Fisheries Management Strategy 2020-2030* and then analyse how it is enacted and perceived by the participants.

In line with its programme for government (2021) which centred fairness, “for everyone and in every part of Scotland”, in the foreword, the Scottish Government emphasises “fair work and opportunities for new entrants” as one of the key principles in its Future Fisheries Management Strategy (2020a). To provide a sense of the tone with which the policy narrates its objectives regarding the future of fisheries in relation to labour migration, I will start this section with highlighting some key points where this is referenced. From the outset, the strategy emphasises Scottish marine areas as a great asset, but interestingly, also frames them as a responsibility:

“With such an important natural asset comes great responsibility: to preserve and sustain the seas’ ecosystems; to support the jobs and livelihoods which depend on them; to strengthen the local communities whose lifeblood is intrinsically linked to the sea; and to encourage all users of the marine environment to develop a positive future together with mutual respect.” (2020: 3)

This quotation interestingly draws on a lot of themes from recent research about future fisheries as well as geographies of the sea. The emphasis on people’s relationship with the sea – their

“lifeblood” intrinsically connected to it, developing a “mutual respect” with it – evokes some of the (more-than-) wet ontology discourses which emphasise both the more-than-human relationships formed within seascapes, as well as the way the sea meshes together with the landed world materially and symbolically (Ingold, 2011; Vannini and Taggart, 2016; Peters and Steinberg, 2019). Moving on, though, it does employ a more standard policy language of “delivering”, “growth” and references to the (Blue) economy:

“The 3 agreed investment priorities for the Blue Economy Action Plan, which are based on evidence around market failures and the current weaknesses and opportunities in the marine economy are: 1. Delivering a low carbon Blue Economy which contributes to our climate change targets. 2. Contributing to an innovative, globally competitive, sustainable Blue Economy with quality jobs, fair work and a safe working environment for its participants. 3. Fair and inclusive growth that maximises opportunities for people and communities in Scotland.” (Scottish Government, 2020: 13)

Outside of the scope of natural sciences, there has been an increased engagement in the monetary value of blue spaces for local and global economies (World Bank, 2017; Wenhai et al 2019). The Scottish Government emphasises fairness and inclusivity alongside the Blue Economy but nonetheless champions Blue economy ideas through the publication of *A Blue Economy Vision for Scotland* (2022c). In some ways the narratives resonate with “Blue Growth”, but is nonetheless more discursively oriented towards fairness, sustainability and equality than the EU and World Bank Blue Growth approaches exemplified briefly in chapter 3. Indeed, an interesting part of the policy refers to fisheries developments on a global scale, avoiding the language of ‘justice’, supplementing this word choice with “fairness”:

“[We will] seek to influence the approach of others, demonstrating best practice and encouraging other fishing nations, both EU and non-EU, to meet certain standards including around fair treatment of workers and tackling modern slavery.” (Scottish Government, 2020: 24)

The policy, then emphasises the responsibility which is attributed on both a local and global scale (Massey, 2004). The rest of this thesis already poses a challenge to how these principles are enacted in practice, or indeed how feasible they are in the devolved context where the Scottish Government has restricted power over making any changes to the UK’s foreign

policies, including immigration. Nonetheless it indicates that the Scottish Government is considering how to address some of the issues highlighted in the thesis. It is also worth noting that this is a 10-year plan, with the data for this thesis collected up to two years after its initial implementation.

The ITF representative I interviewed directly commented on some of the Scottish Government narratives and their effects (see also p126). He highlighted the discrepancies of power over decision-making at a national level and posed a key question about the feasibility of some parts of the industry.

“The power and money in fishing are extremely concentrated and these businesses are lobbying for increases in quotas, the flexibility with visa systems, controlling the debate around Brexit. Really this issue is going to effect the mid-range, less profitable mobile gear sector that have had to employ migrant crew for 250 quid a week... this is something to think about because doing things properly and paying them minimum wage will mean that some fishing boats go out of business, they cannot survive paying for a fair wage. It means to me that it is a problematic industry.” (ITF Representative)

At the beginning he is referring to powerful industry associations and companies which have a seat at the table and are able to lobby decision-makers on some of the key issues facing the industry – ultimately primarily benefitting themselves, large companies. He went on to criticise the attitudes of the Scottish Government towards and lack of real action in addressing the principal issues.

“They talk a lot about coastal communities and world leading fisheries management, but then you have modern day slaves working on boats that to me is not sustainable or world leading, it’s a national embarrassment. [...]

This is all interlinked, but the fundamental thing is how to make fishing safer and fairer and a large part of it is changing the culture and mindset around fishing, about the pay structure.” (ITF Representative)

While he was highly critical towards the attitudes of decision-makers, he was pragmatic in seeking out solutions, indicative of this being used to constructing narratives to persuade decision-makers. Much like the NGO representative at the end of the previous section, he

addresses the issues of culture in the industry in the UK and in Scotland, but he also explicitly critiques the Scottish Government narratives from the Future Fisheries Management Strategy (2020), which, he suggests, are in contradiction with reality at sea. A skipper I spoke to, seemingly tired of the bad reputation the industry continues to receive, was exasperated when he expressed his disagreement with some attitudes among fellow skippers in Scotland.

“Some boats do not have the basic safety equipment, which is ludicrous. A big thing that’s coming into play in the fishing industry now, and some people are moaning about it, is having a toilet onboard and you will be shocked but there is a lot of boats that do not have an actual toilet [...] it’s now 2022, why do you not have basic sanitation aboard your workplace, it’s the attitude of some people, it’s ludicrous,.” (John, skipper, West Coast)

The lack of appropriate sanitation and basic safety equipment aboard some vessels prompted one participant to refer to the need to “drag the Scottish fishing industry into the 21st century”. Referring to such issues as “not the best press”, a representative of a fisheries NGO indicated a connection between the publicised issues in the industry, the lack of young prospective workforce, and the decline in rural fishing communities.

