

**SCOTTISH  
SALMON WATCH**



**SEALS**

**To: Police Scotland**  
**Date: 5 April 2021**  
**From: Don Staniford (Scottish Salmon Watch)**  
**Subject: FOI Review Request re. 2021-0285**

Please consider this a formal request for a review of FOI-2021-0285.

Police Scotland's [FOI reply dated 2 March 2021](#) refused to provide documents requested by Scottish Salmon Watch on 8 February 2021 ([detailed in full online here for easy reference](#)).

For ease of review, Scottish Salmon Watch uses the same four bullet points employed by Police Scotland in their [FOI refusal dated 2 March 2021](#); namely:

**Please provide information on licences to kill seals issued by Police Scotland - including the names of 'nominated marksmen' - since 1 January 2020.**

**Please include copies of any firearms certificates, licences and any other official documents pertaining to the legal discharge of guns by marksmen to kill seals.**

**Please include information on cases involving the illegal use of firearms by marksmen, salmon farmers or any other parties in relation to the killing of seals on salmon farms.**

**Please therefore provide any information held by Police Scotland in relation to this case and any others involving seals killed by salmon farms since 1 January 2020.**

In terms of the first two, Police Scotland at least provided some new information in that it specified there have been [112 firearms certificates conditioned to allow for the culling of seals](#):

Having considered your request, I can advise licenses for seal culling are issued under specific legislation by Marine Scotland and their information will include marksmen, discharges, incidents and the number of licenses issued.

Police Scotland issue firearms certificates which are conditioned for the appropriate weapon to be used in the culling of seals.

Since 1 January 2020 there have been 112 firearms certificates conditioned to allow for the culling of seals.

However, Police Scotland refused to disclose documents or any specific information. Scottish Salmon Watch asks that this FOI review reexamine the blanket refusal to release documents. Even redacted documents – deleting personal information – would be better than nothing and may stop an unnecessary and wasteful appeal to the Scottish Information Commissioner.

In terms of points 3 and 4 pertaining to the illegal killing of seals by salmon farmers and in particular to a case involving Mowi in Loch Ewe in January 2020, Police Scotland provided zero information. Scottish Salmon Watch takes issue with this refusal and asks Police Scotland to review the non-disclosure of documents.

Police Scotland's [FOI refusal letter to Scottish Salmon Watch dated 2 March 2021](#) cited:

In relation to the information contained on a firearms certificate and information relating to investigations is considered to be exempt in terms of the Freedom of Information (Scotland) Act 2002 (the Act). Section 16 of the Act requires Scotland to provide you with a notice which: (a) states that it holds the information, (b) states that it is claiming an exemption, (c) specifies the exemption in question and (d) states, if that would not be otherwise apparent, why the exemption applies.

Where information is considered to be exempt, this letter serves as a Refusal Notice that information is held and an explanation of the appropriate exemption is provided.

The exemptions that I consider to be applicable to the information requested by you are as follows:

#### **Section 38(1) (b) – Personal Information**

Whilst I accept that you may have a legitimate interest with regards the disclosure of this information and that disclosure may well be necessary for that purpose, I am nonetheless of the view that those interests are overridden by the interests or fundamental rights and freedoms of the data subject

To explain, the release of personal information, either directly or inadvertently is exempt under the Freedom of Information (Scotland) Act 2002. This is an absolute exemption which does not require a public interest test to be conducted.

Please note here that Scottish Salmon Watch is content for the names of the marksmen (or women) to be redacted in full (i.e. bullet point one of the FOI request). However, Scottish Salmon Watch asks that Police Scotland provide the information in bullet point 2; namely:

**Please include copies of any firearms certificates, licences and any other official documents pertaining to the legal discharge of guns by marksmen to kill seals.**

The integrity of Section 38(1) (b) – Personal Information – can be maintained by redacting the names of the marksmen (or women). And Scottish Salmon Watch is happy to receive only the licences pertaining to salmon farms which we believe is 52 (i.e. not all 112).

