

# ENFORCEMENT & PROSECUTION POLICY

The Port of London Authority (PLA) is responsible under the Port Marine Safety Code for the effective enforcement of regulations made and directions given to assist in managing marine operations and ensuring safety of navigation within the port. Enforcement underpins navigational safety by ensuring compliance with such regulations and directions: it requires effective surveillance, incident investigation, and leads, where appropriate, to sanctions imposed either by the PLA or by the Courts.

Where necessary, and where empowered, the PLA will prosecute offenders for committing criminal offences, including those set out in the Port of London Act 1968 (as amended), the Merchant Shipping Act 1995 and in ancillary regulations and byelaws.

To this end, it is Board policy that the PLA shall:

- Maintain through regular reviews, a relevant and effective regulatory framework, consistent with national legislation, ancillary regulations and byelaws;
- Ensure that PLA regulations and associated guidance are widely promulgated within and beyond the PLA's jurisdiction;
- Develop and maintain effective enforcement procedures that comply with national legal requirements and guidelines;
- Develop and maintain effective investigation procedures that support the enforcement process, and meet the requirements of the navigational Safety Management System in respect of identifying, promulgating and making good use of any 'lessons identified';
- Ensure that all staff involved in incident investigation, or who are required to follow PLA enforcement procedures, receive effective and relevant training;
- Investigate all navigational incidents and breaches of regulations, taking proper account of the requirements of the Police and Criminal Evidence Code of Practice where necessary;
- Maintain an effective surveillance and spot check regime, to monitor compliance with, and detect breaches of, relevant national and PLA regulations;
- Respond to breaches of regulations, by imposing a sanction appropriate to the circumstances, or initiating a prosecution where the facts warrant and it is in the public interest to do so;
- When bringing prosecutions observe the Code for Crown Prosecutors; and
- Ensure that the Chief Harbour Master authorises the initiation of criminal proceedings in respect of navigation, pollution incidents or breaches of regulations.