



Improving Fishing Vessel Safety – Update

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Purpose

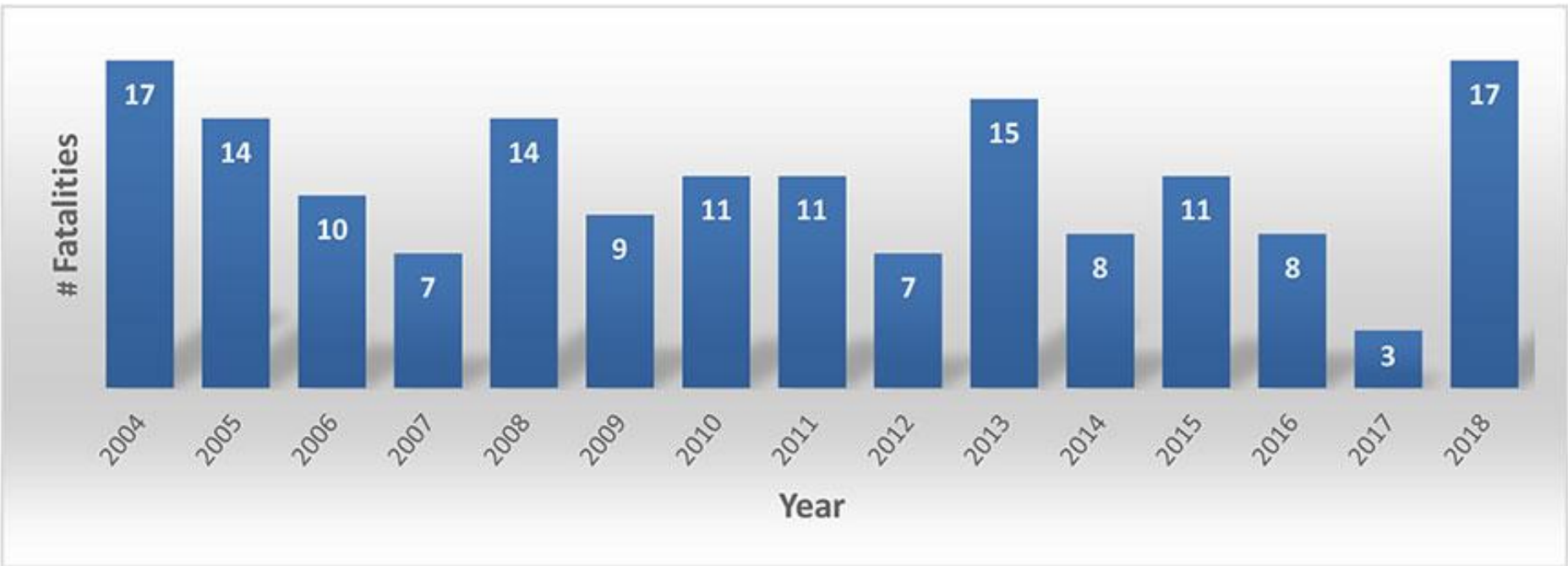
1. Provide an update on Fishing Vessel Safety developments since February 2018
2. Summarize key milestones and achievements
3. Identify next steps for Fiscal Year 2019–2020 and beyond



Background

- Commercial fishing is one of the most dangerous occupations in Canada due to the conditions in which fishing vessels are operated (e.g., type of voyage, weather, etc.)
- The main contributors to accidents, incidents, and fatalities are vessel stability (the ability of a vessel to stay upright in all operating conditions), unsafe operating practices, and safety equipment
- Information about fishing activities and the loss of life, accident in the workforce, and material losses derive from various sources under private, provincial and / or federal entities
- A global approach that takes into account the regional and local specificities is needed to manage an overall reduction of events
- Fishing sector safety culture varies significantly across Canada, due to the geographic and environmental conditions
- Loss of life, accidents in the workforce, and material losses have dire social and economic consequences in coastal communities

Fishing Vessel Fatalities



* Number of fatalities at 19 October 2018. Source: Transportation Safety Board of Canada.