Please note that a [FOI reply by the Scottish Government in February 2021 \(FOI-202000118346\)](#) redacted the names of marksmen employed by Mowi, Scottish Sea Farms, The Scottish Salmon Company, Cooke Aquaculture, Grieg Seafood and Loch Duart to kill seals.

**Annex A**  
Nominated Marksmen

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

**Annex A**  
Nominated Marksmen

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

**Annex A**

Nominated Marksmen:

**Marksmen A**  
[Redacted]  
Issued by Police Scotland

**Marksmen B**  
[Redacted]  
Issued by Police Scotland

**Marksmen C**  
[Redacted]  
Issued by Police Scotland

**Annex A**

Nominated Marksmen:

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

[Redacted]  
Issued by Police Scotland

However, following a review request by Scottish Salmon Watch of [FOI-202000118346](#), the Scottish Government disclosed further information on 23 March 2021. The Scottish Government still refused to name the marksmen but [disclosed that “the total number of marksmen in the redacted licences provided as part of the response is 52”](#):

In the original response from the Scottish Government the names of the nominated marksmen were withheld under EIR Regulation 11(2) – To the extent that environmental information requested includes personal data of which the applicant is not the data subject and in relation to which either the first or second condition set out in paragraphs (3) and (4) is satisfied, a Scottish public authority shall not make the personal data available.

I have reviewed your request in relation to this point and find that the original decision should be upheld and that the regulations have been correctly applied. However I can confirm that the total number of marksmen in the redacted licences provided as part of the response is 52.

The Scottish Government's [FOI review reply dated 23 March 2021](#) (via [FOI-202000118346](#)) also released further documents relating to the killing of a juvenile male harbour seal by Mowi in Loch Ewe in January 2020 "as this was not the subject of an ongoing criminal investigation" at the time of Scottish Salmon Watch's FOI request.

*2. "Please also provide the report to Police Scotland's Wildlife Crime Unit cited in the following email disclosed via FOI-2020-00118346 on 1 February 2021."*

In the original response an exception under regulation 10(5)(b) (the course of justice, etc.) of the EIRs was applied to some of the information you requested. This exception applies as release of this information would, or would be likely to, cause substantial prejudice to the Governments operational and law enforcement capabilities. In particular that such information which could potentially allow people to examine and analyse our methods and mechanisms of operating and try and identify ways to circumvent them or otherwise thwart our activity. This exception is subject to the 'public interest test'

I have reviewed the information withheld and the most recent guidance available and find that the information should have been released, as this was not the subject of an ongoing criminal investigation at the time of the your EIR request and therefore regulation 10(5)(b) should not have been applied. We apologise for this misinterpretation and the two redacted documents are attached to this letter.

Since Scottish Salmon Watch's FOI request to Police Scotland was dated in February 2021 – and therefore also "not the subject of an ongoing criminal investigation" - surely Police Scotland should disclose information on this case?

One of the documents disclosed on 23 March 2021 by the Scottish Government is an ['Intelligence Report' marked "Official-Sensitive" by Marine Scotland detailing a male harbour seal killed illegally by Mowi in Loch Ewe](#) – this is MSIR 3005055 which another Scottish Government [FOI disclosure dated 1 April 2021](#) cited as being investigated by both Police Scotland and the National Wildlife Crime Unit:

## **MSIR 3005055 - Police Scotland and National Wildlife Crime unit**

Here's [Marine Scotland's 'Intelligence Report' \(MSIR 3005050\) dated 3 February 2020](#) which questioned the legality of Mowi shooting a juvenile male harbor seal (on advice by the SSPCA) in January 2020:

OFFICIAL – SENSITIVE



**Marine Scotland Intelligence Database**

Surveillance and Enforcement Branch

**Intelligence Report**

**DISSEMINATION**

MSIR Ref:

Grading Officer:

Date and Time of Report:

| SOURCE EVALUATION | INTELLIGENCE EVALUATION | HANDLING CODE |
|-------------------|-------------------------|---------------|
| REDACTED          | REDACTED                | REDACTED      |
|                   |                         | REDACTED      |
|                   |                         | REDACTED      |
|                   |                         | REDACTED      |
|                   |                         | REDACTED      |
|                   |                         | REDACTED      |

**Intelligence received on 03/02/2020 provides that:**  
Juvenile male harbour seal shot by MOWI fish farm at Loch Ewe grid ref NG 84352 81421, on grounds of welfare to animal. Animal transported to Scottish Marine Animal Stranding Scheme who question necessity of doing this claiming that "there was no clear pathological reason for this animal to have been euthanized." Photos and emails on G drive.

Advice from MS LOT appears to be that seal was shot outwith licence requirements as it was understood to not be predated at the farm therefore should not be reported under a marine licence granted to protect the welfare of farmed fish

| Notes                    |                        |  |
|--------------------------|------------------------|--|
| User                     | Date                   | Note   |
| ██████████<br>██████████ | 05/02/2020<br>13:35:53 | <p>The Seal licence WS16/2019/W pertaining to this site was valid from 01/02/2019 – 31/01/2020 and authorises MOWI to kill a maximum of 4 grey seals and 2 harbour seals. The latest figures available for 2019 show that 1 grey seal kill has been reported against this licence.</p> <p>MOWI had killed the seal out with the terms of the licence as there is provision within the Marine Scotland Act to kill a seal to alleviate suffering. MOWI sought advice from SAC over concerns of the animal and were unable to contact them on the day in question. Consequently they contacted SSPCA who looked at photographic evidence provided by MOWI and passed it to their vets . It was presumed by the vet that it was an animal welfare officer that had taken the photo , the vet advised the officer to check if the injury to the animal had exposed bone and if it was the case then the animal should be euthanized and was surprised that the animal was actually shot rather than put to sleep. The animal welfare officer had provided the following advice to MOWI " After forwarding the photos to our vets at the wildlife centre they can confirm that the seal has a substantial wound to its rear flipper and on welfare grounds would need to be put to sleep as soon as practicality possible."</p> <p>The fish farm had taken steps to seek advice and have followed what they thought to be expert advice and shot the animal as no local vets were available .</p> |
| ██████████<br>██████████ | 05/02/2020<br>14:32:41 | <p>The Seal licence WS16/2019/W pertaining to this site was valid from 01/02/2019 – 31/01/2020 and authorises MOWI to kill a maximum of 4 grey seals and 2 harbour seals. The latest figures available for 2019 show that 1 grey seal kill has been reported against this licence.</p> <p>MOWI had killed the seal out with the terms of the licence as there is provision within the Marine Scotland Act to kill a seal to alleviate suffering. MOWI sought advice from SAC over concerns of the animal and were unable to contact them on the day in question. Consequently they contacted SSPCA who looked at photographic evidence provided by MOWI and passed it to their vets . It was presumed by the vet that it was an animal welfare officer that had taken the photo , the vet advised the officer to check if the injury to the animal had</p>   |

|                                  |                                |  |
|----------------------------------|--------------------------------|--|
|                                  |                                | <p>exposed bone and if it was the case then the animal should be euthanized and was surprised that the animal was actually shot rather than put to sleep. The animal welfare officer had provided the following advice to MOWI " After forwarding the photos to our vets at the wildlife centre they can confirm that the seal has a substantial wound to its rear flipper and on welfare grounds would need to be put to sleep as soon as practicality possible."</p> <p>The fish farm had taken steps to seek advice and have followed what they thought to be expert advice and shot the animal as no local vets were available .</p> |
| <p>██████████<br/>██████████</p> | <p>06/02/2020<br/>10:32:22</p> | <p>msir Live marking removed.</p>  |

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The Scottish Government also disclosed this email on 23 March 2021 (initially withheld via [FOI-202000118346](#) on 1 February 2021):

**From:** [Redacted]  
**Sent:** 03 February 2020 16:49  
**To:** [Redacted]  
**Cc:** [Redacted] [Redacted]  
**Subject:** RE: Seal shot at Poolewe

[Redacted]  
Thanks for this.

