

Lead IO	_____
Location	

**RESTRICTED - INVESTIGATION**

**Annex A**

**MARINE SCOTLAND - COMPLIANCE  
STANDARD PROSECUTION REPORT**

Note – Investigating officers should complete in so far as they can all of the applicable sections of this report. Sections or elements shaded light grey will be completed at HQ and investigating officers should not attempt to complete these.

**Section 1 Reference Numbers**

MS Reference	<input type="text"/>
PF Reference	<input type="text"/>
Offence Date	<input type="text" value="[REDACTED]"/>

**Section 2 Accused Details**

Forename(s)	<input type="text" value="[REDACTED]"/>
Surname	<input type="text" value="[REDACTED]"/>
Company	<input type="text"/>
Date of Birth	<input type="text" value="[REDACTED]"/>
Age	<input type="text" value="[REDACTED]"/>
Occupation	<input type="text" value="Skipper/Owner"/>
Address	<input type="text" value="[REDACTED]"/>
Postcode	<input type="text" value="[REDACTED]"/>

**Section 3 Charge Details**

Offence <sup>1</sup> investigated	<input type="text" value="Fishing gear deployed within the South Arran Marine Protected Area. (MPA)"/>
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<sup>1</sup> Investigating officers should describe the offence they believed they were investigating at the time

**RESTRICTED - INVESTIGATION**

Lead IO \_\_\_\_\_

Location

**RESTRICTED - INVESTIGATION**

Offence  
reported  
Charge code

Breach of The South Arran Marine  
Conservation Order 2015, SSI 437/2015

**RESTRICTED - INVESTIGATION**

**Section 4**                      **Narrative description of the incident and evidence**

Description of locus

[REDACTED]

Description of events

The South Arran Marine Conservation Order 2015 came into force on 8 February 2016. The main purpose of this order is to protect the marine environment around the South end of Arran most notably the seabed and subsoil. There are prohibited areas closed to specific types of fishing. This case is reported under Article 4 and prohibited area can be found in Schedule 1 Part 1. A line can be drawn from co-ordinate A southwards to co-ordinate F, the boundary line. Demersal trawling is prohibited to the west of this line. Demersal trawl is the main trawling method used for catching nephrops.

The Fishing vessel [REDACTED] is a [redacted] vessel. [REDACTED] (accused) is its Master. [REDACTED] fishes the vessel normally in the Firth of Clyde targeting [REDACTED] as the main species he fishes for using demersal twin trawl.

The vessel departed the port of [REDACTED] on [REDACTED] and returned to [REDACTED] at [REDACTED] on [REDACTED]. The vessel fished in the Firth of Clyde for the duration of the trip, caught and landed [REDACTED] for a value of [REDACTED]

On the morning of [REDACTED] the fishing vessel [REDACTED] was sighted in position Latitude [REDACTED] North Longitude [REDACTED] West (position A) by Fisheries Surveillance Aircraft [REDACTED] flight number [REDACTED]. The [REDACTED] was observed by two flight crew, [REDACTED] (witness) and [REDACTED] (witness) to have its fishing gear deployed in the position recorded. This position is [REDACTED] within the MPA.

The flight crew, [REDACTED] and [REDACTED], then sighted the [REDACTED] at [REDACTED] in position [REDACTED] North

**RESTRICTED - INVESTIGATION**

[REDACTED] West (position B) which is [REDACTED]. At this point it was seen with crewmembers on the stern of the vessel and appeared to be hauling its fishing gear. Photographs were taken of the vessel in both positions.

At interview [REDACTED] was shown a series of [REDACTED] (Productions).

Vessel Monitoring System (VMS)

Under article 9 of Council Regulation (EC) No 1224/2009 it is necessary for all fishing vessels over 12 metres to have a fully functional VMS on board and working. The legal requirement under fisheries legislation is for the vessel to transmit [REDACTED]. The [REDACTED] has an fully functional VMS on board and was working on [REDACTED].

During the interview Master [REDACTED] refers to his AST. AST stands for Applied Satellite Technology who are approved providers and suppliers of VMS units to the fishing fleet. However as it is a VMS unit it only polls every [REDACTED]. [REDACTED] refers to AST giving positions every [REDACTED].

Automatic Identification System (AIS) this is a safety system vessels have fitted which is not defined in fisheries legislation for vessels of the [REDACTED] size but is legislated for under Marine and Coastguard Agency. It is designed as an anti-collision device and this does poll [redacted]. It is believed that the [REDACTED] does have a AIS fitted.

Details of caution (Date, Time, Officers involved and role)

Master [REDACTED] was cautioned and interviewed by British sea fishery officers (BSFO's), [REDACTED] (witness) and [REDACTED] (witness) at Marine Scotland Compliance Fishery Office, [REDACTED] on [REDACTED] at 12:20.

Interview of suspect – replies made

Transcript of interview.

[REDACTED]

**RESTRICTED - INVESTIGATION**

Antecedents (relevant history, context etc)

Key Information (facts that support the charge)

Two aircrew [redacted] positions and photographs

Production photographs, GMB9390, GMB9391, GMB9392 and GMB9393 are taken in [redacted] show the [REDACTED].

Production photographs, GMB9396, GMB9397, GMB9398 and GMB9399 are taken in [redacted], show two crewmembers at the [REDACTED].

[REDACTED] confirms he caught and landed demersal species, [REDACTED], as stated on the electronic logsheet, landing declaration and sales note. And used demersal trawl to catch them.

Remarks<sup>2</sup>

[REDACTED]

**Section 5 Productions**

Details of productions seized

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<sup>2</sup> This is the ONLY section of the report in which you should include information which you wish to bring to the attention of the Fiscal but DON'T want the PF to automatically disclose the information given to the defence as may happen with information given in any other part of the report. If the information is sensitive officers MUST say why it is sensitive



**RESTRICTED - INVESTIGATION**


**Section 9 Case Relevant Documents**

Case relevant documents

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**Section 10 Previous Convictions**

Details of known previous convictions

[REDACTED]
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**RESTRICTED - INVESTIGATION**

**Disclosure Log**

Other than witness, officer statements, or declared productions or other evidence described in the body of the SPR, the investigating officer should list any other relevant material in the table below AND retain<sup>3</sup> the material listed until such time as they are advised by the Enforcement Unit that its retention is no longer required.

This is a living document, so if relevant material continues to be generated, the investigating officer should continue to add it to the list below and retain it.

Item No	Description	Why Relevant	Sensitive?
<i>Example</i>	<i>Email from [redacted] dated 1 January 2011</i>	<i>Advice on how to conduct operation</i>	<i>No</i>
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			

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<sup>3</sup> Emails or other electronic material are probably best retained as printed hard copies to avoid being accidentally deleted by the automatic clearing of 'in boxes'.