Fishing Vessel Fatalities (cont'd)

FISHING VESSEL FATALITIES BY YEAR AND ACCIDENT TYPE, CANADA, 2011–2017									
	2011	2012	2013	2014	2015	2016	2017	Total	Fatalities by accident type as a percentage of all fatalities
Person(s) falling overboard	9	2	3	6	5	0	2	27	43%
Stability-related	0	1	6	2	6	6	1	22	35%
Accident on board	0	4	3	0	0	2	0	9	14%
Grounding	1	0	3	0	0	0	0	4	6%
Fire	1	0	0	0	0	0	0	1	2%
Total	11	7	15	8	11	8	3	63	100%

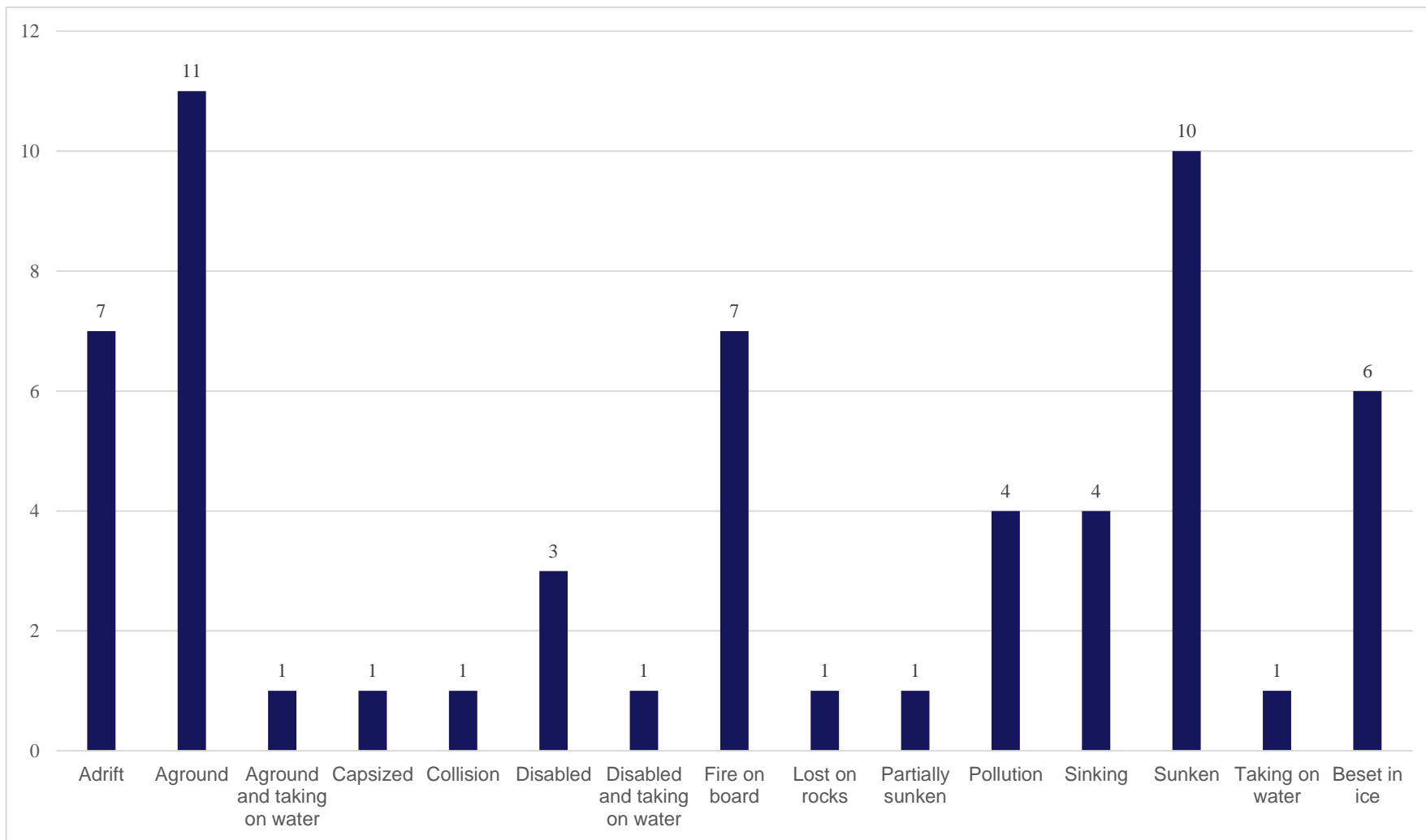
FISHING VESSEL FATALITIES IN WHICH PFD USE WAS CONFIRMED AND/OR IN WHICH THERE WAS NO EMERGENCY SIGNAL, CANADA, 2011–2017									
	2011	2012	2013	2014	2015	2016	2017	Total	Percent
Total fatalities (all accident types)	11	7	15	8	11	8	3	63	100%
Fatalities in which PFD use was confirmed	0	4	3	0	3	4	1	15	*24%
Fatalities in which there was no emergency signal	5	1	7	3	8	4	0	28	*44%

