

Scottish Salmon Watch, 14 October 2020

Landmark Victory for Surveillance of Salmon Farms



- Police Scotland apologises for wrongly protecting Scottish Sea Farms from public access for filming & diving
- Legitimacy of video surveillance strengthened after Police Scotland complaint
- PCs reprimanded for branding filming near salmon farms as 'criminal' & requiring authorisation from Norwegian multinational
- Briefing report by Oban Police may become "a national matter"

Police Scotland have [issued an unprecedented apology to Scottish Salmon Watch](#) for improper policing of salmon farms. Scottish Salmon Watch met last month with Police Scotland who apologised for the incorrect advice issued by Police Constables during filming at Scottish Sea Farms in Loch Linnhe (Shuna) in July 2019 and in Loch Creran in July 2020. Police Scotland had wrongly warned campaigners that filming and diving near salmon farms was a criminal offence and required authorisation from the Norwegian-owned company.

Police Scotland has made assurances to Scottish Salmon Watch that the PCs involved would learn lessons from their mistakes. A briefing report written by Inspector Mark Stephen of Oban Police has now been circulated internally and may become "a national matter".

"Police Scotland has effectively reinforced the legality of filming at salmon farms and this is a watershed victory for public access," said Don Staniford, [Director of Scottish Salmon Watch](#), who [filed an official complaint in July](#). "Police Scotland has sent a powerful message to their own officers that they cannot act as private security guards for companies like Norwegian-owned Scottish Sea Farms. The public has an inalienable right to navigate - including kayaking and diving - in public waters where salmon farms operate."



In July 2020, [Don Staniford of Scottish Salmon Watch](#) and [Matt Mellen of Ecohustler](#) were incorrectly warned by Police Scotland for filming and diving at a salmon farm operated by [Norwegian-owned Scottish Sea Farms](#) in Loch Creran 'Special Area of Conservation' (which Scottish Salmon Watch believe is in [breach of the Animal Health & Welfare Scotland Act 2006](#) - along with other [RSPCA Assured salmon farms in Scotland](#)).



[Video footage](#) clearly shows PC Campbell of Oban Police wrongly advised that Scottish Sea Farms had an 'exclusion zone' around their salmon farm and that diving around the cages "could be classified as a criminal offence as a culpable and reckless act." "They are putting themselves at risk from prosecution under criminal procedures," [claimed PC Campbell](#) who was subsequently reprimanded by Police Scotland for her incorrect legal advice.

In July 2019, [Don Staniford of Scottish Salmon Watch](#) and [Andrew Holder of Dip in the Blue](#) were wrongly advised by Police Scotland that permission to film near a salmon farm at Shuna in Loch Linnhe was required from Scottish Sea Farms. "I don't need a regulation....I don't need no powers," [said PC Johnson of Appin Police](#) in video footage [reported by The Ferret](#).



"The message from Scottish Salmon Watch to salmon farming companies is crystal clear - we're watching you and we have the law on our side," continued Staniford [who is being threatened by Mowi's lawyers for filming at salmon farms](#). "In view of the escalation of

conflicts - including assaults and harassment - Police Scotland's briefing report cannot come soon enough for members of the public daring to film at salmon farms. Despite legal threats of salmon farming companies, the legitimacy of video surveillance and public monitoring of salmon farms is beyond doubt. Salmon farms cannot keep the public out of public waters - whether it is [collecting water samples](#), [diving under the cages](#) or [kayaking safely](#)."



A [letter dated 2 October 2020 from Area Chief Inspector Marlene Baillie \(Argyll & West Dunbartonshire\)](#) effectively upholds a [complaint filed by Scottish Salmon Watch in July](#):

"I would like to take the opportunity to thank you for bringing these matters to my attention. Thank you also for taking the time to meet with Inspector Stephen and Sergeant Edwards at Oban Police Office on Thursday 10 September 2020 to discuss your complaint. I am aware that you had the opportunity to highlight your concerns fully in relation to your interactions with Police Constables of Police Service Scotland on the 3rd July 2019 and the 16th July 2020, both within the geographical area of my responsibility.



"In addition to this I am aware you had a general level of dissatisfaction with the response from officers who were dealing with complaints about your activities, in particular in relation to fish farming and aquaculture. I understand you are now satisfied with the explanations, assurances and the apology provided by Police Inspector Stephen. Police Inspector Stephen has highlighted to me a gap in local knowledge in respect of the various parts of legislation in

relation to fish farming and aquaculture whether on land or in water, which are complex and not something current local officers have had to deal with thus far.

"As a result he has provided me with an additional briefing report for my consideration as he believes this will not be exclusively an issue within my area of responsibility but maybe a national matter, due to the locations and number of such facilities in Scotland. I intend to consider Inspector Stephen's findings and to thereafter share our learning with my colleagues across the Service with the intention of improving our corporate knowledge and our level of response. Complaints about the police are treated seriously by Police Service Scotland as they provide a valuable opportunity for us to learn and improve our service to the public."

Dear Mr Staniford

COMPLAINT ABOUT THE POLICE

In relation to the above subject, I would like to take the opportunity to thank you for bringing these matters to my attention.