**RESTRICTED - INVESTIGATION**

16			
17			

**RESTRICTED - INVESTIGATION**

**TRANSCRIPT OF INTERVIEW**

**[REDACTED]**

### OFFICER STATEMENT

Our ref (HQ use): MOA/

PF Ref (PF use):

<p>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</p>	Surname: [REDACTED]		
	Forenames: [REDACTED]		
	Age/DOB: [REDACTED]	Rank/Grade: [REDACTED]	
	Contact Address:	c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ	
	Length of Service:	13	Yrs 9 months
	Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Relevant professional qualifications e.g. certificate of competency?		
	Date and time statement compiled (i.e. completed)	Date [REDACTED]	Time 12:20
Location statement compiled and completed.	Victoria Quay, Edinburgh		
<p><b>States:</b></p> <p>I am a Geographic Information Systems (GIS) analyst employed by Marine Scotland, and I provide spatial analysis, geographic advice, and data visualisation services. Prior to May 2015, I was employed within the Compliance division of Marine Scotland and held warrants as a British Sea Fishery Officer and Marine Enforcement Officer.</p> <p>On 4<sup>th</sup> December 2018 at Victoria Quay, Edinburgh, I was requested by [REDACTED], Enforcement Policy Manager at Marine Scotland, to calculate the distance between [REDACTED]</p> <p>Mr [REDACTED] provided the following information.</p>			

Signed:

Date:

## OFFICER STATEMENT

**Our ref (HQ use):**      *MOA/*

**PF Ref (PF use):**

<p>PRODUCTION</p>	<ul style="list-style-type: none"> <li>Latitude [REDACTED]' North, longitude [REDACTED]' West. Sighted on [REDACTED]</li> <li>Latitude [REDACTED]' North, longitude [REDACTED]' West. Sighted on [REDACTED]</li> </ul> <p>Positions were believed to be on WGS1984 datum.</p> <p>I converted the positions into decimal degrees (required for mapping) as</p> <ul style="list-style-type: none"> <li>[REDACTED]</li> <li>[REDACTED]</li> </ul> <p>Using the QGIS software package, I mapped the positions and calculated the first position to be [REDACTED], determined on the Mercator projection with standard parallel of [REDACTED]' North.</p> <p>I provided [REDACTED] with an annotated map of the positions and [REDACTED].</p>
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**Signed:**

**Date:**

**OFFICER STATEMENT**

Our ref (HQ use): MOA/

PF Ref (PF use):

<p><i>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</i></p>	<b>Surname:</b> [REDACTED]			
	<b>Forenames</b> [REDACTED] :			
	<b>Age/DOB:</b> [REDACTED ]	<b>Rank/Grade:</b> A4		
	<b>Contact Address:</b> c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ			
	<b>Length of Service:</b>	0	<b>Yr</b>	10 <b>month</b> <b>s</b> <b>s</b>
	<b>Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman?</b>	Yes	<input type="checkbox"/>	<b>N</b> <input checked="" type="checkbox"/> <b>o</b>
	<b>Relevant professional qualifications e.g. certificate of competency?</b>			
	<b>Date and time statement compiled (i.e. completed)</b>	<b>Date</b> [REDACTED]	<b>Time</b> 13:10	
<b>Location statement compiled and completed.</b>	Victoria Quay, Edinburgh			
<p><b>States:</b></p> <p>On [REDACTED] I received the original media, a compact flash card, containing the photographs taken by digital camera during surveillance flight [REDACTED] for [REDACTED] the Marine Scotland base manager at Inverness Airport. I proceeded to create a master copy of all the files onto an external hard drive, the master hard drive. I also created a complete copy of all the files on a working copy hard drive. I initialled and signed the evidence log that accompanied the flash card. The compact flash card was then formatted and returned to [REDACTED] by royal mail.</p>				

**Signed:**

**Date:**

# OFFICER STATEMENT

*Our ref (HQ use):*

*MOA/*

*PF Ref (PF use):*

--	--

**Signed:**

**Date:**

**OFFICER STATEMENT**

Our ref (HQ use):

MOA/

PF Ref (PF use):

<p><i>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</i></p>	Surname: [REDACTED]		
	Forenames [REDACTED] :		
	Age/DOB: [REDACTED ]	Rank/Grade: B3	
	<b>Contact Address:</b> c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ		
	Length of Service:	36	Yr 5 month s s
	Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Relevant professional qualifications e.g. certificate of competency?		
	Date and time statement compiled (i.e. completed)	Date [REDACTED]	Time 10:55
Location statement compiled and completed.	Victoria Quay, Edinburgh		
PRODUCTION S Photographs GMB_9390 GMB_9391 GMB_9392 GMB_9393 GMB_9396 GMB_9397 GMB_9398 GMB_9399	<p><b>States:</b></p> <p>On [REDACTED] I produced 8 photographs from the working copy of digital aerial surveillance photographs of the fishing vessel [REDACTED] [REDACTED] taken on [REDACTED]. The photographs were taken during surveillance flight [REDACTED]. These photographs were send by registered mail to [REDACTED] at the Fishery Office, [REDACTED].</p> <p>On [REDACTED] I created a master copy CD from the master copy of the aerial surveillance photographs from flight</p>		

**Signed:**

**Date:**

### OFFICER STATEMENT

**Our ref (HQ use):**      *MOA/*

**PF Ref (PF use):**

MASTER COPY      OF [REDACTED]	[REDACTED] on [REDACTED]. I sealed this master copy along with an A and B backing sheets in an evidence bag.
WORKING COPY      OF [REDACTED]	On [REDACTED] I created a working copy CD from the master copy of the aerial surveillance photographs from flight [REDACTED] on [REDACTED].

**Signed:**

**Date:**

<i>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</i>	<b>Surname:</b> [REDACTED]				
	<b>Forenames</b> [REDACTED] :				
	<b>Age/DOB:</b> [REDACTED]	<b>Rank/Grade:</b> B1			
	<b>Contact Address:</b> c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ				
	<b>Length of Service:</b>		4	<b>Yr</b> <b>s</b>	2 <b>month</b> <b>s</b>
	<b>Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman?</b>		Yes	<input type="checkbox"/>	<b>N</b> <b>o</b> <input checked="" type="checkbox"/>
<b>Relevant professional qualifications e.g. certificate of competency?</b>					
<b>States:</b>  I, [REDACTED], have been a British Sea Fisheries Officer for the past 4 years and 3 months. I have been employed within the United Kingdom Fisheries Monitoring Centre (UKFMC) during this time. My duties involve the monitoring of fishing vessels' positions and ensuring compliance with all relevant marine legislation, providing assistance to skippers when completing their electronic logbook (e-logs) when required and any other relevant marine enforcement duties.  On [REDACTED], Marine Scotland's airplane [REDACTED] took photographs of the fishing vessel [REDACTED] within the South Arran Marine Protected Area (MPA) in a section that is closed to demersal fishing.  On [REDACTED], Surveillance Enforcement Branch advised that a case would be taken forward against the vessel in question and I requested statements be provided by the crew of Watchdog Bravo on the date of the incursion. I completed an initial Decision Record and Interview Plan on [REDACTED] and sent these to the					

