

STATEMENT OF WITNESS

C.J.A. Statement

(Criminal Procedure Rules, r 27.1(1); Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s. 5B)

STATEMENT OF

Emma Carroll

Age of Witness

over 18

(True age to be shown where witness is a juvenile or person involved in serious crime enquiry, otherwise "over 18" will suffice)

Occupation of Witness:

Senior Public Protection Officer

This statement, consisting of ... 2... pages each signed by me, is true to the best of my knowledge and belief, and I make it knowing that if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the ... fifteenth ... day of ... January ... 2015.

I am a Senior Public Protection Officer employed by Wiltshire Council in the Trading Standards Service. In July 2014 the Department participated in Operation Henry, an intelligence led project visiting businesses which had allegedly been involved in the sale of illegal tobacco with the assistance of specially trained tobacco dogs and a handler.

On 15th July 2014 Robin Green and myself met with Adam Vizard of Wagtail UK Ltd in Salisbury to carry out a number of visits.

At approximately 9:20 hrs Robin Green and I entered The Polish Shop, 62 Winchester Street, Salisbury SP2 7QY. There was a female working behind the counter of the shop. Robin Green explained the purpose of our visit and the lady said she would ring her boss. I then saw Robin Green speak into a mobile phone.

We closed the shop and Adam Vizard carried out the inspection of the shop. When the dog got to the counter behind the till he indicated there was tobacco present. I went to the area where there were a number of empty carrier bags. Underneath there were further bags which contained cigarettes and tobacco. I handed these to Robin Green.

We then went to a storeroom at the rear of the shop where the dog had indicated further signs of tobacco. More tobacco was found which was seized by Robin Green.

Signed... EA Carroll



A lady then came into the shop. She told me she was Malgorzata Gumala, the owner. I advised her what we had found and that we would be seizing the tobacco products as they failed to bear the appropriate health warnings as required by the Tobacco Products (Manufacturer, Presentation and Sale) (Safety) Regulations 2002 and failed to bear the UK duty paid fiscal mark as required by the Tobacco Products Duty Act 1979. At 09:35 hours I cautioned Ms Gumala who then told me she would not be able to provide receipts for the tobacco as she had bought it in Poland for personal use. Robin Green advised her he would contact her to arrange an interview in accordance with the Police and Criminal Evidence Act 1984. We then left the shop at approximately 09:45 hours.

Just outside the shop we discussed inspecting Ms Gumala's vehicle. We went back into the shop and she agreed to this. She showed us to a Ford Mondeo (VRM CA05 JMU) which was parked a short distance from the shop. Inside the vehicle we found further cigarettes which were seized by Robin Green.

On 27th August 2014 Ms Gumala was interviewed by Robin Green and myself at Wiltshire Council's Bourne Hill office concerning the tobacco which was found at her shop. This interview was conducted in accordance with The Police and Criminal Evidence Act 1984.

Signed... 