“The government, they will, in an ideal world, see more UK nationals working in fishing industry, it would help revive some of the fishing communities, which are by geographic location isolated, but also [have issues with] poverty, social mobility. They’d like to involve and add more young people coming through, but it’s not... fishing’s not got the best press either, for a variety of reasons. A lot needs to change before it becomes a more attractive career path for young people.” (Fisheries Charity Representative)

A few participants pointed to the interaction between issues related directly to fishing, but also broader challenges faced by rural residents, namely the lack of housing for locals.

“It’s an ambition of people to have second homes here [West Highlands, Inner Hebrides]. I mean, either side of me, are second homes. And it’s, it’s ridiculous, because we do have a population, which is crying out for good housing. But we don’t have sufficient good housing to accommodate the aspirations of our young people. [...] You know, you try and get them [politicians] to come up and

witness the fact that if that boat literally can't fish anymore, that school will shut, because that crewmen will take his two children and move somewhere else. That brings that schools roll down from eleven to nine, which means that it will be closed, that community will then die, it will be a holiday home environment. It's trying to get this real understanding of the cultural imperative. If we wish to maintain our cultural identity as a rural coastal community, you have to support it.” (Fisheries Association Representative E)

Fisheries Association Representative E suggests a two-way relationship between the lack of housing on one side, and a decline of fisheries on the other, emphasising the importance of government action to regulate a further worsening of the situation. The multiplier effect which he describes takes place because of the interdependencies of local industries when the fishing industry in an area is declining evokes an interesting and critical account of local and national power-geometries. His own son is now a fisher (see page 148), after his family lived in a big city in England before moving to his home town later in life. He recognised the opportunities the industry offers as a career choice when people are well supported into it. The crucial factor in this case is that his son was able to make a choice to enter the industry and had enough capital to obtain his own vessel – a situation elusive to the many youngsters coming from rural Scotland without a family firm behind them, and especially to most migrant fishers working on Transit visas.

To conclude this section, I return to the quote from Scotland’s Future Fisheries Management Strategy in the introduction to this chapter, which includes the line “[w]e will not tolerate illegal treatment of *any* worker in *any* part of fishing industry” (Scottish Government, 2020a: 26, emphasis my own). In the context of the paper this is directly referring to the reports of the status of migrant fishers, while it also calls for safe immigration routes that would enable the industry access to international labour. Here it is important to be aware of the relative pull and power that the UK fisheries hold in attracting international migrants and asserting safe and sustainable labour and fishing practices. In the Scottish Government (2020a) publication, the link to international fisheries is explicit and leads to an important discussion about the inter-connected scales of justice in fisheries; how what happens ‘beyond’ the bounds of Scottish fisheries, connects, and is a product and part (Massey, 2004) of what happens outside its porous boundaries. The next section expands on this, by highlighting some key challenges brought about when considering labour in fisheries on a global scale.

7.6. ‘Global’ fisheries

To examine some of the causes and effects of the challenges raised up until this point, it is productive to respond to Massey’s (2004: 101) call to examine the geographies of the relations of construction of these local economies, as well as “the potential geographies of our social responsibilities”. In this chapter I emplace the identified issues raised within Scottish fisheries within the context of global fisheries and consider the contributions which this research makes to current discussions about the industry on the global scale. While the challenges to justice for Scottish fishers working in the UK, Filipino fishers working in the North Sea, and Ghanaian fishers fishing on local or international boats off the coast of West Africa are not always the same, considering how they are connected can be productive in finding the causes and potential solutions to the main issues in which they are entangled.

7.6.1. International labour market

As posited in Chapter 6, the material nature of maritime spaces – their fluidity – as well as the challenges to their effective regulation, means that issues facing fisheries world over are particularly interconnected. Ross (2015: 309) attempts to define what characterises a fishing community, arguing that more so than a geographical proximity, fishing communities are bound by a shared “connection to, and empathy with, those involved in fishing; the valuing of freedom and autonomy associated with a positive fishing identity; and a closing of ranks against the three external spectres of ‘policy’, ‘science’ and ‘the public’”. This resonated with my experience of the fieldwork on multiple levels; I usually took on the role of any one or more of these roles when conducting fieldwork, and the more I appeared to belong to these “spectres”, the less open the interviewees on the fisheries side were to the idea of participating in the research. While I did not always easily identify points of connection with my participants, I occasionally related to some of what they were saying by relating it to my familiar framework of my grandfather’s experience as a subsistence fisher in Croatia. At one point I tried to express my understanding of the fishers’ struggles to always follow the ever-changing regulations by explaining how upon Croatia’s entry to the UK, the rules referring to the total length of nets a vessel used for subsistence fishing was allowed to have aboard changed. The rules did not refer to the length of nets they were allowed to use in the sea at the time, but specifically to the length they were allowed to have on board, meaning that it was easy to unintentionally break the rules if one was not careful, even if it made no difference to how and how much they actually fished. I am not sure what these rules were specifically as I was around 10 at the time, but I remember

big discussions and annoyance with EU regulations frequently making an appearance at family dinners. A fisher I was interviewing strongly related to this passing comment in a way which indicates a sense of common struggles for fishers:

“The way fishermen are treated, the world over... It seems, it’s interesting you saying that about Croatia, they are treated like criminals and yet these guys are risking their lives to feed you, man, you know what I mean? Yeah, they’re making a wage, but you need these people to feed you, and they’re so badly treated.” (Angus, former fisher, West coast)

His comment shows the discrepancy between how fishers perceive each other, their own work, relative to how they think their work is perceived by others. Ross’ (2015) illustration does broadly reflect some of my experiences – both personal and in doing fieldwork (some scepticism to my association with a university and the Marine Directorate), as well as some commentary made by fishers around changing policies, and the marine science related to quotas. However, it is worth contesting these simple divisions into “spectres” as this separation into distinct thematic categories is complicated when considered that many individuals from fishing communities also occupy at least one of the other three – particularly blurred is the separation between ‘the fishing community’ and ‘the public’. I reflect on this further in Chapter 8.