**Signed:**

**Date:**

	<p>agreed Lead Officer, [REDACTED] who is a Senior Fishery Officer at the vessel's administrative port, [REDACTED]. I interrogated the Vessel Monitoring System data to determine [REDACTED].</p> <p>[REDACTED].</p> <p>A letter was sent by recorded delivery to [REDACTED] [REDACTED], who was the skipper of [REDACTED] [REDACTED] on the date of the offence, inviting him to an interview in [REDACTED] Fishery Office on [REDACTED] at 12:30. On this date SFO [REDACTED] and myself were in attendance at [REDACTED] Fishery Office but [REDACTED] did not arrive. A second letter was sent by recorded delivery and phone contact made with [REDACTED]. A subsequent interview was arranged for [REDACTED], on which date I was unavailable to attend due to the nature of the shift worked in the UKFMC. [REDACTED], Fishery Officer in [REDACTED] was the corroborating officer on this occasion instead. On [REDACTED] a final Decision Record was submitted by SFO [REDACTED].</p>
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**Signed:**

**Date:**

<p>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</p>	<b>Surname:</b> [REDACTED]				
	<b>Forenames</b> [REDACTED] :				
	<b>Age/DOB:</b> [REDACTED ]	<b>Rank/Grade:</b> Senior Fishery Officer B2			
	<b>Contact Address:</b> c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ				
	<b>Length of Service:</b>		20	<b>Yr</b>	02 <b>month</b> <b>s</b>
	<b>Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman?</b>		Yes	<input checked="" type="checkbox"/> <b>N</b>	<input type="checkbox"/> <b>o</b>
<b>Relevant professional qualifications e.g. certificate of competency?</b>		<b>Class</b>	<b>Deck</b>	<b>Officer</b>	
		<b>(Fishing)</b>			
<b>[redacted]</b>	<p><b>States:</b> My name is [REDACTED], I am employed by Marine Scotland Compliance as Senior Fishery Officer. In my role I ensure compliance with UK and EU fisheries conservation and environmental legislation. I have 20 years' experience in fisheries enforcement. I have worked on an inshore patrol boat in the northeast of England, and in the ports of Fraserburgh, Peterhead and I am now based in [REDACTED]. Prior to my enforcement role I was [REDACTED].</p> <p>On the [REDACTED] I interviewed the Master of the fishing vessel [REDACTED]. The [REDACTED] is a [REDACTED]. The vessel's operation are almost wholly in the Firth of Clyde. [REDACTED] refused legal representation. Fishery Officer [REDACTED] was present throughout the interview.</p> <p>Back ground</p> <p>The [REDACTED] was spotted and photographed inside the South Arran Marine Protected Area (SAMPA) by a Marine</p>				

**Signed:**

**Date:**

	Scotland surveillance plane during a flight on . The vessel is also [redacted].
	During the interview [REDACTED]
	..
	During the interview I introduced the following PRODUCTIONS.
	<b>ELECTRONIC LOGBOOK [REDACTED]</b>
	<b>LANDING DECLARATION [REDACTED]</b>
(PROD )	<b>SALES NOTE</b>
(PROD )	<b>CERTIFICATE OF BRITISH REGISTRY</b>
(PROD )	<b>TITLE FROM UKFMC CHART [REDACTED]</b>
(PROD )	<b>UK MCSS: AIRSUM FORM- FLIGHT INFORMATION</b>
(PROD )	<b>INTERVIEW PLAN</b>
(PROD )	<b>INTERVIEW TRANSCRIPT</b>
(PROD )	During the interview I showed [REDACTED] the following
(PROD )	photographic productions which were taken by the Fisheries
	aircraft [REDACTED] date of the alleged offence [REDACTED]
	and passed to this office for the interview. Each picture has the
	date and time recorded on it.
	<b>GMB_9390</b>
	<b>GMB_9391</b>
(PROD )	<b>GMB_9392</b>
(PROD )	<b>GMB_9393</b>
(PROD )	<b>GMB_9396</b>
(PROD )	<b>GMB_9397</b>
(PROD )	<b>GMB_9398</b>
(PROD )	<b>GMB_9399</b>
(PROD )	[REDACTED]

Signed:

Date:

	<p>All times are approximate and in Local time. If requested I would recognise [REDACTED] Statement written from note book No [REDACTED] page 2-3</p>
--	---

**Signed:**

**Date:**

<p>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</p>	<b>Surname:</b> [REDACTED]				
	<b>Forenames</b> [REDACTED] :				
	<b>Age/DOB:</b> [REDACTED ]	<b>Rank/Grade:</b> First Officer			
	<b>Contact Address:</b> c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ				
	<b>Length of Service:</b>	5	<b>Yr</b> <b>s</b>	10	<b>month</b> <b>s</b>
	<b>Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman?</b>	Yes	<input type="checkbox"/>	<b>N</b> <b>o</b>	<b>X</b>
<b>Relevant professional qualifications e.g. certificate of competency?</b>	5 years and 10 months conducting fisheries surveillance				
<p>PRODUCTION</p> <p>CAUTION</p>	<p><b>States:</b></p> <p>On the [REDACTED] we carried out flight number [REDACTED]. The crew were Captain [REDACTED], First Officer [REDACTED] and Sensor Operator [REDACTED]. During the flight I completed a flight log.</p> <p>Flight log [REDACTED]</p> <p>Flight log [REDACTED] . At time 09:30 Captain [REDACTED] was the pilot flying, he flew us past [REDACTED]. I recorded the aircraft position as [REDACTED] and I [REDACTED]. The vessel was also [REDACTED] by Sensor Operator [REDACTED].</p> <p>At time 09:48 Captain [REDACTED] was pilot flying, he flew us past a vessel which I identified as [REDACTED]. I recorded the aircraft position as [REDACTED] and I [REDACTED]. The vessel was also [REDACTED] by Sensor Operator [REDACTED].</p> <p>End</p>				

**Signed:**

**Date:**



Production	On initial inspection of the fishing vessel [REDACTED], against the Crew Trackchart for flight [REDACTED], it appeared to be inside the South Arran Marine Protected Area.
Production	The vessel, [REDACTED], This was [REDACTED].
Production	All [REDACTED] were then passed to Marine Scotland, via the Inverness Base Office.