The information has been added to the Marine Scotland Intelligence Database (MSID ref 3005055) with instruction that it be forwarded to NWCU.

If you – or anyone else copied here - receive any further information then please pass on to me.

Thanks

[Redacted]

Another [email from the Scottish Government’s Marine Planning & Policy in February 2020](#) - disclosed by the Scottish Government on 23 March 2021 - stated that “MSLOT have advised that this was not carried out under the seal licence and should be reported to the Police Wildlife Crime Unit”.

**From:** [Redacted]  
**Sent:** 03 February 2020 15:32  
**To:** [Redacted]  
**Cc:** [Redacted] [Redacted]  
**Subject:** Seal shot at Poolewe

Hi [Redacted],

As discussed regarding the seal shot at Poolewe – MSLOT have advised that this was not carried out under the seal licence and should be reported to the police wildlife crime unit. MS LOT have also said for recording purposes it should be entered into MSIR which you said you were happy to do.

I've attached the two emails that [Redacted] sent to the SSPCA (the fish farm are also copied into the email), the most recent email today includes photos of a wound on the rear flipper. I've also included the email from [Redacted] (MS LOT) to say this case is to be forwarded on to the police.

I've cc'd [Redacted] who I contacted to see if this was something reported to MS LOT at the time – from the sounds of it, there was a phone call made to LOT to ask if shooting the seal would count towards their seal licence, but were told it would not if it was a shooting for alleviating suffering. [Redacted]– please correct this if I misunderstood what you said on Friday.

I will contact [Redacted] and ask him to forward any response he receives to the emails he has sent and for him to not engage further as this is being dealt with.

[Redacted]

[Redacted]

| Marine Planning and Policy

Scottish Government | Area GB North | Victoria Quay | Edinburgh | EH6 6QQ

Documents [disclosed to Scottish Salmon Watch via Freedom of Information by the Scottish Government on 1 April 2021](#) (FOI-2021-00155371) included other Marine Scotland Intelligence Reports (MSIR) which are enclosed below in an Appendix.

The Scottish Government explained in their [letter to Scottish Salmon Watch dated 1 April 2021](#):

Of the total 14 Marine Scotland Intelligence Reports provided to you to date: (i) 5 have been passed to Police Scotland, and (ii) 2 have been passed to the National Wildlife Crime Unit.

MSIR 3004074 - Police Scotland

MSIR 3004110 - Police Scotland

MSIR 3004123 - Police Scotland

MSIR 3004491 - National Wildlife Crime Unit

MSIR 3004783 - Police Scotland

MSIR 3005055 - Police Scotland and National Wildlife Crime unit

MSIR 3004074 is a case relating to a seal shot in August 2018 in the Ythan where it crosses the A90.

MSIR 3004110 is the Basta Voe case in August 2018 believed to involve [Cooke Aquaculture who were fined £2,000](#) in 2019.

MSIR 3004123 is the Kylesku Bridge case in September 2018 believed to involve Loch Duart who operate salmon farms in the vicinity.

MSIR 3004491 is the Wick of Belmont case in April 2019 believed to involve Cooke Aquaculture who operate a salmon farm at Wick of Belmont in Shetland.

MSIR 3004783 is the Uig Bay case in September 2019 believed to involve Grieg Seafood who operate a salmon farm in Uig Bay (Loch Snizort) and another salmon farm in Loch Snizort.

MSIR 3005055 is the [Loch Ewe case in January 2020 involving Mowi](#).

The latter case (MSIR 3005055) appears to be the only case cited above which comes under the scope of this FOI since it asked for information only since 1 January 2020. However, there could be other cases and other incidents within the scope of this FOI (and cases which began before 1 January 2020 may have been completed after that date).