The potentially ‘global’ character of the ‘fishing community’ is also created because most large global sea fisheries operate in international waters, with fishers often speaking of their, or their crew’s experience working internationally (both in international waters as well as by landing in other countries). This is a result of the same set of circumstances which, as argued in Chapter 6, creates legal ‘grey’ areas, and makes it possible to at-times elude existing international agreements and regulations, which are in turn difficult to agree upon and enforce. This is the principal reason why UK skippers are able to employ fishers on Transit visas, why they can pay them less than the UK minimum wage, and why these employment conditions are accepted, and even seen as lucrative, by fishers looking for work on the global labour market.

Skippers I spoke to often mentioned that while they think getting a share is more fair, fishers coming from South East Asia and West Africa ‘appear fine’ with the pay agreed to with the agents, often showing the houses they were able to build for their families at home, saying how they were able to secure good education for their children, and often preferring to take slightly

higher pay over being secured on-land accommodation by their employers. That these options were seen as mutually exclusive is interesting and speaks to the way Chapter 5 showed that the spatial fix of hiring migrant fishers provides hidden subsidies to employers in terms of social reproduction. As outlined in the previous section, this kind of thinking is acknowledged across the board, and indeed often problematised by various actors. At least two skippers I spoke to noted that they would always top up the pay up to their full share for migrant crew at the end of their contracts, or generally give them a bonus. These informal bonuses are not universal, and it certainly does not seem *fair* that whether or not the migrant crew get paid the same as local crew is up to the discretion of the skipper and based on their idea/judgement of whether the migrant fisher worked hard – again performing the role of the ideal fisher. However, it does show that many skippers are willing and able to pay migrant fishers more than the minimum requirements of the Skilled worker and Transit visas.

As outlined earlier in Chapter 5, I spoke to a representative from the ITF who underlined why this situation is not fair or sustainable.

“Obviously, some of these people are coming back year after year to be – as I see it – exploited. Although the skippers, owners, or fishers themselves don’t see it, because it’s much better here than working on a Taiwanese boat or a Chinese boat. They are paid less and probably have even fewer rights and protections there, so it’s a very tricky situation, obviously links to immigration policy, organised crime, people trafficking, modern slavey, forced labour.” (ITF representative)

The labour rights abuses and human trafficking within East Asian fisheries that he referred to are widely reported and researched (Yea, 2024; Yea and Stringer, 2024, Kim, 2018). This illustrated how one of the major instances of unfair employment within the UK/Scottish context is inextricably related to the labour rights conditions within global fisheries and relativity with which (un)fair compensation and (un)safe working conditions are viewed by the migrant labour force. Indeed, even the Scottish Government Strategy discussed earlier appears to recognise this connection, yet no concrete proposals exist in addressing this issue.

Perhaps the starkest evidence of this came in a conversation with a representative of a Scottish fisheries organization who was frank in his explanation of how his job and his interests are helping Scottish fishers, especially skippers. He responded to the changes in immigration

restrictions in a way which was pragmatic and, as he pointed, had the interest of Scottish fishers and skippers at heart, above everything.

“The problem we've got is that fishermen come from the lower social castes. That's a fact of life. They come from the low social cast. And if you look at their ability to access good schooling at a young age, it's probably less than others, especially in countries like Sri Lanka, India, Ghana as well. Now, you know, you get people coming across [on the Skilled worker visa] to work in factories and chemists or whatever, they're not in the same social class [as the fishers]. Chances are that they've had a better life and they've been exposed to better English, and various other things.” (Fisheries Association Representative A)

While he was unhappy with the restrictions of the Skilled worker visa, he did not spend a lot of time speaking about his dissatisfaction. Rather, he outlined how him and a few colleagues went in search of skilled fishers who would be able to meet the English language requirements (outlined in Chapter 5) and found themselves in Belize.

“You know, we're drawing from a pool that doesn't necessarily have good English unless you're in an English speaking country. Which Belize and Guyana are.” (Fisheries Association Representative A)

Within a relatively short time-frame, his organisation acted to begin recruiting Belizean fishers. It is of note how the geographies of recruitment for the Scottish fishing industry are changing over time, drawing on a pool of traditionally shipping nations which have been historically crewing in maritime industries.

“On behalf of all members we visited Belize, we've now set up a company called [redacted]. And what we are doing, or what we could do there, is to employ one or two people to help the skippers get through an accreditation for sponsorship. Because many think it is costly, it's complex. You know, they don't know where to start. We can get money, I mean, get people in, we can just direct the skippers to this company. They'll solve your problem and won't cost you anything because we've stocked up the money behind it to make sure that there'll be no resistance or no, no hurdles, no barriers for you to get to that point. Once you get your sponsorship. We've got people lined up to come onto your vessel. So,

my role, as I see it, is to solve problems that industry face, hopefully before they get here.” (Fisheries Association Representative A)

They found it relatively easy to find fishers with relevant skill, willing to work in the UK, as this was seen as a lucrative opportunity to those they spoke to.

“We went across, we had five meetings where we met 250 fishermen and their families. Some wanted to come across on their own, but the majority wanted to come across with their wives who are used to processing the catch. So, they work in the factories and various other things. But for them, it's not just about employments, it's about changing their life.” (Fisheries Association Representative A)

This move to recruitment from a different country, outlined in such pragmatic terms, with little reference to the fishers who were already working in the UK, or where traditions of temporary immigration to the UK to work in fisheries existed, was a little jarring. I was left almost speechless and was unable to challenge the interviewee as he had previously been rather intimidating, seeming to be aware of what my potential critique might be²⁸. He represents large fisheries on the East Coast, which is interesting as his attitude mirrors the analysis that large scale fisheries which are much more profit-driven, but also tend to be more financially successful, are those which are the least concerned with the wellbeing of their employees. This switch between different nationalities of workers and ‘source’ countries for labour migrants points to a cycle of Racial capitalism driven by the need for the spatial fixes to suit only the industry whose main goal is to continue the accumulation of profits.