**Signed:**

**Date:**

<p><i>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</i></p>	<b>Surname:</b> [REDACTED]				
	<b>Forenames</b> [REDACTED] :				
	<b>Age/DOB:</b> [REDACTED ]	<b>Rank/Grade:</b> Fishery Officer B1			
	<b>Contact Address:</b> c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ				
	<b>Length of Service:</b>		4	<b>Yr</b> <b>s</b>	5 <b>month</b> <b>s</b>
	<b>Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman?</b>		Yes	<input type="checkbox"/>	<b>N</b> <b>o</b> <input checked="" type="checkbox"/>
<b>Relevant professional qualifications e.g. certificate of competency?</b>					

**Signed:**

**Date:**

<p><i>All times are approximate and in local time.</i></p>	<p><b>States:</b> My name is [REDACTED], I am employed by Marine Scotland Compliance as a Fishery Officer. In my role I ensure compliance with UK and EU fisheries conservation and environmental legislation.</p>
<p>[REDACTED]</p>	<p>On the [REDACTED], master and owner of the fishing vessel [REDACTED] attended [REDACTED] fishery office to undergo a recorded interview under caution in relation to fisheries offences previously detected by the United Kingdom Fisheries Monitoring Centre (UKFMC). The interview was prepared and conducted by Senior Fishery Officer [REDACTED] and I sat in on the interview as the [REDACTED].</p>
<p><b>12:00</b></p>	<p>[REDACTED] arrived at [REDACTED] Fishery Office.</p>
<p><b>12:19</b></p>	<p>I ran through the voluntary attendance form with [REDACTED] and read his rights. [REDACTED] waived the right to a solicitor but understood he could change his mind at any moment. [REDACTED] signed the attendance form.</p>
<p><b>12:23</b></p>	<p>Recorded interview commenced. (The interview was recorded and a transcript was typed out and included in the case notes).</p> <p>[REDACTED].</p> <p>Recorded interview terminated.</p>
<p><b>13:34</b></p>	<p>CD's were formatted, ejected, sealed, and signed by [REDACTED], [redacted] and myself. One copy was kept with the case notes and one was sent away for transcription.</p>
<p><b>13:42</b></p>	<p>[REDACTED] departed [REDACTED] Fishery Office</p>
<p><b>14:10</b></p>	<p>All times are approximate and in local time.</p> <p>If requested I would be able to identify Mr [REDACTED].</p> <p>This statement was written from my official notebook number: [REDACTED] pages 25 - 27.</p>

**Signed:**

**Date:**

Lead IO [Redacted] \_\_\_\_\_

Location \_\_\_\_\_

**RESTRICTED - INVESTIGATION**

## Annex A

# MARINE SCOTLAND - COMPLIANCE

## STANDARD PROSECUTION REPORT

Note – Investigating officers should complete in so far as they can all of the applicable sections of this report. Sections or elements shaded light grey will be completed at HQ and investigating officers should not attempt to complete these.

### Section 1 Reference Numbers

MS Reference

PF Reference

Offence Date

### Section 2 Accused Details

Forename(s)

Surname

Company

Date of Birth

Age

Occupation

Address

Postcode

### Section 3 Charge Details

Offence <sup>1</sup>investigated

Offence reported

Charge code

<sup>1</sup> Investigating officers should describe the offence they believed they were investigating at the time

**RESTRICTED - INVESTIGATION**

## RESTRICTED - INVESTIGATION

### Section 4

### Narrative description of the incident and evidence

#### Description of locus

From the [Redacted], Arran.

#### Description of events

On the morning of [redacted] the fishing vessel [redacted], skippered by [redacted] (accused), transited through [redacted] at approximately [redacted]. The vessel was sighted from [redacted]. The [Redacted].

The [redacted] is a [redacted] trawler predominately fishing in the Firth of Clyde targeting [Redacted]. At time of writing the vessel has [redacted].

The [redacted] departed from the port of [Redacted] at approximately [redacted] and steamed across the Firth of Clyde in a Westerly direction to lie at anchor [Redacted].

Vessels targeting [Redacted] in the Clyde normally fish daylight hours as fishing is at its most productive during these times.

At around [redacted] the vessel lifted its anchor and headed in a Northerly direction to exit [Redacted].

All fishing vessels over 12 metres in length are required by law to have on board, and functioning, a Vessel Monitoring System (VMS). This system tracks the vessels course, position, speed etc. VMS position (production) reports show the vessel doing this on the morning of [redacted].

The same is a legal requirement for vessels over 12 meters is for the Master to submit and electronic logbook (elog) on a daily basis when at sea. Master [redacted] did this and [redacted]

An electronic Landing Declaration (production) number [redacted] was submitted to Marine Scotland showing that [redacted]. The three alpha code of [Redacted] on both the elog and Declaration represent [Redacted].

According to Master [redacted]. He explains this on [redacted].

South Arran Marine Conservation Order 2015, SSI 437/2015 protects the specific seabed habitats and species. There are areas where certain types of fishing is allowed. For example, pelagic fishing (pelagic nets are predominately white in colour) mainly targeting herring and mackerel is allowed in all areas except the area defined in Schedule 3 commonly known as the Lamlash no take zone (NTZ) where no fishing methods of any description are permitted. The areas adjacent to NTZ no demersal trawl (predominately orange, green, red and yellow colours) is permitted. This is the type of fishing gear [redacted] uses. The [redacted] was sighted [Redacted] which is highlighted in (production) [redacted].

SSI 437/2015 came into force on 8 February 2015. These measure were introduced in order to protect seabed habitats and species form a number of fishing methods.

## RESTRICTED - INVESTIGATION

These habitats are extremely fragile and in grave danger in some areas. It is therefore imperative they are and remain protected allowing them to regenerate from a marine environment perspective.

Officers from MPV Minna boarded [redacted].

### **OFFENCE**

Breach of Article 4(2) (3) of the South Arran Conservation Order 2015 which states:

*"(2) A person must not deploy (by any means) or use any fishing gear within the protected area."*

*(3) While a fishing vessel is within the protected area the master of the vessel must ensure that any fishing gear, passive gear, pelagic trawl, rod and line, or handline carried on board the vessel is properly lashed and stowed in such a way that it may not be readily used.*

### **PENALTY**

It is an offence under the Marine (Scotland) Act 2010 to contravene a marine conservation order. The penalties are fixed by section 94 of that Act.

#### **"94 Offences: contravening a marine conservation order**

*(1) A person who contravenes a marine conservation order commits an offence.*

*(2) A person who is guilty of an offence under this section is liable—*

*(a) on summary conviction, to a fine not exceeding £50,000,*

*(b) on conviction on indictment, to a fine.*

*(3) In determining the amount of any fine to be imposed on a person convicted of an offence under this section, the court must in particular have regard to any financial benefit which has accrued or appears likely to accrue to the person in consequence of the offence.*

*(4) In this section "contravene" includes fail to comply. "*

Details of caution (Date, Time, Officers involved and role)

[redacted] was cautioned at [redacted] by British sea-fishery officers (BSFO's) [redacted] (witness) and [redacted] (witness) [Redacted].

Interview of suspect – replies made

Replies made by [redacted] and Transcript of Interview page numbers

Antecedents (relevant history, context etc)

The accused is [redacted]. It is believed that [redacted].

**RESTRICTED - INVESTIGATION**

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Key Information (facts that support the charge)

[Redacted] in the Marine Protected Area and [Redacted].  
VMS positions [redacted]  
Person purporting to be [redacted].  
[redacted]

Remarks<sup>2</sup>

[Redacted]

**Section 5 Productions**

Details of productions seized

SD memory card of photographs taken by [redacted].

Marine Scotland Productions.