Notwithstanding, the reasons given by Police Scotland in their [FOI refusal letter dated 2 March 2021](#) do not stand close scrutiny especially if Mowi's illegal killing of a male juvenile harbor seal in Loch Ewe in January 2020 (MSIR 3005055) is "not the subject of an ongoing criminal investigation". Here's the reasons cited by Police Scotland in their [FOI refusal of 2 March 2021](#):

**Section 34 (1) (b) – Investigations**

**Section 35 (1) (b) – Law Enforcement**

Section 34(1)(b) of the Act provides an absolute exemption from disclosure in that information is exempt information if it has at any time been held by Police Scotland for the purposes of an investigation which may lead to a decision to make a report to the Procurator Fiscal to enable it to be determined whether criminal proceedings should be instituted.

This, in turn, would be likely to prejudice substantially the ability of the police to investigate and detect crime, and would have a similar detrimental impact on the apprehension or prosecution of offenders – making the information exempt from disclosure in terms of Section 35(1) (a) & (b).

I appreciate that there is a public interest in relation to police investigations and in particular the effective use of police resources by the service. Likewise, disclosure could also inform the public debate on the issue of policing and contribute to the accuracy of that debate. That said, it is essential that neither the investigation nor the potential for proceedings to be brought against an individual are put at risk.

Accordingly, at this time the public interest lies in protecting the integrity of investigative and criminal justice procedures by refusing to provide the information sought.

Scottish Salmon Watch does not believe the disclosure of information in Mowi's case (MSIR 3005055) – or any others for that matter – “would be likely to prejudice substantially the ability of the police to investigate and detect crime”.

Scottish Salmon Watch therefore ask Police Scotland's FOI review to overturn the refusal of information and disclose any documents relating to Mowi's case (MSIR 3005055) and any other cases involving salmon farms killing seals since 1 January 2020. That would include any reports to the Procurator Fiscal, emails with the Scottish Government and any other information pertaining to discussions whether criminal proceedings.

Scottish Salmon Watch is keen to shine a light on how the illegal killing of seals by salmon farms was dealt with by the Scottish Government, Police Scotland and other agencies. We strongly believe that it is in the public interest to do so – as shown by [recent Tweets by Guardian columnist George Monbiot](#) as well as press reports in [The Sunday Times](#), [The Ferret](#) and [Daily Mirror](#).

Since this particular [legal regime ended on 1 February 2021 when the killing of seals by salmon farmers was made illegal by the Scottish Government](#), Scottish Salmon Watch does not buy Police Scotland's argument that disclosure of information would put the investigation or the potential for proceedings at risk.

Scottish Salmon Watch agrees that there is some element of public interest “in protecting the integrity of investigative and criminal justice procedures” but disclosure relating to Mowi's case (MSIR 3005055) is immaterial (especially if there was no case brought to the Procurator Fiscal or any criminal charges brought).

Today (5 April 2021), Scottish Salmon Watch filed a new FOI request with Police Scotland for information since 1 January 2018 which would hopefully include details of seals killed illegally by salmon farming companies in Basta Voe (MSIR 3004110) - believed to involve [Cooke Aquaculture who were fined £2,000](#) in 2019; Kylesku Bridge (MSIR 3004123) - believed to involve Loch Duart who operate salmon farms in the vicinity; Wick of Belmont (MSIR 3004491) - believed to involve Cooke Aquaculture who operate a salmon farm at Wick of Belmont; Uig Bay (MSIR 3004783) - believed to involve Grieg Seafood who operate a salmon farms in the vicinity.

A [seal killed in Loch Dunvegan on the Isle of Skye in January 2021](#) - suspected of being killed by Grieg Seafood who operate three salmon farms in Loch Dunvegan – could also have triggered a Police Scotland investigation.