Thank you also for taking the time to meet with Inspector Stephen and Sergeant Edwards at Oban Police Office on Thursday 10 September 2020 to discuss your complaint. I am aware that you had the opportunity to highlight your concerns fully in relation to your interactions with Police Constables of the Police Service of Scotland on the 3rd July 2019 and the 16th July 2020, both within the geographical area of my responsibility.

In addition to this I am aware you had a general level of dissatisfaction with the response from officers who were dealing with complaints about your activities, in particular in relation to fish farming and aquaculture.

I understand you are now satisfied with the explanations, assurances and the apology provided by Police Inspector Stephen. Police Inspector Stephen has highlighted to me a gap in local knowledge in respect of the various parts of legislation in relation to

scotland.police.uk @PoliceScotland PoliceScotland

OFFICIAL

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fish farming and aquaculture whether on land or in water, which are complex and not something current local officers have had to deal with thus far.

As a result he has provided me with an additional briefing report for my consideration as he believes this will not be exclusively an issue within my area of responsibility but maybe a national matter, due to the locations and number of such facilities in Scotland.

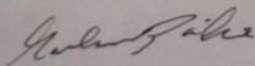
I intend to consider Inspector Stephen's findings and to thereafter share our learning with my colleagues across the Service with the intention of improving our corporate knowledge and our level of response.

Complaints about the police are treated seriously by the Police Service of Scotland as they provide a valuable opportunity for us to learn and improve our service to the public.

I trust you are satisfied with the way we have handled your complaint, however should you reconsider or feel that the matter has not been resolved please contact:

Professional Standards Department, PO Box 2460, Dalmarnock, GLASGOW
G40 9BA or www.scotland.police.uk.

Yours sincerely



Marlene Baillie
Area Chief Inspector

"This police apology is a landmark event for members of the public going about quite legitimate and legal observations of fish farms, many of which have been shown to be below acceptable standards," said Andrew Holder of [Dip in the Blue](#) who skippered the boat involved in both 'interactions' with Police Scotland in [Loch Linnhe in 2019](#) and [Loch Creran in 2020](#). "I hope this sends the message loud and clear to the fish farm companies, from top management right down to the cage workers, that we are lawfully entitled to observe and film from as close as we see fit, without fear of intimidation from the police or physical harm from the workers. It is then up to the public to decide whether their practices are acceptable."



"It's good to see Police Scotland waking up to fact that the taxpayer does not pay them to work for fish farms," said Ewan Kennedy, long term campaigner who [blogs as West Coast Matters](#). "As citizens we have the right to walk on open land and to navigate on the open sea, even if the result is that people get to see the toxic realities behind aquaculture."



In July 2020, Scottish Salmon Watch [filed a formal complaint with Police Scotland's Professional Standards Department](#):



Police Scotland: Contactus@scotland.pnn.police.uk
Professional Standards Department
PO Box 2460
Dalmarnock
GLASGOW G40 9BA

29 July 2020

Dear Sir/Madam,

Complaint re. reckless behaviour of Scottish Sea Farms & Police Harassment

Please consider this a formal complaint against Scottish Sea Farms for reckless endangerment of a diver in the vicinity of their salmon farm at Loch Creran and against Police Scotland for harassment at Creran Marine dock on 16 July 2020. More information is published today via ["Policing Scottish Salmon - Police Scotland Acting as Private Security for Scottish Sea Farms?"](#).

Scottish Salmon Watch believes the video evidence filmed by Scottish Salmon Watch speaks for itself and encourages Police Scotland's Professional Standards Department to watch the footage:



Scottish Salmon Watch's [complaint dated 29 July 2020](#) included:

Scottish Salmon Watch believes that Police Scotland is guilty of a pattern of intimidating behaviour which at best represents protection of the salmon farming industry and at worst represents an abuse of police powers. Surely it is not the statutory responsibility of Police Scotland to act as private security guards for the [Norwegian salmafia](#)?



Scottish Salmon Watch has previously submitted complaints about salmon farms to Police Scotland's Wildlife Crime Unit in July 2019 (read [online here](#)) and in June 2019 (read [online here](#) and [online here](#)) yet they abjectly failed to act despite [obvious breaches of welfare laws](#) (including [damning coverage on STV News](#)). Yet when Scottish Sea Farms pick up the phone to complain about legal activity near their farms, Police Scotland immediately jump. Scottish Salmon Watch finds it difficult to escape the conclusion that Police Scotland is guilty of collusion (perhaps even corruption) with the salmon farming industry.

As context to this complaint and the ongoing issue of safety around salmon farms, Scottish Salmon Watch [raised safety concerns with Police Scotland via letters dated 6 August 2019 and 21 July 2019](#) (enclosed below for easy reference along with other correspondence on this issue - Police Scotland has not even bothered to reply).

In July 2019, [Police Scotland acted as a private security firm for the same Norwegian-owned company \(Scottish Sea Farms\)](#) wrongly ordering Scottish Salmon Watch off the public and navigable waters surrounding a salmon farm (and also breached safety by not wearing life-jackets and failed to properly fasten down the boat).