Elog [redacted] [redacted] [redacted]
Landing Declaration [redacted]
VMS Screen Dump [redacted]
Photograph of [redacted] Flight No. [redacted]
VMS Screen Dump [redacted]
VMS Screen Dump [redacted]
VMS Screen Dump [redacted]
Photograph 1. Supplied by [redacted]
Photograph 2. Supplied by [redacted]
Photograph 3. Supplied by [redacted]
Photograph 4. Supplied by [redacted]
Photograph 5. Supplied by [redacted]
Twitter Extract [redacted] [redacted]

<sup>2</sup> This is the ONLY section of the report in which you should include information which you wish to bring to the attention of the Fiscal but DON'T want the PF to au[redacted]tically disclose the information given to the defence as may happen with information given in any other part of the report. If the information is sensitive officers MUST say why it is sensitive

**RESTRICTED - INVESTIGATION**

Admiralty Chart [redacted]
Memory Card from Witness [redacted] camera (Evidence Bag)
CD recording of interview with [redacted] [redacted] (Evidence Bag)
VMS Analysis [redacted] [redacted]
VMS Screen [redacted]
Pressure Chart 1 [redacted]
Pressure Chart 2 [redacted]
Wind Chart 3 [redacted] at Arran
Wind Chart 4 [redacted] at Arran
Wind Chart 5 [redacted] at Arran
Wind Chart 6 [redacted] at Arran

**Section 6 Reporting Officer**

[redacted]  
Marine Scotland – Compliance  
Area 1A North  
Victoria Quay  
EDINBURGH EH6 6QQ

**Section 7 Supervising Officer**

[redacted]  
Marine Scotland – Compliance  
Area 1A North  
Victoria Quay  
EDINBURGH EH6 6QQ

**Section 8 Witness Details**

Marine Scotland Witnesses

Name	Speaks to
[redacted]	Officer statement and notebook.
[redacted]	Officer statement and notebook.
[redacted]	Officer statement and notebook.
[redacted]	Officer statement and notebook.
[redacted]	Statement.

**RESTRICTED - INVESTIGATION**

Civilian Witnesses	
Name	Speaks to
[redacted]	Witness statement and photographs taken by [redacted].
[redacted]	Witness statement.
[redacted]	Witness statement.

**Section 9 Case Relevant Documents**

Case relevant documents  
Interview Plan

**Section 10 Previous Convictions**

Details of known previous convictions  
[redacted]

**RESTRICTED - INVESTIGATION**

**Disclosure Log**

Other than witness, officer statements, or declared productions or other evidence described in the body of the SPR, the investigating officer should list any other relevant material in the table below AND retain<sup>3</sup> the material listed until such time as they are advised by the Enforcement Unit that its retention is no longer required.

This is a living document, so if relevant material continues to be generated, the investigating officer should continue to add it to the list below and retain it.

Item No	Description	Why Relevant	Sensitive?
1			
2			
3			
4			
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11			
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17			

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<sup>3</sup> Emails or other electronic material are probably best retained as printed hard copies to avoid being accidentally deleted by the au[redacted]atic clearing of 'in boxes'.

<p>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</p>	<b>Surname:</b> [redacted]			
	<b>Forenames:</b> [redacted]			
	<b>Age/DOB:</b> [redacted]	<b>Rank/Grade:</b> B1 Fishery Officer		
	<b>Contact Address:</b> c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ			
	<b>Length of Service:</b>	4	<b>Yrs</b>	9 <b>months</b>
	<b>Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman?</b>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b> x
<b>Relevant professional qualifications e.g. certificate of competency?</b>	N/A			
6/3/2019 14:30	<p><b>States:</b></p> <p>I joined Marine Scotland Compliance in July 2014</p> <p>I am currently employed in the United Kingdom Fisheries Monitoring Centre ( UKFMC) based in Edinburgh.</p> <p>While on Shift in the UKFMC [redacted] called myself and British Sea Fishery ( BSFO) Officer [redacted] to the Ops room to advise that we were to investigate the activity of the [redacted] [redacted] from the [redacted] in the area of [redacted].</p> <p>[redacted] was appointed lead officer for the case and I was assigned to assist him as corroborating officer.</p> <p>I was initially tasked with contacting [redacted] who operates a [redacted].</p>			
6/3/2019 16:15	<p>I contacted [redacted] to discuss the procedures for the [redacted] . I advised him we would contact him again prior to</p>			

	travelling, however the provisional date to visit [redacted] was the [redacted].
25/3/2019 13:30	Meeting with [redacted] and [redacted] [redacted] to discuss travel arrangements and logistics for the trip to [redacted] scheduled for [redacted].
25/3/2019 15:15	I emailed Mr [redacted] from [redacted] to outline travel arrangements, as there was no reply from [redacted].
26/3/2019 09:31	Replied by email to [redacted] to outline [redacted] [redacted], [redacted] and myself would be travelling to [redacted].
27/3/2019	Travelled to [redacted] with [redacted] and [redacted] [redacted] to interview witnesses [redacted], [redacted] and [redacted].
27/3/2019 12:21hrs	[redacted] [redacted] took lead and interviewed [redacted], he took us to a position overlooking the Marine protected area where he [redacted].
	Position [redacted]
	He advised that he was facing towards [redacted], in a [Redacted] direction, at a bearing of approximately [Redacted], he observed the Vessel was travelling south to North through the MPA approximately [Redacted] from his position.
13:05hrs	Interview terminated.
27/3/2019 13:08hrs	[redacted] [redacted] started the interview with [redacted], she brought us to the rear of a [redacted].
	She advised the vessel was travelling south to North through the MPA approximately [Redacted] her position.
	At the time, she was facing [redacted], in a [Redacted] direction, at a bearing of approx. [Redacted].

	<p>Interview terminated.</p>
<p>13:38hrs 27/3/2019 13:40hrs</p>	<p>[redacted] presented me with a digital memory card that contained the original photographs. I sealed the card in evidence bag 00003661 and recorded details. [redacted] countersigned the evidence bag.</p>
<p>27/3/2019 13:42hrs</p>	<p>[redacted] [redacted] began interview with [redacted], she took us [Redacted].</p> <p>Position at the [redacted] She advised that she was facing in a [Redacted] direction towards [redacted], the Vessel was travelling south to North through the MPA approximately [Redacted].</p>
	<p>Interview terminated.</p>
<p>14:07hrs.</p>	<p>Travelled to Ayr fishery office with [redacted] BSFO as the lead officer to interview [redacted].</p>
<p>3 May 2019</p>	<p>[redacted] presented for interview and I went through the voluntary attendance form with [redacted] in attendance, [redacted] signed the form.</p>
<p>10:56hrs</p>	<p>Recorded interview started with [redacted] was the lead officer, I was the [Redacted] officer.</p>
<p>11:04hrs</p>	<p>Interview terminated.</p>
<p>12:07hrs</p>	<p>Interview disc sealed within evidence bag 00003662, [redacted] [redacted] left the interview room.</p>
<p>12:17hrs</p>	<p>I can confirm this is a true statement of events. I can confirm I would be able to identify the Master of the fishing vessel [redacted] [REDACTED].</p>


**OFFICER STATEMENT**

*Our ref (HQ use):*      *MOA/*

*PF Ref (PF use):*

---

**Signed:**

**Date:**

marine sco[redacted]and  
**OFFICER STATEMENT**

Our ref (HQ use): MOA/

PF Ref (PF use):

