



## COMMERCIAL FISHING SAFETY

The Transportation Safety Board of Canada (TSB) has long sought to improve commercial fishing safety. The TSB has been monitoring commercial fishing safety since 1999 and this issue has been on the TSB Watchlist since 2010. Every year, the same safety deficiencies on board fishing vessels continue to put at risk the lives of thousands of Canadian commercial fish harvesters and the livelihoods of their families and communities.

### The situation

Despite various initiatives that have sparked the development of a safety culture within the commercial fishing industry, the same safety deficiencies on board fishing vessels continue to put the lives of thousands of Canadian fish harvesters at risk. In 2012, the Transportation Safety Board of Canada (TSB) released a safety issues investigation ([M09Z0001](#)) on the causes of fatal fishing vessel accidents. The investigation highlighted a number of systemic factors requiring attention, in particular: vessel modifications and their impact on stability; the lack of, or failure to use, lifesaving equipment, such as personal flotation devices (PFDs), immersion suits and emergency signaling devices; unsafe work practices; and inadequate regulatory oversight.

From 1992 to 2010, when this issue was added to the Watchlist, the TSB made 42 recommendations pertaining to fishing vessel safety. Since 2010, the TSB has made seven new recommendations. Of the 49 total recommendations, eight are active. The 2022 assessments of the responses to these recommendations are as follows:

- Not yet assessed: [M22-01](#)
- Unsatisfactory: [M16-03](#), [M16-05](#)
- Satisfactory in part: [M08-04](#), [M16-01](#), [M16-02](#)
- Satisfactory intent: [M99-02](#), [M17-04](#)

From March 2020 to March 2022, much of the commercial fishing industry was affected by restrictions and challenges related to the COVID-19 pandemic. For example, Transport Canada (TC) fatigue training was suspended, concentrated inspection campaigns were delayed, safety association training courses were cancelled, and meetings and consultations were moved from in-person to online. The spring 2020 meeting of the Canadian Marine Advisory Council was also cancelled, and priorities shifted away from operational safety protocols to COVID-19 protocols.





## Number of occurrences in Canada

From 2010 to 2021, the TSB conducted 37 commercial fishing–related investigations where recurring unsafe conditions were identified. During this same period, 128 fatalities resulted from 87 fishing accidents (Figure 1). The two most common reasons for fatalities were falling overboard and problems with vessel stability. The number of fatalities related to stability issues has increased due to a few occurrences involving multiple fatalities.

Figure 1. Number of fatalities for Canadian-flag fishing vessels, 1999 to 2021 (Source: TSB)



From 01 July 2020 to 30 June 2022,<sup>1</sup> there were 19 fatalities related to commercial fishing in Canada. The number of fish harvesters that lose their lives annually has not decreased, and continues to average about 11 per year, despite a slight reduction in the number of fish harvesters and active fishing vessels over the same period, making harvesting marine resources one of the most hazardous occupations in the country. The vast majority of these fatalities were preventable.

Since fishing safety was added to the Watchlist in 2010, there has been an average of 10.6 fatalities per year, which is comparable to the overall average from 1992 to 2021 (11.8 fatalities per year).

## The risks to harvesters, their operations, and their livelihoods

Safety deficiencies in the fishing industry put at risk the lives of fish harvesters, the efficiency and continuity of their operations, and the livelihoods of their families and communities. These risks will remain until concerted and coordinated actions by federal and provincial authorities, industry leaders,

<sup>1</sup> To facilitate Watchlist preparation, the time period used for statistical purposes is a two-year period beginning on 01 July 2020 and ending on 30 June 2022.



and safety advocates successfully influence and reinforce changes in behaviours and attitudes. A memorandum of understanding exists between the Department of Fisheries and Oceans Canada (DFO), TC, and the Canadian Coast Guard to provide a framework for cooperation to promote commercial fish harvesters' safety at sea. However, information gathered by the TSB suggests that this coordination is inconsistent and has not addressed safety deficiencies in the industry.

Developing and sustaining a strong safety culture in the fishing industry is required to foster greater compliance with regulations, in particular with respect to vessel stability and the use of lifesaving equipment. Addressing these two safety deficiencies would contribute to a significant reduction in the number of fishing-related fatalities, given the number of deaths currently associated with falling overboard or capsizing events.

## Action taken

Issues on the Watchlist are complex and difficult to solve, requiring action from many stakeholders, including operators and the regulator. Although some steps may have been taken, more needs to be done. These are some of the steps that have been taken to date.

Some actions have been taken to develop a sound safety culture in the Canadian commercial fishing industry, but they have been inconsistent from region to region and even from one fishing community to the next. For example, some fisheries have near 100% compliance with the requirement to wear a PFD while on deck, and others have much lower compliance. In some harbours, all fishing vessels are equipped with emergency position-indicating radio beacons (EPIRBs) even if they are not required to be, but in other harbours, only some fishing vessels are equipped with these devices.

## Regulatory activities

The *Fishing Vessel Safety Regulations* have been in place since 2017 and the *Navigation Safety Regulations, 2020* since 2021. To support these regulatory updates, TC has initiated a number of oversight and education activities, such as developing and delivering policy documents and guidance on how the regulations apply to fish harvesters. TC has also provided the Canadian fishing industry information and opportunities to participate in consultation sessions. In addition, it has implemented a program to help owners and operators to ensure that their vessels meet applicable regulations. Overall, it appears that fish harvesters are aware of the existence of the new regulations, but not all are aware of the detailed requirements. There have been no significant impacts on safety performance identified to date as a result of the coming into force of these new regulations.

## Industry and community activities

Some fish harvester associations have taken an increased leadership role by developing guidelines for vessel modifications and stability, some continue to develop codes of best practices for their fisheries, and some provide subsidies for safety equipment. For example,



- In February 2022, the Newfoundland and Labrador Fish Harvesting Safety Association introduced a subsidy for fish harvesters in Newfoundland and Labrador to purchase personal locator beacons. Since the subsidy was introduced, 800 fish harvesters have received personal locator beacons.
- In May 2022, the Labrador Fishermen's Union Shrimp Company initially announced that it would equip 70 of its vessels with EPIRBs for the 2022 season. At September 2022, the company had equipped 100 vessels with EPIRBs.

Some provincial workers' compensation boards have increased education and enforcement efforts and imposed fines to encourage safe work practices. In addition, various other provincial organizations have launched education initiatives.

Industry has also noted some emerging issues, such as fatigue and the use of drugs and alcohol. The industry does not yet have plans in place to address these safety issues.

## Action required

The issue of commercial fishing safety will remain on the Watchlist until there are sufficient indications that a sound safety culture has taken root throughout the industry and in fishing communities across the country, namely:

- TC and DFO work together to ensure that fish harvesters meet all requirements before they operate commercially.
- Federal and provincial authorities coordinate regulatory oversight of commercial fisheries.
- TC, provincial workplace safety authorities, and fish harvester associations promote existing user-friendly guidelines on vessel stability designed to reduce unsafe practices.
- Spurred by the leadership of industry and safety advocates, there is marked and widespread evidence that harvesters are taking ownership of safety, specifically with respect to the use of stability guidelines, PFDs, immersion suits, emergency signalling devices, and safe work practices.