There is apparent opposition between large enterprises and smaller fishing operations and the way large enterprises are favoured on the market, largely due to economies of scale but also because of more lobbying power (e.g. ability to hire on Transit visas in Scotland). These operations are also more extractive from the environment, linking this issue to the next section which considers how the exploitation of the environment and workers is interlinked.

²⁸ He had suggested that he had read other academic and NGO publications and expressed disapproval of certain reports regarding human rights abuses and it at-times felt that the generous time he offered to the project was in an attempt to control the narrative to an extent that he could.

7.6.2. Exploitation of labour and of the environment

To consider the view of prospective immigrants into the UK on the topic of this thesis, the only substantial point of view I was able to access was interviews with a fisheries NGO representative and with a recruiter from Ghana. Responding to the question about push and pull factors drawing fishers to migrate to the UK, they underlined that prospective migrants often face poverty and environmental decline in their own fishing communities. Indeed, Germond (2020: 49) has stated that the sea is a “space that is at the same time exploited and supporting exploitation”. This section demonstrates how the local-global relationships in fisheries contribute to the phenomenon whereby the sea is a site of both labour and environmental exploitation.

A fisheries NGO representative in Ghana explained that the decision to seek work abroad is often linked to the environmental decline in West African fisheries, which, in turn, is linked to the overseas agreements which the European Union (as well as China) holds with some West African countries. These are often formed to make up for overfishing and subsequent stock depletions in EU fisheries (Ilincky, 2017). Fisheries Access Agreements allow boats to essentially pay for the right to fish in foreign fisheries (usually wealthier states pay for access to fisheries in economically developing countries). A representative for fisheries at the European Transport Federation elaborated on the issues surrounding these agreements.

“For example, there are a lot of European vessels, of European companies, that go fish in international waters or third country waters on the basis of so-called SFPS, which are bilateral agreements in place between the EU and third countries and basically regulate the rights of European fleets to fish in those countries, these agreements are very ambitious but in reality, it’s a different story. Ok, what, they aim to give some compensation money for fishing rights and this money should be used, for example, for African countries to increase the local sustainable fisheries and so on.” (ETF Representative for fisheries)

Nolan (2019) calls these agreements “commodity frontiers” and argues that they lead to human rights abuses as they serve to give “foreign” actors access to places with an abundance of resources and cheap labour. Specifically, Nolan argues that due to these practices by foreign vessels, local small-scale fishers have had to resort to more labour intensive and unsustainable fishing methods to survive and provide for their families and local communities. Many locals

are then also employed for low wages on these foreign vessels, fishing for export. Essentially, this is an issue of justice on both local and global scales. Locally, for instance in Scotland, small-scale in-shore fishers are pushed out of their traditional fishing grounds through some practices of marine spatial planning or through the quota system. Globally, fish stocks in, for instance, West African fisheries are sold to the EU. Ilinck (2007) discusses this on the case of the EU's Access Agreements with West African countries, casting the EU practices as hypocritical, neo-colonial, unsustainable and in breach of international law and European policy, urging a change in policy and practice. Moore (2000) showed that these processes have negative political, ecological, and economic consequences as both local residents and local natural resources are appropriated for foreign profits. Indeed, on the case of Ghanaian small-scale fisheries, Nolan (2019: 1) emphasises that the presence of foreign fishing vessels disproportionately affects the most vulnerable members of the community compounding existing vulnerabilities, especially on the basis of gender and class, while on a global level, race should also be considered a factor.

A recruiter from Ghana suggested that the UK is a great opportunity for skilled Ghanaian fishers who can find much better work in Scotland compared to their local fisheries which he said were declining and providing increasingly fewer opportunities.

“There's one thing, I love the fishing industry in the UK. Yeah. It's like... This provided opportunity for people, especially from Africa, Ghana, okay? To have the positive impacts on their lives by means of working and making money to take care of their families.” (David, Ghana-based recruiter)

It was apparent that the decline in their fisheries meant that ‘local’ fishers in the Takoradi region of Ghana were increasingly pushed to emigrate and seek employment elsewhere.

Most large global sea fisheries operate in international waters, making it possible for them to elude national rules and regulations and, as argued in Chapter 6, making existing international agreements and regulations difficult to agree upon and enforce. Further, it is challenging to establish where to direct the critiques for these international agreements and recorded unethical practices pertaining to both labour rights and the exploitation of the environment.

In this section I provided a mere example of attending to the environmental issues of fisheries across scales, to indicate contributing factors to global challenges beyond labour practices – yet showing that environmental and labour issues in fisheries are interlinked.

7.7. Conclusion

In this chapter I showed how labour relations and conditions in Scottish fisheries are “a product of relations which spread out way beyond it” (Massey, 2004: 101). I applied a multiscalar approach to considering labour migration in fisheries, specifically by looking at perceptions of individual fishers, relationships between fishers, the state of fisheries in the context of Scotland, and sample of related challenges faced by fisheries on a global level. One of the principal ways in which conditions in Scottish fisheries are impacted by what happens “beyond” is the justification of the often poor working conditions and remuneration discrepancies between migrant and domestic fishers through a relativisation of these conditions compared to both fisheries of the “global south” and the purchasing power of the pay in workers’ “home” economies. Furthering Jones et al’s (2020) conclusions, I argue that it is fundamentally unfair to relativise fishers’ experiences and justify the current standards of work for migrant fishers. Rather, the calls of NGOs, the Scottish Government, and many fishers to improve standards should be heard and upheld, especially amid the calls to open up immigration restrictions to allow more migrant fishers to fill the labour shortages in the industry.