Source: Transportation Safety Board of Canada



Data Challenges Related with Fishing Vessel Events

(Transport Canada Situation Centre
May 04, 2017 to June 27, 2018)





House & Senate Reports

- Both the House and Senate Committees responsible for Fisheries and Oceans recently conducted studies that touch upon fishing vessel safety
- They outlined a series of recommendations to improve its safety, including enhancing engagement efforts
 - In the report, *Atlantic Canada's Marine Commercial Vessel Length and Licensing Policies – Working Towards Equitable Policies for Fishers in all of Atlantic Canada*, the House Committee issued eight recommendations; three were related to TC (see appendix A for list of recommendations)
 - In the report, *When Every Minute Counts: Maritime Search and Rescue*, the Senate Committee issues 17 recommendations; five were related to TC (see appendix B for list of recommendations)
- Example recommendations:
 - “That Fisheries and Oceans Canada and Transport Canada, where appropriate, immediately move to implement a process to engage and consult with inshore fishers, groups of fishers, and their bargaining agents on identifying all the federal policies that regulate and control them, but serve no fishery management purposes beyond frustrating and damaging the relationship between fishers and Fisheries and Oceans Canada.”

Atlantic Canada's Marine Commercial Vessel Length and Licensing Policies – Working Towards Equitable Policies for Fishers in all of Atlantic Canada
Report of the Standing Committee on Fisheries and Oceans, June 2018

- “That Transport Canada develop and disseminate user-friendly information regarding vessel stability to reduce unsafe practices in the commercial fishing industry.”

When Every Minute counts: Maritime Search and Rescue
Report of the Standing Senate Committee on Fisheries and Oceans, November 2018



Transportation Safety Board

- Since 1992, the Transportation Safety Board (TSB) of Canada has made more than 40 recommendations to address safety on board fishing vessels
- In its October 2018 Watchlist, the TSB kept commercial fishing safety as an item “until there are sufficient indications that a sound safety culture has taken root throughout the industry and in fishing communities across the country”
- The Board also previously outlined the importance of improving engagement efforts among the federal departments, their provincial counterparts, and the fishing sectors
 - The TSB “strongly urges the federal and provincial governments and leaders in the fishing community to establish effective regional governance structures aimed at ensuring those working in the fishing industry can and will work safely”
 - For the TSB, “it has become clear that federal (TC and DFO) and provincial (workers’ compensation boards) authorities have a complementary and shared responsibility to collaborate actively and effectively with other segments of the fishing community to tackle and resolve these well-known safety issues. This collaboration must involve the fishermen themselves, who have to ensure their own safety and that of their crew and vessels.”

Marine Investigation Report, Safety Issues Investigation into Fishing Safety in Canada
Report from the Transportation Safety Board, June 2012



What have we done?