Scottish Salmon Watch's [complaint in July 2020](#) re-enclosed previous correspondence with Police Scotland which went unanswered - including the suggestion in August 2019 of a protocol and guidelines for filming with respect to salmon farms.



Police Scotland: Contactus@scotland.pnn.police.uk
Cabinet Secretary for Justice (Humza Yousaf): scottish.ministers@gov.scot
Animal & Plant Health Agency: APHA.Scotland@apha.gsi.gov.uk
Scottish Government Fish Health Inspectorate: ms.fishhealth@gov.scot
Scottish Environment Protection Agency: terry.ahearn@sepa.org.uk
Crown Estate Scotland: Alex.Adrian@crownestatescotland.com
Health & Safety Executive: Penny.Falconer@hse.gov.uk
Marine Concern: mc@marineconcern.com

6 August 2019

Dear Sir/Madam,

Protocol & Guidelines for Filming Salmon Farms

Further to [Scottish Salmon Watch's letter of 21 July](#), would it be possible to draft a protocol and guidelines for filming with respect to salmon farms?



Don Staniford
@TheGAAIA

Would you like to draft a protocol & guidelines for filming with respect to salmon farms? tinyurl.com/y4aox9es @policescotland @APHAgovuk @marinescotland @ConcernMarine @SSPOsays @ScottishEPA @H_S_E @ArranCoast See you soon! @MowiScotlandLtd @scotseafarms @salmon_scottish



Don Staniford @TheGAAIA · Aug 6, 2019

Make a splash for salmon, cetaceans, lobsters & seals tinyurl.com/y6au4cqy
@TheSoundOfJura @ArranCoast @SealScotland @SeaShepherdScot @ciwf @SumOfUs @scotgp @ScotSalmonTank @CreelScff @salmontr @ScotLINK @crab_welfare @whalesorg @HWDToorg @SealifeA @onekindtweet @TheOpenSeas



4:27 PM · Aug 6, 2019 · Twitter Web App

Read Scottish Salmon Watch's complaint in full [online here](#)

Matt Mellen of Ecohustler who dived around a salmon farm operated by Scottish Sea Farms in Loch Creran in July 2020 (triggering the warning by Police Scotland) [reported in September 2020](#):

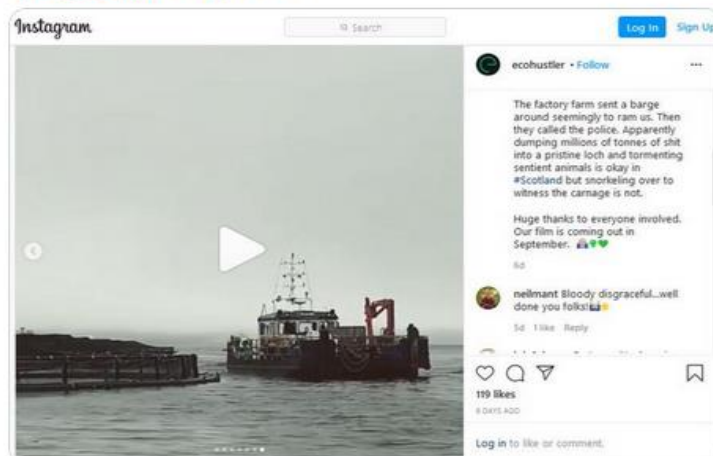
I crawled back onto the boat shaking and angry that my swim in open Scottish waters should be cut short with a threat of intimidation. It was very clear the people running these operations do not want visitors. My surprise turned to alarm when we reached the shore and were apprehended by police. Despite not breaking any laws we were told to back off and not visit any more salmon-factory farms. Don recorded the whole incident and has since filed a complaint. Apparently, it's not unusual for Scottish police to act as private security guards for the farmed salmon corporations



Don Staniford
@TheGAAIA



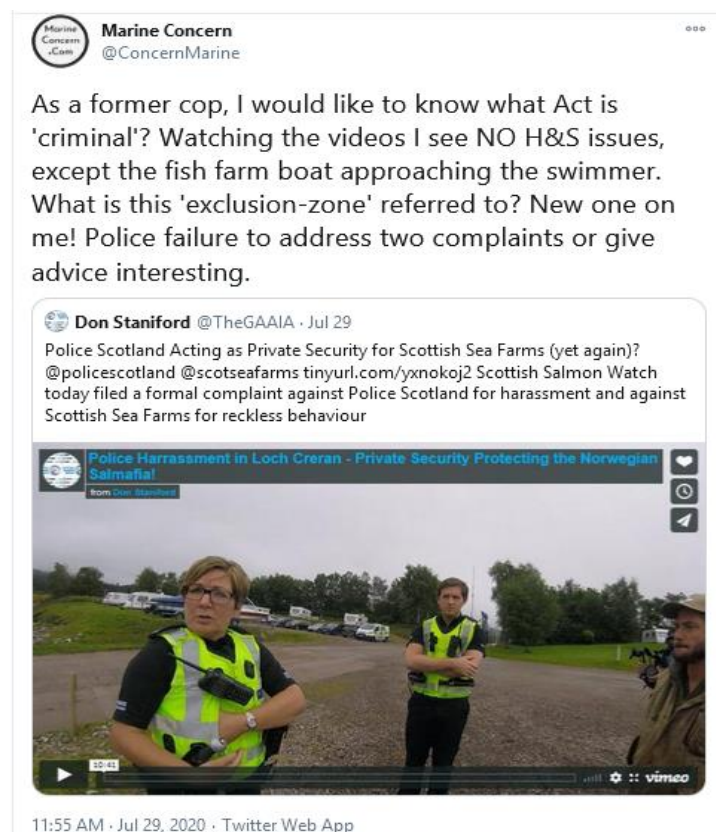
Scottish Sea Farms "sent a barge around seemingly to ram us" @Ecohustler "Then they called the police" @policescotland "tormenting sentient animals is okay but snorkeling over to witness the carnage is not" @scotseafarms tinyurl.com/y5ongk8g @LeroySeafood @H_S_E @MCA_media



