



## PRESS RELEASE

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### Film pirate caught on film

A Glasgow man who was caught twice by Trading Standards with illegal DVDs at Ayr Sunday Market pled guilty to charges at Ayr sheriff Court last week and was sentenced to 2 years and 10 months imprisonment.

Following a 4 week surveillance operation by South Ayrshire Trading Standards, Donald Daisley was caught in a joint Trading Standards and Strathclyde Police raid, working with FACT, as he arrived at the market in November 2003. In the boot of his vehicle officers discovered over 1800 disks, including the latest blockbusters and Celtic Football Club DVDs.

Daisley had been caught on a previous occasion several months earlier along with an associate at Ayr Sunday Market supplying illegal DVDs. Trading Standards Chiefs then ordered surveillance on him to identify other associates as the method of operation involved using young girls as runners between an associate taking orders from the public and the supply by Daisley from stock hidden in a vehicle.

Daisley was due for jury trial in 2005 but failed to appear and a warrant was issued for his arrest. He was discovered in Glasgow in July 2006 and was arrested by Police and held awaiting trial for the offences relating to 2003. He subsequently pled guilty to four charges for being in possession of counterfeit DVDs outside Ayr Sunday Market and for previously failing to turn up for his trial and was sentenced to 34 months imprisonment.

A spokesperson for South Ayrshire Trading Standards said, *“Daisley was part of a criminal enterprise that moved to Ayr hoping for easy pickings. The gang used different tactics to avoid detection, such as using hideouts for the stock of fake DVDs, advertising their fake goods by handing out DVD lists and using professional two way radios to maintain communication between them. This forced us to implement covert surveillance to catch the criminals in the act. Daisley was bringing the fake DVDs to Ayr for the gang of young teenage girls to sell around Ayr Sunday Market. One of his associates who helped Daisley coordinate the illegal operation in Ayr was previously fined £1,500 for his part in supplying undercover Trading Standards officers with fake DVDs.”*

Councillor Hugh Hunter, Convener of South Ayrshire Council's Community Safety Committee said, *“The Council took the threat of Daisley's activities so seriously that he was the first person in Scotland to be issued with an Enforcement Order for counterfeiting under new powers for Trading Standards contained in the Enterprise Act 2002. This meant that he was effectively banned from being involved in future in counterfeiting anywhere in the UK. To do so would mean a contempt of Court that can carry severe penalties.”*

John McGowan, Senior Investigator for Scotland with the industry body FACT, commented, *“Many cinemas and film rental shops are either closing down or diversifying as a direct result of these sorts of crimes. The effect of this percolates upwards through the entire industry and has begun to affect the financial viability of new projects. This directly affects jobs in the UK right through from retail and leisure outlets to the creative industry. The film industry itself acknowledges that criminal piracy poses the biggest*

*threat to its future. Film piracy is seen as highly lucrative by criminals who are also bringing other criminal activities and harm to local communities. The sentence handed out to this individual should send a strong message that film piracy will not be tolerated and will be dealt with severely by the Courts."*

*A Celtic Football Club spokesman said, "Celtic FC takes it's intellectual property rights extremely seriously and is delighted with the result of this particular case. Celtic FC would like to thank South Ayrshire Trading Standards staff for their hard work in bringing this investigation to a successful conclusion and hope that this sentence serves as a warning to anyone tempted to become involved in the illegal copying of DVD films of the very real threat of criminal prosecution."*

*Councillor Hugh Hunter added, "These illegal activities not only leave our residents with poor quality goods but harm our local retailers who are contributing to the local economy, creating jobs and helping make South Ayrshire a thriving retail area. In order that we can stamp out illegal trading in South Ayrshire we require information from the general public, as they will encounter such problems first hand. The selling of counterfeit goods is not a victimless crime. In the short term people buy poor quality goods at cheaper prices but in the long term it is the local shops who may go out of business and therefore leaving South Ayrshire residents with fewer retailers in the High Street and consequently less competition and choice. The latest figures from the industry show that the total loss to the whole audiovisual industry through copyright theft is more than £818 million. £450 million of this is the value of lost DVD sales, £277 million is lost box office takings and £74 million is from loss to the rental sector."*

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Notes to editors:

### **About FACT**

The Federation Against Copyright Theft is the UK's leading trade organisation established to protect and represent the interests of the film and broadcasting industry against copyright and trademark infringements. Established in 1983, FACT works closely with statutory law enforcement agencies to combat the growth of pirate DVDs, film and other forms of broadcast material including the increasing threat from online/internet-based piracy. FACT has been accepted as a prosecution authority and engages in criminal prosecutions in its own right.

The maximum penalty for offences of film piracy is 10 years imprisonment and/or an unlimited fine. Proceeds of Crime Act legislation now also enables confiscation of assets and goods obtained through criminal activity.

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