Fishing Vessel Safety Regulations

- The new *Regulations Amending the Small Fishing Vessel Inspection Regulations* (Phase 1), which came into force on July 13, 2017, will help curtail some of the identified issue
 - There was a one year delay for implementation, combined with a graduated enforcement approach (which uses education and awareness)
- It is estimated that 5.23 lives and 16.43 vessels will be saved annually due to new vessel stability testing measures and safety equipment mitigation measures
- Transport Canada is also putting in place a Small Vessel Compliance Program, which will serve to oversee and ensure proper implementation of the regulations
- The program will help fishing vessel owners who need to have their vessels inspected and certified (owners of vessels more than 15 gross tonnage) better understand the requirements
- The Program will have a series of tools to ensure the inspection and certification regime is consolidated and delivered in a uniform manner
- Participation will be voluntary for owners of vessels below 15 gross tonnage, but the program will still provide guidance to fishing vessel owners on how they can comply with the requirements that pertain to their size/type of vessel



Enhancing Engagements Efforts

Objective

- Transport Canada is working on enhancing its engagement efforts with the Department of Fisheries and Oceans, provincial counterparts and representatives from the fishing sector to reduce risk in the sector and initiate a culture change in the fishing industry

Expected Outcomes

- To establish a governance structure to enhance engagement on a pan-Canadian scale while taking into account the regional/local specificities and different types of fisheries
- The new governance structure will work towards the:
 - Reduction of loss of life
 - Reduction of workplace accidents
 - Reduction of materiel losses
 - Enhance the qualitative improvements to the safety culture within the sector



Enhancing Engagements Efforts (cont'd)

Collaboration Networks

- The Department has been successful in establishing collaboration and outreach networks to support project deliverables
 - Officially joined the *Réseau Québec Maritime* (RQM). The RQM and researchers from the province of Québec agreed to provide support on the Department's work regarding Fishing Vessel Safety
 - RQM will contribute to the baseline development and analysis for pan-Canadian research on loss of life, workplace accidents and material lost
 - Research project "Cap sur la prévention: le développement d'une culture de sécurité dans les pêches commerciales" approved by RQM - \$40,000 for the period of 2018-2020
 - Retained the services of data researchers from the *Université de Sherbrooke* and *l'Institut Robert-Sauvé en santé et sécurité au travail* to support qualitative and quantitative analysis of risk associated with the fishing industry
- Significant efforts were undertaken in eastern Canada to reach out and identify different players in the four provinces (very complex structure)
- The Standing Senate Committee on Fisheries and Oceans November 2018 report recommended that a national action plan on safety in the commercial fishing industry be developed and provided to the Committee within three years of the tabling their report
 - As of February 2019, the responses to the Senate report are still under underdevelopment



Enhancing Engagements Efforts (cont'd)