Scottish Salmon Producers Organisation and 9 others

10:45 AM · Jul 28, 2020 · Twitter Web App

Former policeman Mark Carter of Marine Concern [Tweeted](#) (29 July 2020):



Howard Wood, Chair of COAST and [Goldman Environmental Prize winner in 2015](#), [Tweeted](#) (29 July 2020):



Retired lawyer Ewan Kennedy [Tweeted](#) (29 July 2020):



The Ferret [reported in August 2019](#):



858 SHARES [f Share](#) [Tweet](#) [Subscribe](#)

An environmentalist who highlights problems with Scotland's fish farming industry has accused Police Scotland of acting as "private security" for a Norwegian-owned firm operating farms along Scotland's west coast.

Don Staniford, from the campaign group [Scottish Salmon Watch](#), made the allegation following an incident in July at a salmon farm operated by [Scottish Sea Farms](#) in the Sound of Shuna, at Loch Linnhe.

He has submitted a complaint to Police Scotland and released [a video of the incident](#). But the force said in reply that it does not provide private security for the company.

The article included:

Staniford was backed by Howard Wood, a winner of the international [Goldman Environmental Prize](#) and one of the founders of the [Community of Arran Seabed Trust \(Coast\)](#). "There is a much bigger issue here," he [wrote on Facebook](#).

Wood recounted how Coast had been told by a fish farming company a couple of years ago not to go near salmon cages, or feedlots. When Coast questioned this, the company reported it to the police who questioned Coast in Arran.

"My understanding of the law in Scotland is as long as you don't damage any feedlot gear, you have every right to be in the sea as the master of a boat, swimmer or diver," he said.

"The bigger issue is the police allowing themselves to be involved when feedlot companies phone up – but not being interested when environmental laws and regulations are broken."



Howard Wood
@howardlwood

...

This is a very serious issue of [@policescotland](#) attempting to deny the public right to navigate freely. This is [#Scotland](#) moving towards [#Trump](#) politics. [@HumzaYousaf](#) [@ScotGovFM](#) [@marinescotland](#) [@strathearnrose](#) [@markruskell](#)



Don Staniford @TheGAAIA · Jul 15, 2019

Police Scotland Acting as Private Security for Scottish Sea Farms? [vimeo.com/348103463](#) [@policescotland](#) [@scotseafarms](#) Instead of telling the public to stay out of public waterways, why doesn't the Police investigate salmon farms for breaches of welfare laws? [@JohnFinnieH](#)

11:00 AM · Jul 15, 2019 · Twitter Web Client

Read more via:

[Mowi's Legal Threat Over Filming](#)

[Policing Scottish Salmon - Police Scotland Acting as Private Security for Scottish Sea Farms?](#)

["Leave Our Farms Alone" Demand Mowi. Here's What They're Hiding & Why Mowi Want the Public to Keep Away!](#)

[Fighting Mowi's Legal Action Over Filming at Salmon Farms](#)

[Welfare Abuse at Scottish Salmon Farms - Why No Legal Enforcement Or Prosecutions?](#)

[Protest "Poses Serious Risk to Our Salmon" Claim Scottish Sea Farms - Who's Calling Who "Dangerous"?](#)

[Police Scotland acted as 'private security' for fish farm, claims campaigner](#)

[Police Scotland Acting as Private Security Enforcement for Norwegian-Owned Scottish Sea Farms?](#)



Don Staniford

@TheGAAIA



Police Scotland Acting as Private Security for Scottish Sea Farms (yet again)? [@policescotland](#) [@scotseafarms](#) tinyurl.com/yxnokoj2 Scottish Salmon Watch today filed a formal complaint against Police Scotland for harassment and against Scottish Sea Farms for reckless behaviour



10:49 AM · Jul 29, 2020



Don Staniford

@TheGAAIA



Police Scotland Acting as Private Security for Scottish Sea Farms? vimeo.com/348103463 [@policescotland](#) [@scotseafarms](#) Instead of telling the public to stay out of public waterways, why doesn't the Police investigate salmon farms for breaches of welfare laws?