Scottish Salmon Watch is fully aware that there have been recent changes in the legal regime in but it seems that the any seals killed by salmon farms after 1 February 2021 are illegal. However, both Animal Concern and Scottish Salmon Watch are doubtful that the new legal regime will stop the illegal killing of seals and there is now a £10,000 reward on offer for information leading to a successful prosecution ([Animal Concern offered a £5,000 reward in February 2021](#) and Scottish Salmon Watch has now pledged to match it).



The [Scottish Government's web-page on 'Seal Licensing'](#) currently states:

Part 6 of the [Marine \(Scotland\) Act 2010](#) [\[7\]](#) seeks to balance seal conservation with other pressures and requirements, such as species conservation. On 1 February 2021 changes to Part 6 came into force which removed two reasons for which licences to kill or take seals could be granted. These are protecting the health and welfare of farmed fish and preventing serious damage to fisheries and fish farms:

- it is an offence to kill or injure a seal except under licence or to alleviate suffering
- a number of seal conservation areas around Scotland have been introduced, designed to protect vulnerable, declining Harbour seal populations
- a seal licensing system, providing a well-regulated and monitored context for seal management in Scotland is in operation

Scottish Salmon Watch is concerned that salmon farmers will continue to kill seals illegally either by continuing the slaughter at farms without a licence or via the continued killing by wild fisheries interests which have historically been extremely close to salmon farmers ([for example via funding](#) and [representation of salmon farming interests on fisheries trusts and boards](#)).

Scottish Salmon Watch will be watching with a keen interest how 'legal' seal kills are [officially reported beyond 1 February 2021](#) and will flag up any potential illegal activity. For example, the Northern Salmon Management Group & North West Salmon Management Group appears to have been a front for the salmon farming companies Loch Duart and Wester Ross to stay below the radar.

|             |                                  |  |                             |
|-------------|----------------------------------|--|-----------------------------|
| WS22/2019/D | Northern Salmon Management Group | NWSMG (25/04) - grey<br>Calbha (30/04) - com | Loch a Chairn Bhain (27/01) |
|-------------|----------------------------------|--|-----------------------------|

|                     |                                  |  |
|---------------------|----------------------------------|--|
| WS22/2018/D         | Northern Salmon Management Group | Wester Ross (07/11) - Com<br>Calbha (12/12) - Com<br>Oldany (20/12) - Grey |
| Wester Ross (31/10) |                                  |  |

|           |  |                            |                   |
|-----------|--|----------------------------|-------------------|
| WS22/2017 | North and North West Salmon Management Group | Badcall Bay                |                   |
|           |  | Outer Bay                  | Calbha            |
|           |  | NW Salmon Management Group | Loch A Chain bain |

|           |  |                            |
|-----------|--|----------------------------|
| WS22/2016 | North and North West Salmon Management Group | Wester Ross Fisheries      |
|           |  | Loch A Chairn Bhain FS0411 |
|           | Loch A Chairn Bhain FS0411                   | Loch Laxford               |
|           | North West Salmon Management Group           | Wester Ross                |

In particular, it will be interesting to see how the Northern Salmon Management Group & North West Salmon Management Group report seal kills after 31 January 2021 especially since the [West Sutherland Fisheries Trust receives funding from salmon farming companies Scottish Sea Farms, Wester Ross and Loch Duart \(with Nick Joy, formerly the boss of Loch Duart, represented on the Board of Trustees\)](#) and [Wester Ross Fisheries Trust has received funded by salmon farming companies](#). In the Western Isles, [the Outer Hebrides Fisheries Trust also has representation from The Scottish Salmon Company on their Board of Trustees](#).

Scottish Salmon Watch is concerned that a legal loophole exists or at least a danger of bending the law exists to allow salmon farmers to continue to kill seals. Salmon farmers may not be the licenced marksmen pulling the trigger but they may be directing seal kills behind the scenes.

In conclusion, Scottish Salmon Watch hope that Police Scotland will provide the information requested in February 2021 and prevent an appeal to the Scottish Information Commissioner which will only waste precious police resources.