To return, then to Massey’s second question posed at the beginning of this chapter: “What, in other words, are the potential geographies of our social responsibilities?” (Massey, 2004: 101). Throughout this thesis and in this chapter, I raised a host of potential responsibilities. Many of these are a product of uneven power geometries on both ‘local’ and ‘global’ levels; in terms of more remote parts of Scotland and the central belt, in terms of the relationships between the UK government and Scottish Government’s devolved responsibilities, and in terms of global fisheries relationships. Fishing communities are increasingly restricted from the use of local marine resources, while bigger companies and corporations are able to buy the rights to use the marine space, or have lobbying power to generate favourable legislation. Geographies of international fisheries agreements mean both a decline of ‘local’ fisheries world over, and a decline in labour standards internationally, as labour conditions are relativised in the global fisheries labour market (as this thesis has shown, how ‘global’ the labour market is also at the

discretion of 'local' – national – governments). Research on labour in fisheries is often focused on 'local' examples or case studies. In this chapter I called for the connection between 'local' and 'global' scales to be considered to produce a better understanding of, and indeed to challenge, the existing relations of power.

Chapter 8

Conclusion

8.1. Introduction

The seas are vital for sustenance, climate stability, and global trade, but are shown, through this thesis and beyond, to be intrinsically and increasingly unstable. A conservative estimate suggests that at least three million people are at sea at any given time for work or travel (Sandu, 2016), yet the practices of labour in maritime spaces have long been marginalised in geographic scholarship (Steinberg; 2016). According to Steinberg (2001) this is because the seas are perceived as inhospitable, deep and inaccessible and because their fluid, unstable nature makes them challenging to represent (see also Anderson and Peters, 2016). Contributing to the filling of this gap in representation, I paid attention to what takes place at sea; bringing what is “out of sight”, a little less “out of mind”. Germond (2022: 49, drawing on Deleuze and Guattari, 1980) argues that the idea of the “smooth sea” – the imagined geography of the ocean as void and empty – normalises the free flow of goods and freedom across what is meant to be a smooth space (not susceptible to political control), but also makes it a space that is at the same time exploited and supporting exploitation.

In this thesis I demonstrated how the hyper-precarious employment of migrant fishers in Scotland reflects broader tensions at the intersection of global labour markets, restrictive immigration regimes, and the material instability of maritime spaces. I examined the lived experiences of fishers in Scotland, whose labour at sea, their industry, and communities are shaped by global markets, environmental challenges, and regulatory pressures. I explored how practices of labour migration and governance interact and effect relationships in fisheries on personal, relational, ‘local’, and ‘global’ scales. In taking on this multiscale approach, connecting individual fishers' experiences to industry-wide trends and global systems, I showed how inequalities are produced and reinforced. I drew on literatures on labour geographies, geographies of mobilities, geographies of the sea, and marine social sciences to deepen the understanding of the complex interplay between labour, regulation, and sustainability. In this concluding chapter I reflect on how this was achieved. I begin with a summary of key arguments and contributions; first I map out how the arguments were developed by chapters,

before outlining how the thesis' impact reached beyond the academy. I continue by returning to the objectives stated in the introduction, summarising how they were addressed. Finally, I reflect on the key limitations and new questions opened through this research with a view of how they might be addressed in the future.

8.2. Summary: Key arguments and contributions

Through this thesis I explored the regulative, economic and social dynamics surrounding the employment of migrant fishers in Scotland. I examined the impact of Brexit-related policy and regulatory changes on practices, regulations and lived experiences surrounding labour migration in the industry. I also considered how the regulation and enforcement at sea are characterised by the instability of the marine environment and how this intersects with the hyper-precarity of labour relations in marine fisheries. Finally, I analysed the shifts in employment practices and working conditions of fishers in Scotland, considering both local and global causes and consequences. Having re-stated the project objectives, the rest of this section outlines the key arguments and contributions brought forward in the analysis of empirical findings.

8.2.1. Mapping out key arguments

This research provided a snapshot in time of the rapidly evolving empirical context of labour migration in Scottish fisheries amid Brexit, the Covid-19 pandemic, and the cost of fuel 'crises'. As the context seemed to be forever changing, I leaned into this *fluidity*, which was experienced tenfold by participants, and emphasised that the speed with which regulations and their effects were changing was itself the key characteristic of the context of this project. Drawing on geographical literature on labour, migration, and the marine environment, I began by asserting that these intersecting interdisciplinary issues are connected and characterised by precarity and instability. In doing so I addressed Cardwell and Thornton's (2015) call for a geographical approach to fisheries which mimics the fisherly imagination.

In Chapter 5, the first empirical chapter of this thesis, I analysed the implications of the UK immigration policies related to labour migration in the fishing industry, especially by critically unpacking the implications of the Transit visa and the Skilled worker visa programmes. Building on Lewis et al's (2015) conceptualisation of hyper-precarity of migrant workers, and Anderson's (2010) analysis of migrant worker's fragile emplacement between the state and the

employer I demonstrated how state-imposed regulations, especially immigration restrictions, actively reproduce hyper-precarity among migrant fishers in Scotland, as well as precarity among domestic fishers. I furthered their work by showing how state-imposed immigration restrictions and enforcements work together with common employer-enforced practices (e.g. working and living on vessels) to actively produce and reinforce the precarity of migrant workers through constraining their mobilities and agencies. Through engaging the perspective of Scottish skippers, I showed how they navigate existing labour shortages alongside the perpetually changing regulations, aligning this example with Harvey's (1989) concept of the spatial fix. I showed how the key assertion of the spatial fix – that the logic of capital is such that it will continue to require and perpetuate a geographical expansion – is challenged by the UK immigration regime by drawing on a postcolonial critique of the UK's bordering practices (El-Enany, 2020). A key example of this was the way the Skilled worker visa is used to (mis)construct the concept of 'skill' to enforce racist immigration regulations by constructing certain migrants as more desirable than others. I showed that while restrictive immigration practices do complicate the logic of capital, they also act to push both workers and employers into situations where illegal and dangerous practices are perpetuated to, nonetheless, follow the logic of the spatial fix. With regards to the changing immigration context, I ultimately argued that it is important to find alternatives to the Transit visa loophole and advocate for feasible, safe, legal routes that reduce the hyper-precarity of migrant fishers and work for small business owners. Given the likely trajectory where the UK will have to continue to 'fix' its entry requirements to balance labour shortages and the restrictive attitude to immigration, the post-Brexit immigration routes will require continuous scrutiny.