[@JohnFinnieHI](#)



Police Scotland Acting as Private Security Enforcement for Sc...
When Scottish Salmon Watch filmed at a salmon farm operated by Scottish Sea Farms in the Sound of Shuna in Loch Linnhe i...
[vimeo.com](#)

10:28 AM · Jul 15, 2019 · Twitter Web Client

Watch a [video report from Don Staniford](#) recorded outside Police Scotland in Oban following the meeting with Inspector Stephen and Sergeant Edwards in September 2020:



Another [video report was recorded in September 2020 by Don Staniford](#) outside Police Scotland in Lochgilphead following [an assault by the General Manager of the Ormsary Hatchery](#) operated by Hendrix Genetics (Landcatch) and just prior to [harassment and intimidation by James Lithgow](#) (Chairman of Lithgows and heir to the Baronetcy of Ormsary - who owned Landcatch until 2011 and lease the land to Hendrix Genetics) which both led to warnings from Police Scotland:



Contact:

Don Staniford: 07771 541826 (salmonfarmingkills@gmail.com)

Background:

Last month, Scottish Salmon Watch encountered a hostile reception to filming on a public beach and road surrounding Landcatch's Ormsary Hatchery (owned by Hendrix Genetics) in Argyll - including [an assault on Don Staniford by the General Manager Jarl van den Berg \(believed to be the son of CEO Antoon van den Berg\)](#) and [harassment by James Lithgow \(heir to the Baronetcy of Ormsary and Chairman of Lithgows\)](#). Police Scotland were called out to both incidents and gave warnings to Jarl van den Berg (General Manager of Landcatch's Ormsary Hatchery) and James Lithgow - not Scottish Salmon Watch.



Don Staniford

September 13 at 9:58 PM · 🌐

Police Scotland just issued a warning to the Ormsary Estate (who lease their land at Loch Caolisport to a salmon farm operated by Dutch-owned Hendrix Genetics) for intimidation and harassment. Earlier this week the MD of Hendrix Genetics assaulted me for filming and taking water samples of waste effluent. The police officer said he used to work for Norwegian salmon farming giant Scottish Sea Farms!





Don Staniford
@TheGAAIA



Hendrix boss Jarl van den Berg plays it heavy like Jimmy!
tinyurl.com/yxcrd6xe When filming at Landcatch's salmon hatchery at Ormsary I was assaulted by @HGSalmonUK & @policescotland issued a warning @BetterBreeding Is Jarl the son of Hendrix CEO Antoon van den Berg?

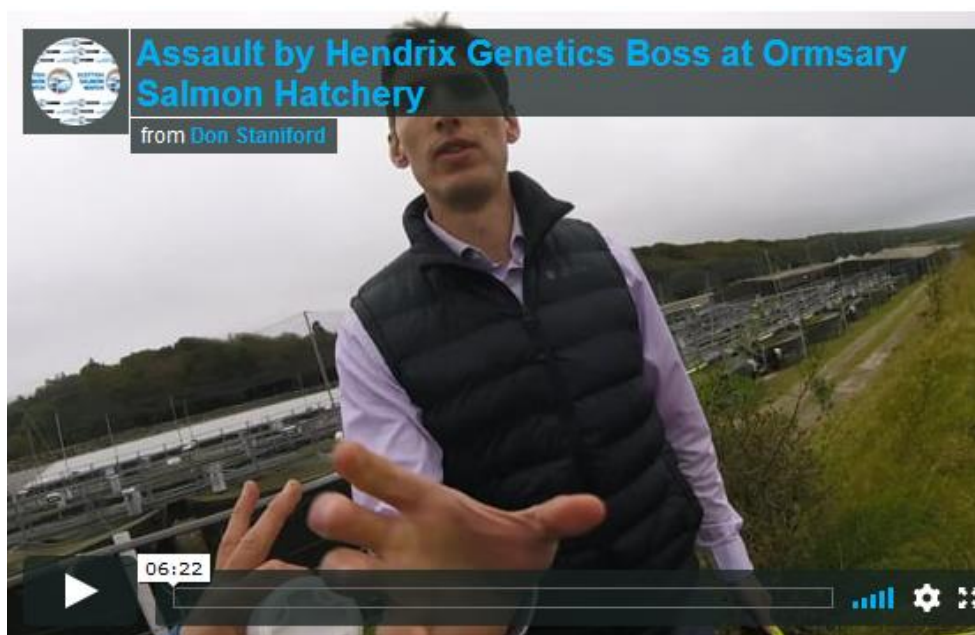


11:46 AM · Sep 18, 2020



Assault by Hendrix Genetics Boss at Ormsary Salmon Hatchery

from Don Staniford



Read more via:

[Lithgow Baron Warned by Police for Threatening Behaviour Over Filming at Hendrix Genetics](#)

[Hendrix Boss Plays It Heavy Like Jimmy!](#)

In August 2020, [Don Staniford complained to Police Scotland after being verbally abused by a salmon farming proponent in a supermarket near Fort William](#) (Police Scotland subsequently issued a verbal warning).