Please provide a receipt for this FOI review request.

Please provide any new information electronically.

Yours sincerely,

Don Staniford

Director, Scottish Salmon Watch

**Appendix:**

Marine Scotland Intelligence Reports [disclosed by the Scottish Government on 1 April 2021](#) (FOI-2021-00155371):

[PDF #1 Intelligence Mowi Carradale two seals mother & pup badly mutilated](#)

OFFICIAL – SENSITIVE

**marinescotland**

**Marine Scotland Intelligence Database**

Surveillance and Enforcement Branch

**Intelligence Report**

**DISSEMINATION**

MSIR Ref:

Grading Officer:

Date and Time of Report:

| SOURCE EVALUATION | INTELLIGENCE EVALUATION | HANDLING CODE |
|-------------------|-------------------------|---------------|
| [Redacted]        | [Redacted]              | [Redacted]    |

**Intelligence received on 11/01/2018 provides that:**

Two seals, a mother and a pup have allegedly been shot near Eilean Griannain fish farm, north of Carradale. One seal was found washed ashore at Port Rìgh and another along at Shore Road. [Redacted]

[Redacted]

[Redacted]

Both seals have since been washed back out to sea. From photographs taken It is difficult to see if each seal had been shot but both are badly mutilated.

## DISSEMINATION

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[PDF #5 Basta Voe four seals without licence](#)

OFFICIAL – SENSITIVE

**marinescotland**

### Marine Scotland Intelligence Database

Surveillance and Enforcement Branch

### Intelligence Report

## DISSEMINATION

MSIR Ref:

3004110

Grading Officer:

[Redacted]

Date and Time of Report:

03/09/2018 16:02

| SOURCE EVALUATION  | INTELLIGENCE EVALUATION | HANDLING CODE |
|--|-------------------------|---------------|
| [Redacted]   | [Redacted]              | [Redacted]    |
| <b>Intelligence received on 03/09/2018 provides that:</b><br>It has been reported that 4 seals were found shot on the coast of Basta Voe, Yell near Burray (Grid ref HU5514 9531) They were found by visitors on the weekend of 12th August. [Redacted] Contact had been made with MS Lot. |                         |               |

| SOURCE EVALUATION   | INTELLIGENCE EVALUATION | HANDLING CODE |
|---|-------------------------|---------------|
| [Redacted]  | [Redacted]              | [Redacted]    |
| <p><b>Intelligence received on 03/09/2018 provides that:</b><br/> Confirmed with MS Lot that no reports were received by any fish farms in the area, this is a breach of their licence conditions (assuming they were shot at a fish farm) It also looks as though no attempt was made to recover the carcasses, again another breach of a licence condition.</p> |                         |               |

**DISSEMINATION**

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[PDF #6 Kylesku Bridge near Loch Duart carcass of common seal shot](#)

OFFICIAL – SENSITIVE



**Marine Scotland Intelligence Database**

Surveillance and Enforcement Branch

**Intelligence Report**

**DISSEMINATION**

MSIR Ref:

Grading Officer:

Date and Time of Report:

| SOURCE EVALUATION  | INTELLIGENCE EVALUATION | HANDLING CODE |
|--|-------------------------|---------------|
| [Redacted]   | [Redacted]              | [Redacted]    |
| <p><b>Intelligence received on 12/09/2018 provides that:</b><br/> The carcass of a common seal was found under the Kylesku Bridge. It was taken to the SRUC lab in Inverness where a necropsy was undertaken including x-rays. The animal was found to have been shot. It might have been reported to Police Scotland but not MS</p> |                         |               |

| SOURCE EVALUATION   | INTELLIGENCE EVALUATION | HANDLING CODE |
|---|-------------------------|---------------|
| [Redacted]  | [Redacted]              | [Redacted]    |
| <p><b>Intelligence received on 12/09/2018 provides that:</b><br/> Contacted MS-lot, they have received no reports of any seals shot in the area (as required by all licences). [Redacted]<br/> [Redacted]</p> |                         |               |