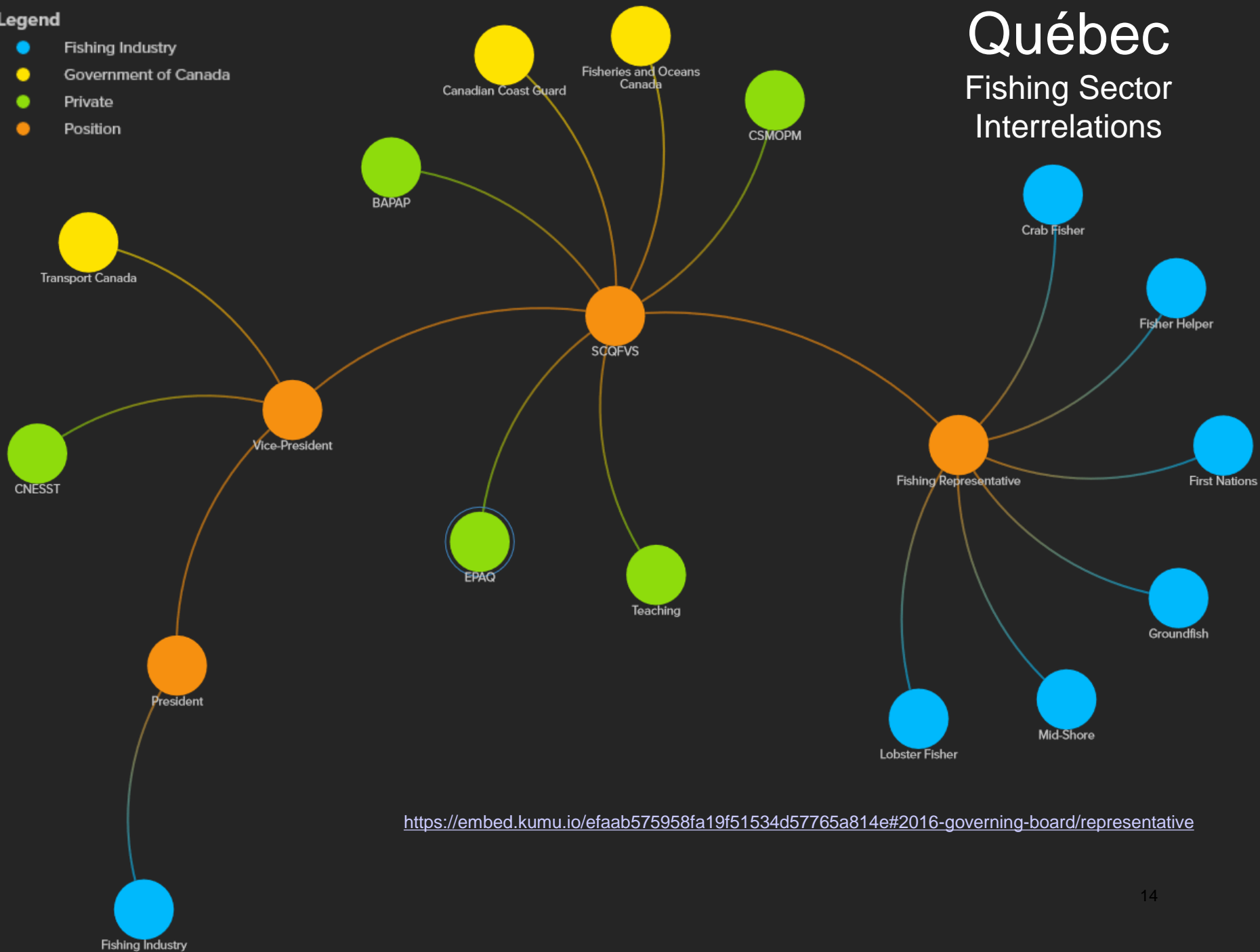
Governance Structure

- Establishing a new governance structure first requires a gap analysis in each Region in order to establish a baseline of existing structures
- This type of gap analysis is complex in nature as the information required derives from different sources that are multi-jurisdictional
- Sources of Data on
 - Lost of life: Transportation Safety Board, Coroners
 - Accidents aboard fishing vessels: Provincial compensation boards
 - Material losses: Underwriters (if insured; data challenges if not)
 - Ms. Lysiane Drewitt's presentation will provide additional details
- TC was aiming for the gap analysis to be completed by December 2018
 - Establishing data sharing protocols with third parties has taken longer than expected
- TC is now aiming to have completed the exercise in a timely manner in 2019, pending data sharing protocols

Legend

- Fishing Industry
- Government of Canada
- Private
- Position

Québec Fishing Sector Interrelations



<https://embed.kumu.io/efaab575958fa19f51534d57765a814e#2016-governing-board/representative>



Next steps for 2019-2020

- Provide a response to the Standing Senate Committee on Fisheries and Oceans November 2018 Report
- Complete environmental scan and gap analysis in relation to stakeholders government structure
- Develop a new methodology to better track loss of life, material losses, workplace accidents and qualitative improvements to the safety culture within the fishing industry
 - The aim is for the new methodology to be developed locally and deployed nationally and serve as a baseline and provide data analysis options to support program development as well as awareness and education campaigns
- Develop a status report on certified and non-certified fishing vessel programs
- Propose options for new governance structure to enhance consultation and engagement with the fishing sector
 - All options will support regional needs, maximize impacts and minimize the duplication efforts in engaging partners
- Develop the plan proposals for awareness, education, and compliance initiatives in support of the four expected outcomes