In chapter 6 I moved towards examining the enforcement of regulations at sea and considering how the fact that the bulk of the work in fishing takes place within a mobile, fluid space, prone to (especially in the seas surrounding Scotland) creating conditions challenging to traverse or inhabit. I argued that fisheries seem to be simultaneously under- and over- regulated, through employing the perspectives of skippers and a former border force employee. Through this discussion of enforcement, I built on the findings on regulations from Chapter 5. Furthering Peters and Steinberg's (2015; 2019) (more-than-) wet ontology approach to marine spaces, I argued that the instability of the marine environment contributes to the precarity of those working at sea, highlighting the challenges posed by attempts of regulators to fix a dynamic/fluid/mobile place. This struggle to keep up with regulations together with changing

enforcement practices add another layer to (migrant) fishers' (hyper-) precarious position. Efforts to enforce certain regulations – albeit on-paper aimed also at increasing the safety of fishers – ultimately lead to constructing the sea as a space in need of security, while in practice not always increasing safety (Garmond, 2022). I furthered and contested Peters and Steinberg's approaches as they were shown to provide a useful lens for understanding labour and associated relationships which take place in a maritime empirical setting, but at once revealed some of the shortcomings that come from seeing the sea primarily for its natural, material properties. Specifically, I argued that while the sea is indeed a distinct kind of workplace due to these very properties, the emplacement of fishing in a physically unstable environment can enable and obfuscate precarious labour practices. This tendency to romanticise the sea, and attribute things like unsafe or exploitative labour and bordering practices to an "ideology of nature" (McCall Howard, 2017), can come from overly narrowing the focus on the sea and its (more-than) representations. While I argue that the current level of enforcement of labour regulations in fisheries is also caused by the characteristics of the sea, it is – when it comes to enforcing both border and labour regulations – ultimately a consequence of political priorities. These contestations in attributing causes and responsibilities for the 'darker' parts of fishing connected the key arguments of Chapter 6 to Chapter 7.

In the third and final empirical chapter (Chapter 7) I built on the first two by applying them to a critical analysis of Scottish Government's future fisheries management strategy as well as placed them in the context of some pressing challenges facing global fisheries. The chapter highlighted the discrepancy between policy ideals and reality, especially through drawing out the way the idea of "fair" employment has been understood and negotiated by varying actors in the industry. In Chapter 6 I argued that the global seas, as well as the global maritime workforce, are interconnected because of the fluidity of oceanic spaces which makes movements between perceivably separate and distant territories possible and contributes to making work in fisheries more elusive to the enforcement of national and international regulations. In Chapter 7 I then showed that this is a key enabling factor which allows the UK (and Scottish) skippers to employ fishers on Transit visas, pay them less than the UK minimum wage, and construct a consensus that makes these conditions acceptable by migrant fishers seeking employment on the global labour market. I explicitly connected the practices related to the reliance of the Scottish industry on racialised migrant fishers to Racial capitalism (Robinson, 1983; Wilson Gilmore, 2017; Gearing and Rogaly, 2019). I also drew an explicit

connection between the current context and colonial histories of labour at sea and present day racialised divisions of labour (Ahuja, 2012). I did so by arguing firstly that the way racialised migrants are constructed as ideal fishers for their commitment to the industry and hard work relative to the construction of some domestic fishers as less willing to work hard fails to acknowledge the global power geometries which regulate access to employment. And secondly, by showing how the justifications for remuneration differentials between domestic and migrant fishers are relativised on a global level where this spatial narrative – a global comparison of purchasing power of fishers’ incomes – is used to detract from the focus on some key injustices in Scottish fisheries. The key overall contribution of Chapter 7 was therefore a multiscalar consideration of fisheries, showing that they are both a product and a source of global and local power relations (Massey, 2004).

8.2.2. Contributions beyond the academy

A key argument presented throughout the thesis, but particularly in Chapter 6 is that considering the role of the seas’ material fluidity in an empirical context can enhance our understanding of how the way those who work and inhabit marine spaces interact in and with them. I outlined in section 8.2.1. the contested ways in which this approach can obfuscate how the drive for accumulation of capital can reproduce unsafe working and bordering conditions. That is to say that particular attention should be paid to the processes of regulations and their enforcement at sea. Not fixing the sea, but fully considering the material conditions which it creates is crucial if we are to avoid the over-regulation and under-enforcement paradox in which regulation and legislation often find themselves and which ultimately lead to an increased vulnerability of those workers who are already the most precarious. Addressing this and working with NGOs and the industry to find solutions should be a key priority for policy makers.

As I outlined in Chapters 1 and 4, this research was a product of a collaboratively funded studentship. As part of this, I did a three-month internship with the Marine Directorate during which I undertook a desk-based project on Women in Scottish Fisheries. The product of this collaboration was a report based on the findings on a review of academic and grey literature (see Scottish Government, 2022a) and a presentation to the marine fisheries policy team. Outside the scope of the internship, I also presented at a Marine Social Science Network seminar on equalities in fisheries. The report was published and shared both on the Marine Scotland Blog (Scottish Government, 2022b), and was picked up by some fisheries media,

promoting some interest and emails from fishers and engagement from the UK Women in Fisheries Network (*Fishing Daily*, 2024). This engagement and interest from the industry surprised me, and complicated Ross' (2015: 309) characterisation of the fishing community as bound together as a "closing of ranks against the three external spectres of 'policy', 'science' and 'the public'". In doing the research the participation of and engagement from came from all three of the "external spectres", as well as the community itself. Indeed, the lived reality of people encountered in doing this research is that they are variously positioned around and within policy/science/the public and are also part of the fishing community. Equally, challenges and negative responses came from people who would fall under one or multiple of these spectres – mostly in form of non-response, response related either to the scepticism of any change being possible as a result of the research or involvement from the Marine Directorate, or as a response to some of the recent publications on reports of abuse within the industry.