OFFICIAL – SENSITIVE



**Marine Scotland Intelligence Database**

Surveillance and Enforcement Branch

**Intelligence Report**

**DISSEMINATION**

| Notes      |                        |  |
|------------|------------------------|--|
| User       | Date                   | Note   |
| [Redacted] | 17/09/2018<br>12:39:46 | Licence [Redacted] covers the area where this carcass was found. No reports of any returns being submitted against this licence were submitted to MS-LOT |

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**Marine Scotland Intelligence Database**

Surveillance and Enforcement Branch

**Intelligence Report**

**DISSEMINATION**

|                          |                  |
|--------------------------|------------------|
| MSIR Ref:                | 3004491          |
| Grading Officer:         | [Redacted]       |
| Date and Time of Report: | 29/04/2019 11:24 |

| SOURCE EVALUATION | INTELLIGENCE EVALUATION | HANDLING CODE |
|-------------------|-------------------------|---------------|
| [Redacted]        | [Redacted]              | [Redacted]    |

**Intelligence received on 29/04/2019 provides that:**  
A seal carcass with bullet holes has been found at the Wick of Belmont, Unst, Shetland. [Redacted] Carcass reported to be around 2 weeks old.

OFFICIAL – SENSITIVE



**Marine Scotland Intelligence Database**

Surveillance and Enforcement Branch

**Intelligence Report**

**DISSEMINATION**

MSIR Ref:

Grading Officer:

Date and Time of Report:

| SOURCE EVALUATION | INTELLIGENCE EVALUATION | HANDLING CODE |
|-------------------|-------------------------|---------------|
| [Redacted]        | [Redacted]              | [Redacted]    |

**Intelligence received on 02/09/2019 provides that:**

Suspected seal shooting occurred around 2nd July 2019 in Uig bay. Animal recovered but no necropsy to confirm cause of death has yet been carried out.

Closest fish farm does not appear to have a seal shooting licence although another farm close by which is not stocked does have a licence. No recorded shootings under licence from that farm. [Redacted]

[Redacted] knew about seal being found but denied any involvement. He did however state that their normal marksman, name not given, did not currently have the required firearms licence. He was also under the impression that both sites did have a licence to shoot seals.

OFFICIAL – SENSITIVE



**Marine Scotland Intelligence Database**

Surveillance and Enforcement Branch

**Intelligence Report**

**DISSEMINATION**

MSIR Ref:

Grading Officer:

Date and Time of Report:

| SOURCE EVALUATION | INTELLIGENCE EVALUATION | HANDLING CODE |
|-------------------|-------------------------|---------------|
| [Redacted]        | [Redacted]              | [Redacted]    |

**Intelligence received on 28/10/2019 provides that:**  
Over the weekend 18 & 19 october on a fish farm in Orkney - 15- 20 seals were observed dead in a net that is used as a buffer to prevent seals getting at salmon pens.  
No further evidence available other than the "third" hand information supplied.

OFFICIAL – SENSITIVE



**Marine Scotland Intelligence Database**

Surveillance and Enforcement Branch

**Intelligence Report**

**DISSEMINATION**

| Notes      |                        |   |
|------------|------------------------|---|
| User       | Date                   | Note  |
| [Redacted] | 11/11/2019<br>16:21:52 | <p>predator nets are still used in some fish farm sites and are designed to stop seals attacking and killing or damaging salmon . they form a protective barrier to prevent the seals from accessing the inner netting in which the salmon swim. They are not designed to kill seals. Part 6 of the Marine Scotland act states that "Killing, injuring or taking a live seal (intentionally or recklessly) is an offence" and goes on to list certain exemptions.</p> <p>Local officers have not heard of any such incidents . Unless the source comes back with more detailed information. We are unable to further investigate.</p> |

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Treat personal data with care. Keep secure. Do not pass on personal information to unauthorised persons.