In August 2020, [The Oban Times reported](#) that a man was charged after an assault at Loch Tralaig where Kames Fish Farming operates a salmon farm (the [subject of a welfare investigation in September 2020](#)):



Don Staniford
@TheGAAIA



Salmon farmer charged by @policescotland with assault over filming of carcinogenic chemicals obantimes.co.uk/2020/08/24/man... @obantimes @kamesfishfarm



Man charged after alleged assault at loch | The Oban Times

Thirty-one-year-old charged after an incident on Saturday August 22 at around 10.30am.

obantimes.co.uk

4:14 PM · Aug 25, 2020



Don Staniford
@TheGAAIA



Does the salmon farming industry condone the use of violence to stop filming at Scottish salmon farms?

@SSPOsays @HamishMacdonell @GriegShetland
@scotseafarms @salmon_scottish @FergusEwingMSP
@HumzaYousaf



Don Staniford @TheGAAIA

Salmon farmer charged by @policescotland with assault over filming of carcinogenic chemicals obantimes.co.uk/2020/08/24/man... @obantimes @kamesfishfarm

4:18 PM · Aug 25, 2020



Read more via:

[Salmon Farmer Charged by Police Scotland for Assault Over Filming of Carcinogenic Chemicals!](#)



Stop!

@SaveOurLochs



This is my phone after I was assaulted and thrown to the ground. It was my Christmas present from my lovely wife, very sad, loved my phone, I was even using my old phone so as not to scratch my new one but ironically took my new one yesterday..



12:57 PM · Aug 23, 2020



Stop!

@SaveOurLochs



This was todays barrage of Formaldehyde 6 drums in total. I cant put videos of what happened today as advised by the Police but i was attacked and assaulted by one of the employees I now fear for my life as I was told by the police that I was lucky because they all carry knives.



1:32 PM · Aug 22, 2020





Stop!
@SaveOurLochs

...

I have just spoken to POLICE SCOTLAND that has now told me that the Kames Fish Farm LTD employee that assaulted me was given a "warning".. He was not charge for vandalism as we were told that him smashing my phone was "an accident" I feel physicaly sick now.

6:12 PM · Sep 29, 2020 · Twitter Web App



Andrew Holder
@andrholder

...

Replying to @SaveOurLochs

Absolutely shocked by your news. It was clearly assault, why has he not been brought before the court. Disgusted and fearful how our legal system has failed you.

8:08 AM · Sep 30, 2020 · TweetDeck



Stop!
@SaveOurLochs

...

Replying to @tweetipy

Thank you I cant accept this decision at all its unbelievable, I put my faith in the system and the system failed me..

8:24 PM · Sep 29, 2020 · Twitter Web App



Stop!
@SaveOurLochs

...

Replying to @TractorAngus

I feel so utterly let down by the Police. they are actually coming out tonight to talk to us.. Because I said I felt threatened by this guy back working here. Wonder what the advise will be ?

7:12 PM · Sep 29, 2020 · Twitter Web App

In August 2020, the Scottish Salmon Producers Organisation [claimed that activists filming at salmon farms were guilty of harassing and intimidating staff](#).



Scottish Salmon Producers Organisation
@SSPOsays

...

Throughout the last few months Scotland's salmon farmers have worked incredibly hard to ensure people across the UK and beyond have access to fresh, healthy food. They deserve to be able to work free from harassment, fear and intimidation.



4:10 PM · Aug 19, 2020 · Twitter Web App

A blog - "[Irresponsible Activism, Consent and Public Support](#)" - by the SSPO's Director of Strategic Engagement, Hamish Macdonell (which also was [published in Fish Farmer magazine in August 2020](#)) included:



Also, the law is quite clear. The rights of navigation allow journeys from any single point to another on the sea, except if there is a structure in the way (like a fish farm), in which case, the marine user has to go around the structure – not try to stop, tie up, clamber on board or dive underneath it.

The law against aggravated trespass on land (the Criminal Justice and Public Order Act of 1994) also covers a similar offence on marine structures.

But the key here is not legal strictures but consent. We are only going to dissuade this sort of threatening activity in the long run if we can get other marine users to recognise the dangers of intruders entering sites which are a danger to them and others.

We need every responsible marine user to act for all by notifying the authorities and acting as witnesses whenever there is illegal activity going on.

Responding via a blog - "[Fish Farmers Resorting to Some Extravagant Prose](#)" - published via West Coast Matters (24 August 2020), retired lawyer Ewan Kennedy wrote:

This last weekend drone footage from Loch Creran shows some of the mortality and pollution that results from the Thermolicer machines now active right along the coast. There is no sign of the operatives on the ship being harassed, or even aware of the footage being taken.

But isn't this illegal? Hamish seems to state that it is. Let's deconstruct what he says.

"This is a difficult area, not least because our rural police service is stretched and it takes time to react to the often swift interventions of some of more mobile critics. ..."

This implies that the activities of activists breaches the criminal law, otherwise what's it got to do with the police? We do know that fish farm companies have taken to calling the police on a few occasions. Correct me if I'm wrong, anyone, but I'm sure we would have heard if any prosecution had resulted. On the other hand I am aware that complaints have been made to Police Scotland about powers of individual officers being exceeded.

"Also, the law is quite clear. The rights of navigation allow journeys from any single point to another on the sea, except if there is a structure in the way (like a fish farm), in which case, the marine user has to go around the structure – not try to stop, tie up, clamber on board or dive underneath it."