<p><i>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</i></p>	Surname: [redacted]	
	Forenames: [redacted]	
	Age/DOB: [redacted]	Rank/Grade: Second Officer acting First Officer Safety
	<b>Contact Address:</b> c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ	
	Length of Service: 7 Yrs 6 months	
	Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
	Relevant professional qualifications e.g. certificate of competency?	OOW unlimited
	Date and time statement compiled (i.e. completed)	Date [Redacted] Time 11:00
Location statement compiled and completed.	MPV Minna	
All times are UTC [redacted]  At approx. 1400	<b>States:</b> I am currently First Officer Safety on Marine Protection Vessel Minna. I have served as a British Sea Fisheries Officer for around seven years. Prior to working for Marine Scotland, I worked as a deck officer on Bulk carriers, Tankers and Car Carriers for 5 years. I have worked at sea for over 15 years.  I was on watch on the bridge of MPV Minna. Commanding Officer (CO) [redacted] told me I would board the fishing vessel [redacted]	

**Signed:**

**Date:**

### OFFICER STATEMENT

Our ref (HQ use):

MOA/

PF Ref (PF use):

<p>At approx. 1500</p>	<p>Launched out in the RIB to board [redacted] with my assistant Second Officer [redacted] who is currently learning to be a BSFO.</p> <p>I boarded [redacted] in position [redacted] with assistant [redacted].</p> <p>[redacted]</p>
<p>At approx. 1516</p>	<p>[redacted] signed my notebook then [redacted] signed my notebook.</p> <p>I then carried out routine paperwork inspection.</p>
<p>At approx. 1518</p>	<p>Completed paperwork and finished inspection, departed [redacted] [REDACTED].</p> <p>Official notebook no. A 1993 pages 20 to 20.</p> <p>This statement is a true and accurate record.</p>

**Signed:**

**Date:**

**OFFICER STATEMENT**

*Our ref (HQ use):*

*MOA/*

*PF Ref (PF use):*

At 1535	Approx.	
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**Signed:**

**Date:**

**OFFICER STATEMENT**

Our ref (HQ use): MOA/

PF Ref (PF use):

<p><i>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</i></p>	Surname: [redacted]	
	Forenames: [redacted]	
	Age/DOB: [redacted]	Rank/Grade: Second Officer
	Contact Address: c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ	
	Length of Service: 0 Yrs 10 months	
	Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
	Relevant professional qualifications e.g. certificate of competency?	OOW Unlimited Coc II/1
	Date and time statement compiled (i.e. completed)	Date [Redacted] Time 19:15
Location statement compiled and completed.	MPV Minna	
All times are UTC [redacted]  1400	<p><b>States:</b>                  I am currently the Second Officer on the Marine Protection Vessel Minna. I have been working as a Second Officer at Marine Scotland since July 2018, regularly carrying out the duties of Boarding Assistant. Prior to working at Marine Scotland I completed my cadetship, where I gained experience working worldwide on container ships and car carriers.</p> <p>Commanding Officer (CO) [redacted], (now referred to as [redacted]) informed me that I would be part of the Boarding Team which would be boarding the fishing vessel [redacted]. He informed me that the Boarding Team would be myself, as Boarding Assistant and [redacted] as the Boarding Officer. [redacted] informed myself and [redacted].</p>	

**Signed:**

**Date:**

**OFFICER STATEMENT**

Our ref (HQ use):

MOA/

PF Ref (PF use):

1510	<p>Launched out in the RIB to board [redacted] with British Sea Fisheries Officer, First Officer Safety, [redacted]</p> <p>I boarded [redacted] [REDACTED] in position [redacted]</p>
1518	<p>[redacted] and I introduced ourselves to the Master of [redacted] [REDACTED], (now referred to as [redacted])</p>
1519	<p>[redacted]</p>
1520	<p>[redacted] commences Routine Inspection Report Form (InRep Form).</p> <p>[redacted] myself and [redacted] sign InRep Form.</p> <p>[redacted] competes statement and InRep Form. Witness [redacted] and Master [redacted] have both signed [redacted] notebook.</p>
1521	<p>[redacted] informs [redacted] that is the end of the interview and that inspection is complete.</p> <p>[redacted] and myself departed [redacted].</p> <p>Official notebook no. A1994 pages 45 to 47.</p> <p>This statement is a true and accurate record.</p>

**Signed:**

**Date:**

## OFFICER STATEMENT

*Our ref (HQ use):*

*MOA/*

*PF Ref (PF use):*

1527	
1535	
1536	
1537	
1543	

**Signed:**

**Date:**

## OFFICER STATEMENT

Our ref (HQ use):

MOA/

PF Ref (PF use):

---

Surname

Forename(s)

[redacted]

[redacted]

---

Dates (if known) when you are unavailable to attend court in next 12 months:

---

Short notice contact details (i.e. home/mobile telephone number) should your attendance at any trial need to be countermanded:

[redacted]

---

Are there any special or medical needs the court ou[redacted]t to be aware of to facilitate your giving evidence?

---

If called to give evidence in court:-

I wish to take the oath\*

I wish to affirm\*

\*please mark as appropriate

---

Please notify the relevant case officer in HQ of any changes you wish to make to the information given above when you receive your witness citation
---

## OFFICER STATEMENT

Our ref (HQ use):

MOA/

PF Ref (PF use):

<p><i>Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.</i></p>	Surname: [redacted]		
	Forenames: [redacted]		
	Age/DOB: [redacted]	Rank/Grade: B2 / Geospatial Analyst	
	Contact Address: c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ		
	Length of Service: 13 Yrs 9 months		
	Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> X		
	Relevant professional qualifications e.g. certificate of competency?		
	Date and time statement compiled (i.e. completed)	Date 29/05/2019	Time 11:40
Location statement compiled and completed.			Victoria Quay, Edinburgh
<p><b>States:</b></p> <p>I am a geospatial analyst employed by Marine Scotland, and I provide spatial analysis, geographic advice, and data visualisation services. Prior to May 2015, I was employed within the Compliance division of Marine Scotland and held warrants as a British Sea Fishery Officer and Marine Enforcement Officer.</p> <p>On 8<sup>th</sup> April 2019 at Victoria Quay, Edinburgh, I was requested by [redacted], British Sea Fishery Officer at Marine Scotland, to analyse VMS position data for the vessel [REDACTED] between [redacted], particularly with regards to the [redacted].</p> <p>I extracted all VMS positions for the vessel in the time period and calculated the time difference between positions. [redacted]</p> <p>The results of my analysis are provided in my report of 8<sup>th</sup> May 2019.</p>			

## OFFICER STATEMENT

*Our ref (HQ use):*

*MOA/*

*PF Ref (PF use):*

PRODUCTION	Additionally, [redacted] asked me how many VMS positions were within the core area of the [redacted] (where there are no exemptions for demersal trawling). [redacted]
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## OFFICER STATEMENT

Our ref (HQ use):

MOA/

PF Ref (PF use):