Thank you



Appendix A

House Committee on Fisheries and Oceans Recommendations from their Report: Atlantic Canada's Marine Commercial Vessel Length and Licensing Policies

Recommendation 1: That Fisheries and Oceans Canada consider streamlining and standardizing commercial vessel policies across the Maritimes and Newfoundland and Labrador Regions (i.e., vessel leasing and vessel licence transfer policies).

Recommendation 2: That Fisheries and Oceans Canada undertake a full and comprehensive review of the vessel length policy in Newfoundland and Labrador including licence holdings, equipment maximums, and vessel extensions.

Recommendation 3: That by the end of the 2018 calendar year or as soon as possible thereafter, the Minister of Fisheries and Oceans and the **Minister of Transport** provide the Committee a written summary of input received and steps identified by the Ministers and their departmental representatives to harmonize and rationalize the process used by federal entities to license commercial vessels and increase the safety of those operating and working on those vessels.

Recommendation 4: That the Minister of Fisheries and Oceans or the **Minister of Transport**, or both Ministers, initiate the regulatory or legislative changes required to implement the steps identified to harmonize and rationalize the process used by federal entities to license commercial vessels and increase the safety of those operating and working on those vessels.

Recommendation 5: That any review or change of the policy be subject to full consultation with licence holders and commercial fishing enterprises in Atlantic Canada.

Recommendation 6: That Fisheries and Oceans Canada conduct continuous/ongoing broad based consultations and enter into dialogue with licence holders/enterprises, particularly as it relates to policy changes that would affect them, whether in-person consultations, mailed ballots/surveys or the use of online resources.

Recommendation 7: That Fisheries and Oceans Canada commit to more direct consultations, in relation to the vessel length policy and the licensing process. These consultations should be as inclusive as possible and include inshore fishers, groups of fishers and their bargaining agents. Efforts should be made to schedule the consultations during times when the maximum number of stakeholders can participate, backstopped by an initiative to proactively reach out to those who haven't participated in scheduled consultation events.

Recommendation 8: That Fisheries and Oceans Canada and **Transport Canada**, where appropriate, immediately move to implement a process to engage and consult with inshore fishers, groups of fishers, and their bargaining agents on identifying all the federal policies that regulate and control them, but serve no fishery management purposes beyond frustrating and damaging the relationship between fishers and Fisheries and Oceans Canada. Within this process:

1. There should be a standard set on the minimum amount of time between notice being given to fishers, and the date of the consultations to ensure that the relevant stakeholders have time to make arrangements to attend consultations on issues which directly affect them and to begin to rebuild relationships between Fisheries and Oceans Canada and fishers through good faith consultation.
2. This notice should be given in writing, either electronically or through physical mail, for the purpose of accountability, as well as advertised in a local free, and widely circulated publication.



Appendix A

House Committee on Fisheries and Oceans Recommendations from their Report: Atlantic Canada's Marine Commercial Vessel Length and Licensing Policies

Government Reponse

- <http://www.ourcommons.ca/DocumentViewer/en/42-1/FOPO/report-16/response-8512-421-440>



Appendix B

Senate Committee on Fisheries and Oceans Recommendations from their Report: When Every Minute counts: Maritime Search and Rescue

Recommendation 1a: The committee recommends that the Canadian Coast Guard establish additional primary search and rescue stations in the Canadian Arctic to meet the growing demand in areas where marine activity is forecasted to increase.

Recommendation 1b: The committee also recommends that the final decision on the location of these search and rescue stations be made in consultation with local communities.

Recommendation 2a: The committee recommends that the Canadian Coast Guard establish the Coastal Nations Search and Rescue Course as a permanent training program at its Rigid Hull Inflatable Operator Training School in Bamfield, British Columbia.

