| Police Scotland logo | Freedom of Information Response Our reference: FOI 24-1856  Responded to: 28 August 2024 |
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Your recent request for information is replicated below, together with our response.

**My Freedom of Information Act request concerns the following legislation:**

* **The Fisheries Act 2020, Schedule 3 fishing in contravention to a license and/or failure to provide information and/or providing false information;**
* **The Sea Fishing (EU Recording and Reporting Requirements) (Scotland) Order 2010, implementing Council Regulations 1966/2006, 1006/2008, and 1224/2009 and Commission Regulations 1077/2008 and 201/2010, s.5 recklessly or knowingly reporting or recording false information in relation to a Scottish fishing boat, in Scotland or in the Scottish zone;**
* **The Sea Fish (Conservation) Act 1967 s. 1 size restrictions for landing, carriage and sale, s.4 trans-shipments, s.5 restrictions on fishing, s.6 restrictions on landing, s.4A (7) failure to provide information, s4A (8) false information, s7 false declarations, read in conjunction with The Fisheries Act 1981;**
* **The Sea Fishing (Illegal, Unreported and Unregulated Fishing) (Scotland) Order 2013 s.9 falsify or use falsified documents; and,**
* **The Sea Fishing (EU Control Measures) (Scotland) Order 2015 s.21 concerning landing of controlled catches, s.7 obligations of registered buyers to keep records, s.9 obligations of registered sellers to keep records and s.10 offences of bodies corporate.**

**Please can you share data on whether Police Scotland and any of the divisions within its area of responsibility has**

**(a) received allegations**

Unfortunately, I estimate that it would cost well in excess of the current FOI cost threshold of £600 to process your request. I am therefore refusing to provide the information sought in terms of section 12(1) of the Act - Excessive Cost of Compliance.

To explain, there are no incident classification specific to fishing and a large number of incidents coded more generally such as ‘animal incidents’ etc would all have to be individually reviewed for potential relevance.

**(b) recorded any offences investigated under the above statutes in relation to the fraud and/or legal violations relating to the misreporting of fish stock.**

We carried out a search of all fishing related crimes under the Scottish Government Justice Department Classifications of:

605601 - Salmon and freshwater fisheries offences

605602 - Sea fisheries offences

We thereafter reviewed the legislation associated with each for any match to that listed in your request, and that exercise revealed 2 offences of potential relevance, both in terms of the Sea Fish (Conservation) Act 1967:

Date: 04/08/2019   
Crime: Possession of Razor Clams   
Outcome: Individual was reported to Crown Office and Procurator Fiscal Service (COPFS)

Date: 06/05/2020  
Crime: Possession of Razor Clams   
Outcome: individual was reported to Crown Office and Procurator Fiscal Service (COPFS)

If you require any further assistance, please contact us quoting the reference above.

You can request a review of this response within the next 40 working days by [email](mailto:foi@scotland.police.uk) or by letter (Information Management - FOI, Police Scotland, Clyde Gateway, 2 French Street, Dalmarnock, G40 4EH). Requests must include the reason for your dissatisfaction.

If you remain dissatisfied following our review response, you can appeal to the Office of the Scottish Information Commissioner (OSIC) within 6 months - [online](http://www.itspublicknowledge.info/Appeal), by [email](mailto:enquiries@itspublicknowledge.info) or by letter (OSIC, Kinburn Castle, Doubledykes Road, St Andrews, KY16 9DS).

Following an OSIC appeal, you can appeal to the Court of Session on a point of law only.

This response will be added to our [Disclosure Log](http://www.scotland.police.uk/access-to-information/freedom-of-information/disclosure-log) in seven days' time.

Every effort has been taken to ensure our response is as accessible as possible. If you require this response to be provided in an alternative format, please let us know.