	Surname: [redacted]		
	Forenames: [redacted] [redacted]		
	Age/DOB: [redacted]	Rank/Grade: BSFO/B1	
	<b>Contact Address:</b> c/o Marine Scotland – Compliance Enforcement Unit Marine Scotland Area 1A North Victoria Quay Edinburgh EH6 6QQ		
	Length of Service:	3	Yrs 6 months
	Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
	Relevant professional qualifications e.g. certificate of competency?		
	<p>I joined Marine Scotland Compliance in 2015 and have 3 years' experience in Fisheries Enforcement and Compliance. I am a Marine Enforcement Officer (MEO) and a British Sea Fishery Officer (BSFO)</p> <p>Prior to joining Marine Scotland I worked in the Private Office for the Scottish Government.</p> <p>I have worked for HMRC and I am educated to degree level.</p> <p>I work in the United Kingdom Fishery Monitoring Centre (UKFMC) based in Victoria Quay, Edinburgh. My role involves monitoring and enforcement of all fishing vessels within Scottish waters and Scottish fishing vessels located worldwide.</p> <p>I received a phone call from [redacted] (Enforcement Policy Manager) advising me i would be taking part in an new investigation into a vessel who deployed its fishing gear within the restricted area of [redacted] (SAMPA). He advised me we would</p>		

## OFFICER STATEMENT

Our ref (HQ use):

MOA/

PF Ref (PF use):

<p>[redacted]</p>	<p>talk more when I returned back to headquarters on the 06<sup>th</sup> March 2019.</p> <p>I met with [redacted] and [redacted] my [redacted] (Fishery Officer and [Redacted] in investigation) at Headquarters at VQ in Edinburgh at 14:00. [redacted] stated that he had received intelligence and photos from a [redacted] that a vessel had deployed its fishing gear within the restricted area of the [redacted] on the [redacted]. This is a breach of:</p> <p><b>The South Arran Marine Protected Area Order</b></p> <p>The vessel was the [redacted]. The skippers name is: [redacted]</p>
<p>[redacted]</p>	<p>[redacted] also stated that 2 other [Redacted] the fishing gear deployment in [redacted] on the [redacted]. As well as [redacted]there were also [redacted].</p> <p>I was advised that we would be looking to take witness statements from [redacted]. [redacted] spoke to [redacted] to make arrangements for the crossing. [redacted] has also booked a car for the journey to take witness statements. I also submitted a Marine Scotland Intelligence report (MSIR) [Redacted] giving a brief synopsis of the intelligence. [redacted] has confirmed that all travel arrangements are in place. I emailed [redacted] to confirm attendance on the [redacted] and also asked if they could provide a suitable venue for the statements.</p> <p>I received an email from [redacted] confirming our attendance to [redacted]. [redacted] also enquired as to how we would be reaching the [redacted]</p> <p>I advised [redacted] that we had spoken to [redacted] to confirm the [redacted]. I also advised [redacted] that as this is an ongoing investigation I would appreciate if all communications could be treated in confidence. Mr [redacted] replied, via email to confirm confidentiality and that he was aware of our travel arrangements.</p> <p>I emailed [redacted] to confirm attendance on the [Redacted] and also enquired if they had a suitable venue for the witness statements. I also asked if they could take us to the actual location where they [redacted].</p> <p>Emailed received from [redacted] confirming venue and meeting point and also he can take us to the place where [Redacted]</p>

## OFFICER STATEMENT

Our ref (HQ use):

MOA/

PF Ref (PF use):

07/03/2019	<p>I emailed [redacted] to say we are booked on the 09:45 ferry to [redacted] so we should arrive on [redacted] just after 11:00.</p> <p>Travel arrangements confirmed via email between myself, [redacted] and [redacted] [redacted] for our trip to [redacted] on the [Redacted].</p> <p>I confirmed via email, to [redacted] that we would arrive on [redacted] around 12:00 on [Redacted].</p> <p>I also emailed [redacted] (Fishery Officer), [redacted] (Business Manager), FO Ayr and [redacted] (Business manager) and [redacted] giving them a heads up that I may be down to interview the skipper [redacted] of the [redacted] on the week commencing [Redacted].</p> <p>I sent the decision record for the [redacted] to Surveillance and Enforcement Branch (SEB) for breach of [redacted] for the alleged offence that was committed on the [redacted]. Deployment of fishing gear within the restricted area of [redacted].</p>
08/03/2019	<p>Myself, [redacted] and [redacted] headed to [redacted] to interview the [Redacted]. I was picked up by [redacted] at around 6:10. We picked [redacted] up at Falkirk High train station at around 06:25. We got 09:45 ferry from [redacted]. Arriving in [redacted] at around 11:00. We then drove to [redacted]. We arrived there about 11:15. We were then met by a [redacted] ([redacted]). We arrived on [redacted] around 12:10. We were met by [redacted]. We had a brief introduction to [redacted]. The plan was to take [redacted]. [redacted] was the [Redacted].</p>
13/03/2019	<p>[redacted] was first to give his statement. The time was around 12:20. We went to the Locus Point. [redacted] was standing at the [redacted]. The coordinates were [redacted]. [redacted] was facing towards [redacted]. The vessel was travelling from South to North. He was roughly [Redacted] from vessel. He was facing [Redacted]. A full witness statement was captured and signed. [redacted] also confirmed that he took the photos that were supplied with the original intelligence.</p>
16/03/2019	<p>[redacted] gave her statement next. The time was around 13:00. Again we took her to her Locus Point which was at [Redacted]. The coordinates were [redacted]. Vessel was travelling from South to North. She was roughly [Redacted]facing [Redacted]. A full witness statement was captured and signed. Statement finished around 13:38.</p>

## OFFICER STATEMENT

Our ref (HQ use):

MOA/

PF Ref (PF use):

23/03/2019	<p>[redacted] gave her statement last. The time was around 13:40. Again we took her to her Locus Point which was at [Redacted]. The coordinates were [redacted]. She was facing towards [redacted]. The vessel was travelling from South to North. She was roughly [Redacted] from vessel. A full witness statement was captured and signed.</p>
25/03/2018	<p>The camera memory card was seized from [redacted]. This is where the original photos that were supplied are stored. The memory card was placed in an evidence bag and sealed and signed. The evidence bag number is: 00003661. This was signed by [redacted] at around 14:00.</p>
26/03/2019	<p>Myself, [redacted] and [redacted] headed back to [redacted] on [redacted] where we caught the 16:40 ferry to [redacted].</p> <p>I sent an amended decision record for the [redacted] [REDACTED] to Surveillance and Enforcement Branch (SEB).</p> <p>[redacted] emailed me details of times and dates and Latitude and Longitude from where each witness seen the vessel in the [Redacted]. These were all recorded in my notebook at the time I was taking the witness statements.</p> <p>I also composed and issued the 21 day letter of voluntary interview to [redacted] [redacted]. Skipper of the [redacted] [REDACTED]. The letter was addressed to:  <b>Mr [redacted] [redacted]</b>  <b>[redacted]</b></p> <p>The letter was sent recorded delivery. The date of invite was for 18<sup>th</sup> April 2019 at 11:00 in Ayr Fishery Office. Contact details were supplied in case time or place is not suitable.</p> <p>I received an email from [redacted] at Ayr Fishery Office. He was confirming the availability of Ayr Fishery Office for the potential interview of [redacted][redacted] on the week commencing 15<sup>th</sup> April 2019.</p>
27/03/2019	<p>Meeting in Ops Room VQ Edinburgh. Myself, [redacted] and [redacted] (Fishery Analyst). Discussion on possible productions to be used in the suspect interview of [redacted][redacted].</p> <p>Meeting in Ops Room VQ Edinburgh. Myself, [redacted] and [redacted]. I have now decided on the productions to be used in</p>