8.3. Future avenues for research

The cut-off date for new empirical evidence to be included in the analysis was February 2023, however, as Chapter 5 evidenced, the research context continued to change in significant ways. From April 2023 new guidance was issued, stating that Transit visas were no longer to be used for boarding fishing vessels in the UK (UK Government, 2023). Both immigration and fisheries policies continued to evolve, and it is encouraging to see more recent publications on this topic, representing various perspectives. As developments continue, it will be important to continuously critically reflect upon new policies and evaluate their effects on all actors in this field.

Some of the recent publications that address the gap of literature on labour migration in fisheries in the context of 'economically developed' countries which was identified at the outset of the thesis have begun and continued to be published while this research was taking place. Some of these included migrant fishers' perspectives. These include the cited Nottingham University's Human Rights Lab report (2022), Djohari and Whyte's (2021) research on the East coast of Scotland, and more recently Kelly and Ducusin's (2024) research into the experiences of Filipino crew in the UK. These address one of the principal limitations of this research; the lack of perspective, or even a focus on migrant fishers themselves. Especially challenging, yet crucial, is the perspective of prospective migrants who are prevented from entering the UK as a consequence of new policies; insight into how their restricted mobility

impacts their lives and livelihoods would be particularly pertinent to understand the full extent of the global impacts of the UK's current immigration regime. Evaluating the effects of any policy for most vulnerable and most underrepresented groups can be the most challenging, yet therefore all the more important. Another potential future avenue for research would address calls from feminist mobility scholars to consider workers and their contexts as individuals (Silvey, 2004), with their own ways of negotiating their agency, or lack thereof. While I argued that this was important, the lack of engagement with migrant workers and subsequent privileging of the voices of Scottish actors meant that the challenges and opportunities, push and pull factors in their decision to work in Scottish fisheries were narrativized through the lenses of others, not themselves, therefore leaving scope for further research which nuances these conclusions by including the perspective of migrants. While a survey I contracted out in Ghana attempted to reach this perspective, the findings were somewhat inconclusive based on a small sample of incomplete responses. A more extensive and better resourced foray into this would have been beneficial.

Finally, Chapter 7 of this thesis leaves several open questions concerning the future of fisheries, in Scotland, in the UK, and globally. In Scotland, questions remain around the balance of (gender, race) equality and sustainability called for in Government publications and a long tradition of fisheries as an industry with a rich heritage. Geographies of responsibility should be considered further in terms of both local and global power relations. This includes questions around the role of aquaculture developments for the future of the industry. Further, there are questions around the futures of smaller, inshore fisheries and rural fishing communities which increasingly restricted from the use of 'local' marine resources, while bigger companies and corporations can afford access to control the use of the space. This necessitates a critical response to the uneven power geographies between the central belt of Scotland and the more remote, sometimes rural areas, in terms of the devolved government in Scotland in relation to the UK government, and in terms of the power relationships between local and global fisheries. Especially so in relation to the geographies of international fisheries agreements and the decline of local fisheries in other global regions as a consequence of these. This thesis does not widely touch upon environmental issues facing fisheries and future research should address these more directly in the context of Scotland and beyond. Questions remain about the responsibilities to balance securing sustainable futures which also respect the principles of environmental justice

in terms of fishing communities and fishers whose livelihoods must be secured and heritage preserved; questions around just transitions and how these apply to fisheries.

In conclusion, the voyage through the complexities of UK immigration policies and the modern fishing industry has exemplified the intricate interplay of socio-political, economic, and environmental factors at play. Scholars, policymakers, the industry, and NGOs must take seriously the responsibilities of navigating these complexities with diligence, empathy towards the challenges faced by individuals, communities, and enterprises, and ultimately a commitment to standards of fairness, safety, equality, and sustainability. In this thesis I highlighted the particular challenges faced by fishing communities, governments and international regulatory bodies related to fostering an industry that achieves these standards. Research which involves the perspectives of migrant fishers, skippers and fishing communities should be central to establishing the parameters going forward. The findings I presented suggest that improving labour conditions for migrant fishers requires not only policy reform but also a reconsideration of how we conceptualize the ocean as a social space. As the seas grow increasingly unstable, so too do the lives of those who depend on them. I showed that addressing labour precarity is not just a matter of national policy but of rethinking relationships surrounding fisheries at all scales, and of our relationships to maritime spaces.

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Appendices

Appendix 1: Participant information sheet and consent form - pilot interviews



Participant Information Sheet: **International Labour Migration in Scottish Fisheries**

Please take a few minutes to read through this form carefully as it will provide more information about the nature of the research project. Please get in touch if you have any questions about the research or about your participation.

About the Project

I am a PhD student at the school of Geographical and Earth Sciences at the University of Glasgow. This interview is part of my research project about migrant fishers who work in Scotland which started in October 2020. The aim of this initial stage of the research is to gain a better understanding of the current situation surrounding the employment of migrants on fishing vessels and the different organisations' and stakeholders' perspectives of the topic. The project is jointly funded by the Economic and Social Research Council and Marine Scotland.

Scope of your participation

Your participation is voluntary. If you agree to participate, you will be asked to engage in a **30-minute interview** over Zoom or MS Teams (please let me know if you have a preferred platform).