Recommendation 2b: The committee also recommends that the Canadian Coast Guard, in consultation with stakeholders, expand this course to other coastal and Indigenous communities, particularly in the Canadian Arctic.

Recommendation 3a: The committee recommends that the Canadian Coast Guard, in collaboration with the Canadian Coast Guard College, expand and intensify its human resource recruitment strategy to target a broader audience.

Recommendation 3b: The committee recommends that the strategy have a particular focus on attracting and retaining Indigenous cadets and employees within the Canadian Coast Guard organization.

Recommendation 3c: The committee recommends that Indigenous employees proficient in Inuktitut be recruited by the Canadian Coast Guard in the Canadian Arctic.

Recommendation 4: The committee recommends that the Canadian Armed Forces seize the opportunity afforded by the Defence Investment Plan 2018 to increase and diversify its search and rescue workforce to respond to the increased demand for search and rescue.

Recommendation 5: The committee recommends that, as a pilot project, the Department of National Defence authorize a civilian helicopter operator to provide aeronautical search and rescue coverage in the Canadian Arctic and in Newfoundland and Labrador. The assessment of the pilot project, including its costs and benefits, should be made public.

Recommendation 6: The committee recommends that the National Arctic Search and Rescue Roundtable be reinstated as soon as possible and that similar roundtables be created in other search and rescue regions to help address regional and local issues.

Recommendation 7: The committee recommends that the Canadian Coast Guard increase the Canadian Coast Guard Auxiliary's funding in order to, at a minimum, offset higher operational expenses, and to ensure that Auxiliary members maintain training in accordance with the national competency standards.



Appendix B (cont'd)

Senate Committee on Fisheries and Oceans Recommendations from their Report: When Every Minute counts: Maritime Search and Rescue

Recommendation 8: The committee recommends that the Canadian Coast Guard establish a Maritime Search and Rescue Fund to support the purchase of equipment and services needed by regional Canadian Coast Guard Auxiliary organizations.

Recommendation 9: The committee recommends that the Canadian Coast Guard assist regional Canadian Coast Guard Auxiliary organizations to diversify their funding sources.

Recommendation 10: The committee recommends that the Canadian Coast Guard establish additional Canadian Coast Guard Auxiliary units in the Arctic Region, with funding dedicated to recruitment, operations, equipment, training, and where appropriate, vessels.

Recommendation 11: The committee recommends that **Transport Canada** amend its regulations to extend the mandatory use of emergency position-indicating radio beacons (or EPIRBs) to vessels in all fishing fleets. A timeline of two years should be given to the fishing industry to achieve mandatory EPIRB carriage.

Recommendation 12: The committee recommends that **Transport Canada** develop and disseminate user-friendly information regarding vessel stability to reduce unsafe practices in the commercial fishing industry.

Recommendation 13: The committee recommends that Fisheries and Oceans Canada ensure that its regulations and practices give priority to fish harvester safety.

Recommendation 14: The committee recommends that, through the Canadian Marine Advisory Council, **Transport Canada**, Fisheries and Oceans Canada, and the Canadian Coast Guard work with fishery safety organizations and fish harvesters to develop a national action plan on safety in the commercial fishing industry. This action plan should be provided to the Committee within three years of the tabling of this report in the Senate of Canada.

Recommendation 15: The committee recommends that **Transport Canada** transfer the responsibility of search and rescue prevention and recreational boating safety back to the Canadian Coast Guard along with the associated funding.

Recommendation 16: The committee recommends that the Government of Canada, through the Canadian Coast Guard, and in collaboration with Canadian Coast Guard Auxiliary units, local communities, and other partners, increase radio coverage in Canada's Arctic and in other remote communities.

Recommendation 17a: The committee recommends that the Canadian Coast Guard be established as a separate statutory agency reporting to the **Minister of Transport**.

Recommendation 17b: The committee also recommends that capital planning be extended to 20 years to reflect the need for the fleet's renewal, upgrade, and modernization.