Yes indeed, we, as members of the public, all have the constitutional right to use the surface of the sea for purposes that include navigation and recreation. Fish farming results in our rights being obstructed, but the Court of Session has held, in the seminal case of Walford v David, that we must tolerate this and find our way safely around.

I don't, personally, condone people "climbing aboard" but am not aware of any criminal law that might be broken, unless some damage were to be caused.

"The law against aggravated trespass on land (the Criminal Justice and Public Order Act of 1994) also covers a similar offence on marine structures."

This is a statute that was introduced to control raves, not to clamp down on solitary activists with Gopros in canoes!

In January 2020, Mowi Scotland's Director of Communications [warned against the public coming close to salmon farms](#).



Don Staniford
@TheGAAIA

"Leave Our Farms Alone" Demand @MowiScotlandLtd
Here's What They're Hiding & Why Mowi Want the Public to Keep Away! tinyurl.com/vzhucs6 @H_S_E
@ScottishEPA @APHAgovuk @marinescotland
@nature_scot @MCA_media @FergusEwingMSP
@strathearnrose @GreenerScotland @scotgp
@SSPOsays



1:52 PM · Jan 17, 2020 · Twitter Web App

Writing in [Fish Farmer magazine \(16 January 2020\)](#), Mowi Scotland's Director of Communications (Ian Roberts) argued:

Comment: Leave our farms alone

By Ian Roberts - 16th January 2020



Ian Roberts - 'a company's staff and livestock must be safeguarded from potential hazardous interference'

It's time for government to protect workers' rights from protesters, argues Mowi Scotland's director of communications.

AS activists continue to sidestep the democratic process in favour of interrupting work spaces, governments must step up to protect the health and safety of employees working within the laws of the country.

A recent court decision in Scotland awarded an interim interdict (aka injunction) to Shell, intended to protect its work sites from trespass by Greenpeace members. The judge ruled that Greenpeace was unlawfully breaching Shell's property rights and also putting its own activists' safety at risk.

The decision mirrored that of a Canadian injunction against activists received by Mowi (then Marine Harvest) in 2018 that was required to protect the health and safety of its employees and livestock.

But this issue should be dealt with long before having to be heard in court.

There are democratic processes made available by all governments where salmon farms operate for people opposed to salmon farming to voice their concerns. Furthermore, government authorities are paid by working people to protect citizens and domestic food products.

Or put more clearly: farmers and the animals they raise should be protected by government authorities from the health and safety threat posed by direct action protesters (many living outside the country where they protest).

It is not for unqualified activists to 'inspect' salmon farms. To satisfy its obligations to regulators and the Crown, a company's staff and livestock must be safeguarded from potential hazardous interference.

It is now time for government authorities to step up and protect their own turf: monitor and regulate a business the nation has permitted and endorsed, and also protect the country's workers and the food they produce.

In November 2019, the Scottish Salmon Producers Organisation [warned of "abuse" and "harassment" of "unauthorised visits":](#)



The SSPO's safety warning came after a visit in November 2019 by Scottish Salmon Watch to [Mowi's lethal salmon farm at Ardtinoul in Loch Alsh](#) which [triggered a complaint by Scottish Salmon Watch to the Maritime & Coastguard Agency](#).





Niall McKillop
@Badabrach



That is a deliberate and very dangerous act. It's the most appalling seamanship and I'm contacting the MCA Office in Paisley directly about it. Somebody needs to lose their license over this and I'll do my best to ensure that happens.



Andrew Holder @andrholder

Making waves!

The hazards of filming at fish farms!



12:43 PM · Oct 5, 2020



What Mowi was hiding became clear a few months later in January 2020 when the Scottish Government's Fish Health Inspectorate [published damning data on diseases and mortalities](#).



Don Staniford
@TheGAAIA



Moribund Mowi: "At the time of the visit moribund fish & some floating mortalities were observed in all cages" [@marinescotland](#) tinyurl.com/u6azpot 73,459 morts (3,221 due to concussions from increased Caligus burdens), Salmon Gill Poxvirus, AGD & Anaemia [@MowiScotlandLtd](#)



10:23 AM · Jan 27, 2020 · Twitter Web App

In September 2019, Scottish Salmon Watch [wrote to the Maritime & Coastguard Agency](#) expressing serious concerns with respect to the [reckless behaviour of Mowi during visits to salmon farms around Shuna](#).

**[Navigation Concerns re. Salmon Farms Operating in Public Waters](#)
[- the Fish Farm Menace & Threats to Public Safety](#)**

Scottish Salmon Watch is writing in respect of the [Maritime & Coastguard Agency's responsibility for the "safety of everybody in a vessel in UK waters" and the "environmental safety of UK coast and waters"](#). Our experiences on 1 September 2019 in the waters around Shuna raise serious concerns about safety and the reckless operations of [salmon farming giant Mowi](#) in particular who we believe ignored the ['rules of the road'](#).



Our one-person kayak was dwarfed by Mowi power boats [deliberately and dangerously blocking our safe navigation through public waters](#) (the Round Shuna pursuit yacht race was taking place during our visit). Mowi repeatedly drove their motor boats into the path of our kayak and did not give way as is the custom under the maritime code.