The **key themes** that we may touch upon during the interview are:

- Your/your organisation's work
- Recruitment process
- How have current developments (Brexit/Covid) impacted the recruitment and crewing process
- Your experience working with migrant fishers and with employers
- Your/your organisation's views on the current legislation related to the work of migrant fishers

What will happen to the information you provide?

Your answers will be anonymised (unless you specify otherwise) and used for the research project and associated outputs. These may include, but are not limited to, journal articles, conference presentations, or policy briefs.

Contact details

If you have any questions or concerns regarding your participation in this project, please do not hesitate to contact me at the following email address: k.hrzic.1@research.gla.ac.uk. If you have any concerns over the nature of this research, you may also contact my supervisor, Dr Cheryl McGeachan, at cheryl.mcgeachan@glasgow.ac.uk, or the School of Geographical and Earth Sciences Ethics officer Prof Hester Parr at hester.parr@glasgow.ac.uk.

If you agree to participate in the project you must sign the consent form (below). Keep this information sheet for future reference.

Thank you,
Katja Hržić

Participant consent form:
International Labour Migration in Scottish Fisheries

Thank you for considering participating in this project. Read the statements carefully and tick the boxes if you agree. You do not have to tick all boxes to participate. Please sign the consent form if you agree to be interviewed and if you agree that your responses may be used in research outputs. Do not hesitate to get in touch for further clarification.

☐ I have read and understood the project information sheet.

☐ I understand that the views expressed during the interview may be used in research outputs.

☐ I understand that I am participating voluntarily and that I am free to withdraw at any point up to a week after the interview (the information you provided will be deleted).

☐ I agree for the audio of the interview to be recorded and transcribed (the transcript will be securely stored on a password-protected university drive and the audio will be deleted).

☐ I wish to review the transcript before it is used in the project (you will be sent the transcript and will have a week to amend the record).

☐ I wish to be briefed on the results of the project.

☐ I agree to be given a pseudonym and understand that personal information will be redacted from outputs to maintain my anonymity. If you wish instead to be identified by your name, your job title, or your professional affiliation, please specify here:

If you wish to be briefed on the results please provide contact information. This information will be stored securely on a password protected university drive in accordance with GDPR and deleted once the project is completed:

E-mail address: _____

_____ Name of Participant	_____ Date	_____ Signature
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Appendix 2: Participant information sheet and consent form



Participant Information Sheet: **International Labour Migration in Scottish Fisheries**

Please take a few minutes to read through this form carefully as it will provide more information about the nature of the research project. Please do not hesitate to get in touch if you have any questions about the research or about your participation.

About the project

I am a PhD student at the school of Geographical and Earth Sciences at the University of Glasgow. This interview is part of my research about migrant fishers who work in Scotland which began in October 2020. The aim of this project is to gain a better understanding of the current situation surrounding the employment of migrants on fishing vessels in Scotland. The project is jointly funded by the Economic and Social Research Council and Marine Scotland.

Scope of your participation

Your participation is voluntary. If you agree to participate, you will be asked to engage in a **45-minute interview**. Depending on your preference and logistical possibilities the interview may take place in person in a local cafe, or over Zoom/Teams or telephone.

The **key themes** that we may touch upon during the interview are:

- Your background and work in fisheries
- Impacts of current developments (Brexit/Covid) on your community and your work (if applicable)
- Your/your organisation's views on the current legislation related to the work of migrant fishers and their migration to the UK
- Your relationship with the sea
- Impact of labour demographics on fisheries and on the wider fishing community

Please feel free to let me know if there are any restrictions as to which topics you wish to discuss, and I will omit these from the interview.

What will happen to the information you provide?

Your answers will be **anonymised**. The researcher may use them in the research project and associated outputs. These outputs may include, but are not limited to, journal articles, conference presentations, or policy briefs. All data you provide will be stored in accordance with GDPR on a password protected university drive; only I will have access to interview transcripts and recordings and I will only share anonymised information in outputs (unless otherwise agreed with your consent). After the end of the project the transcripts may be archived on an encrypted hard drive for up to 10 years. If you share your personal data on the consent form to be contacted at the end of the project, this information will be stored separately from your transcript and deleted after the end of the project (September 2023), or earlier upon your request.

Contact details

If you have any questions or concerns regarding your participation, please do not hesitate to contact me at the following email address: k.hrzc.1@research.gla.ac.uk. If you have any concerns over the nature of this research, you may also contact my supervisor, Dr Cheryl McGeachan, at cheryl.mcgeachan@glasgow.ac.uk, or the School of Geographical and Earth Sciences Ethics officer Prof Hester Parr at hester.parr@glasgow.ac.uk.

If you agree to participate you must sign the consent form (below). Please keep this information sheet for future reference.

Thank you,
Katja Hrzić

Participant consent form: **International Labour Migration in Scottish Fisheries**

Thank you for considering participating in this project. Read the statements carefully and tick the boxes if you agree. You do not have to tick all boxes to participate. Please sign the consent form if you agree to be interviewed and if you agree that your responses may be used in research outputs. Do not hesitate to ask for further clarification either via email or at the start of the interview.

☐ I have read and understood the project information sheet.

☐ I understand that the views expressed during the interview may be used in research outputs.

☐ I understand that I am participating voluntarily and that I am free to withdraw at any point up to a week after the interview (all information you provided will be deleted).

☐ I agree for the audio of the interview to be recorded and transcribed (the transcript will be securely stored on a password-protected university drive and the audio will be deleted).

☐ I wish to be briefed on the results of the project.

☐ I agree to be given a pseudonym and understand that personal information will be redacted from outputs to maintain my anonymity. If you wish to choose your own pseudonym please write it here (first name only):

If you wish to be briefed on the results, please provide contact information. This information will be stored securely on a password protected university drive in accordance with GDPR and deleted once the project is completed (by September 2023):

E-mail address: _____

Please **sign** to confirm you have read and understood the information above:

Name of Participant

Date

Signature