## OFFICER STATEMENT

Our ref (HQ use):

MOA/

PF Ref (PF use):

the suspect interview of [redacted][redacted]. These are shown below:

1. Elog C[redacted] [redacted] [REDACTED] [redacted]
2. Landing Declaration [redacted] [redacted] [REDACTED] [redacted]
3. Sales Note (Not Available Yet)
4. VMS Screen Dump [redacted]
5. VMS Screen Dump [redacted]
6. VMS Screen Dump [redacted]
7. VMS Screen Dump [redacted]
8. Photograph of [redacted] [REDACTED] Flight No. MB1573 [redacted]
9. Photograph 1. Supplied by [redacted]
- 10 .Photograph 2. Supplied by [redacted]
11. Photograph 3. Supplied by [redacted]
- 12 .Photograph 4. Supplied by [redacted]
13. Photograph 5. Supplied by [redacted]
- 14 .Twitter Extract [redacted] [redacted]

I have now produced the first draft copy of the proposed interview plan for the interview of suspect [redacted][redacted] in Ayr Fishery Office at 11:00 on the [redacted].

I received an email from [redacted] to advise me that the interview date of [redacted] is unsuitable and she was wondering if we could reschedule the interview for the [redacted].

I replied to [redacted] to confirm that I can reschedule the interview to Ayr Fishery Office on the [redacted] I received a reply email from [redacted] [redacted] to say that [redacted] [redacted] will be in attendance.

**OFFICER STATEMENT**

Our ref (HQ use):

MOA/

PF Ref (PF use):

<p>28/03/2019</p>	<p>I met with [redacted ]in VQ Edinburgh to present the final details of the interview plan. The interview plan is now complete. I emailed FO Ayr and FO Campbeltown to confirm change of interview date for [redacted] [redacted]. New date as [redacted] location still the same as Ayr Fisher Office. Letter issued to [redacted] [redacted] to confirm change of interview date. The letter was sent recorded delivery. I also received conformation email from [redacted] (FO Ayr) to advise availability of interview room in FO Ayr.</p> <p>Interview of [redacted] (Skipper [redacted]) at Ayr Fishery Office. Both myself and Officer [redacted] arrived a Ayr Fishery Office at around 09:00. Mr [redacted][redacted] arrived at around 10:55. Officer [redacted] completed the voluntary attendance form. Interview started at around 11:04 and ended at around 12:07. Voluntary attendance by [redacted] was from around 10:55 till he left Ayr fishery office at around 12:20. A full transcript of the interview will be provided.</p> <p>Email from [redacted] (Spatial analyst &amp; data visualisation, Marine Scotland) Containing an analysis of VMS data for [redacted] [REDACTED] from [redacted]. This shows [Redacted]. This evidence will be used a production to show [Redacted].</p> <p>Email from [redacted] (Fishery Officer, Portree) providing a transcript of interview with [redacted]. Transcript forwarded to [redacted].</p> <p>I received statements and notebook extracts from crew members aboard the MPV Minna. Crewmen [redacted] and [redacted] had boarded the vessel to confirm that [redacted][redacted] was the skipper on the vessel on the [redacted]. This was confirmed by [redacted] crewman [redacted].</p> <p>I also received a recorded letter from [redacted] which contained the CD she used to transcribe the interview recording of Skipper [redacted][redacted].</p> <p>Having read the transcript of the interview with [redacted] further investigation will be needed into the location of the MPV Minna (Scottish Patrol Vessel [Redacted]).</p> <p>I received an email from [redacted] that had be sent to him from [redacted] (Fishery Officer, Fraserburgh). It contained 2 Met Office weather pressure maps showing pressure on the [redacted].</p>
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## OFFICER STATEMENT

Our ref (HQ use):

MOA/

PF Ref (PF use):

01/04/2019	<p>I received an email from [redacted] confirming the amount of VMS satellite Polls the [redacted] has had [Redacted] over the last 15 months, as outlined in the comms above from [redacted]. [redacted] will write a statement confirming this and also certify this report as a production as per schedule 8.</p>
02/04/2019	<p>I also met with [redacted] where we discussed the weather conditions stated by [redacted][redacted] at interview. [redacted].</p> <p>Further investigation also shows that the MPV Minna [Redacted]. This has been shown on a VMS screen dump. The VMS screen dump shows the Minna entering Greenock Port at around [redacted]. The Minna never left Greenock Port till around [redacted].</p>
03/04/2019	<p>This statement is a true and accurate record.</p>

## OFFICER STATEMENT

*Our ref (HQ use):*

*MOA/*

*PF Ref (PF use):*

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Please use the column below to refer to dates/times and critical events during your investigation e.g. insert "CAUTION" next to that relevant part of your statement. Also enter the word "PRODUCTION" when referring in your statement e.g. to a document that may be produced in court e.g. a logsheet.

<b>Surname:</b> [Redacted]		
<b>Forenames:</b> [Redacted]		
<b>Age/DOB:</b> [Redacted]	<b>Rank/Grade: P.O</b>	
<b>Contact Address:</b> [Redacted]		
<b>Length of Service:</b>	<b>Yrs</b> 4	<b>months</b>
<b>Experience of commercial fishing (other than that acquired as BSFO) i.e. worked as a fisherman?</b>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/> x
<b>Relevant professional qualifications e.g. certificate of competency?</b>	<b>AB Certificate, Boarding Assistant</b>	
<b>Date and time statement compiled (i.e. completed)</b>	<b>Date</b>	<b>Time</b>
<b>Location statement compiled and completed.</b>	<b>MPV</b> [Redacted]	

LOGBOOK  
A1790  
PAGE 39

**States:**

**I was doing watchkeeping duties on MPV [Redacted] on 16.00 hrs to 20.00 hrs on MPV [Redacted] in location in the sound of Jura with 1/OE [Redacted], when he noticed a fishing vessel on the radar inside the MPA zone. 1/OE asked me to go and ask Master to come to the bridge I went to ask him to please come up to the bridge as ordered. We proceeded to make way towards the fishing vessel. At 18:20 we got to within sufficient distance and I could see that the vessel was [Redacted] through the binoculars and could see his wires in his towing arms with his deck work lights illuminated. I was then given orders then to take over control of hand steering the [Redacted], while Captain and 1/OE took procedures to get better identification of what [Redacted] was doing inside the no go zone.**

**I believe this statement to be an accurate and true account**  
[Redacted]

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