In September 2020, [Mowi's lawyers threatened legal action against filming at salmon farms \(repeating similar legal threats issued during 2019\)](#).



Don Staniford
@TheGAAIA

...

Mowi Scotland: "will be forced to take further action unless you co-operate with its requests & desist from further unauthorised access....no choice but to take steps to protect the Company's Sites, and its rights in relation thereto, through the courts" tinyurl.com/yynmdqc7



👤 Mowi Scotland and 3 others

10:29 AM · Sep 25, 2020 · Twitter Web App



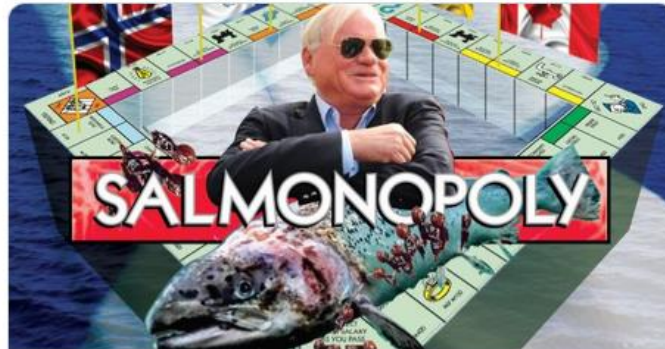
Despite [Mowi's repeated legal threats](#), Scottish Salmon Watch is not intimidated and will continue to uphold legal rights to film in public places.



Don Staniford
@TheGAAIA

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Scottish Salmon Watch will not be intimidated by legal threats and will continue to shine a light on the deadly world of Mowi & other salmon farming companies operating in Scotland tinyurl.com/yynmdqc7
[@ScotlandMowi](#) [@MowiScotlandLtd](#) [@AbdnConsidine](#)



Mowi's Legal Threat Over Filming

Mowi Scotland: "will be forced to take further action unless you co-operate with its requests & desist from further unauthorised access.....no choice but to take steps ..."
donstaniford.typepad.com

8:14 PM · Sep 25, 2020 · Twitter Web App



Eòghann MacUalraig @ewangkennedy · Sep 25

...

MOWI are deluded if they think they own the surface of the sea and are able to exclude anyone from it. If the sharp litigator/reputation manager Mr McSherry needs confirmation of that he could ask his client's owner Mr Jon Fredriksen, whose fleet of tankers sails the Seven Seas.



Don Staniford @TheGAAIA · Sep 25



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In view of the [horrific nature of salmon farming](#) it is not surprising that salmon farming companies want the public to stay away - here's some of the [video footage shot by Scottish Salmon Watch](#) during surveillance of salmon farms since 2018.















Secret Filming Inside Scottish Salmon at Strone Point in Loch Striven

from Don Stanford



05:18



Lifting the Lid on Diseased Scottish Salmon

from Don Stanford



02:03



The Dark Side of Scottish Salmon - Tankers & Tankers of Toxic Chemicals

from Don Stanford



05:50



Cleaner Fish Transport by Solway - Discharging Effluent into Loch Creran Special Area of Conservation

from Don Stanford



On the Trail of Imidacloprid at Mowi's Ardnish Salmon Farm in Loch Ailort

from Don Stanford



Caged Salmon: The Skeletons Lurking Inside Scottish Sea Farms

from Don Stanford







Watch more videos via [Don Staniford's Vimeo channel](#):



Policing Filming at Salmon Farms - Public Access Trumps 'Trespass'



Harassed & Intimidated by James Lithgow on a Public Road at Ormsary



Police Scotland Called Out Over 'Trespass' at Ormsary Hatchery (Loch Caolisport)



James Lithgow Blocking Car on Public Road (B8024) at Ormsary



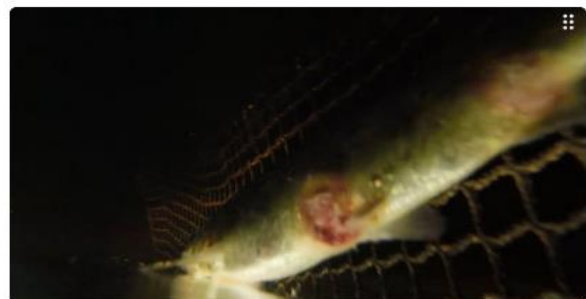
No Entry: Ormsary Beach & Seawater Intake to Hendrix Genetics



Waste Effluents Discharged by Hendrix Genetics into Loch Caolisport - testing for L...



Lithgow Chairman Warned By Police Scotland for Harassment & Intimidation



RSPCA Assured Kames Fish Farm in Loch Tralaig

Read more via:

[Secret Filming Lifts Lid on Sickening Scottish Salmon](#)

[Prisoner Cell Block Salmon - Secret Filming Exposes Cruelty of Caged Fish Farming!](#)

[Video Nasties - Disease-Ridden Scottish Salmon & Toxic Soup!](#)

[The Go Pro Camera Never Lies \(Unlike Salmon Farmers\)](#)