

# **Pol-PRIMETT**



## **Tackling Metal Theft**



**Third Expert User Group Meeting Report**

**West Yorkshire Police Training Centre,  
Bishopgarth, Wakefield, UK**

**Thursday 30<sup>th</sup> June 2011**



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## **Abbreviations**

ACPO	Association of Chief Police Officers
BIR	Bureau of International Recycling
BMRA	British Metal Recycling Association
BT	British Telecom
BTP	British Transport Police
CCTV	Close Circuit Television
CPS	Crown Prosecution Service
DEFRA	Department of Environment, Farming and Rural Affairs
DG HA	Directorate-General Home Affairs
ERFC	European Regional Framework for Cooperation
ERU	Energy Research Unit
EU	European Union
EUG	Expert User Group
FCVRE	Fundacion Comunidad Valenciana – Region Europa
FEDEREC	Fédération des Entreprises du Recyclage
FER	Federación Española de la Recuperación y el Reciclaje
IMPEL	EU Network for the Implementation and Enforcement of Environmental Law
IOM <sup>3</sup>	Institute of Materials, Minerals and Mining
KM	Kilometre
KTN	Knowledge Transfer Network
LEA	Law Enforcement Agency
MaDE	Materials and Design Exchange
NYP	North Yorkshire Police
OCG	Organised Crime Group
OSE	Greek National Railway
P&D	Prevention and Deterrence
PLV	Valencia Local Police
PoI-PRIMETT	Police – Private Partnership to Tackle Metal Theft
PUAC	People United Against Crime
SIRS	UK metal theft database owned by UK Power Networks
SMD	Scrap Metal Dealer
SNCF	Société Nationale des Chemins de fer Français
SOCO	Scene of Crime Officer
SPOC	Single Point of Contact
SYP	South Yorkshire Police
WYP	West Yorkshire Police

## List of participants

First name	Surname	Organisation	P&D or LEA
Ross	Bartley	BIR	P&D
Suzanne	Caddell	BTP	LEA
Francesco	Cavuoto	Guardia di Finanza	LEA
Richard	Collingwood	SYP	LEA
José Luis	Diego	PLV	LEA
Alicia	García-Franco Zúñiga	FER	P&D
Arturo	González	PLV	LEA
Ben	Greener	Church of England	P&D
Maud	Grillard	FEDEREC	P&D
Allan	Harder	NYP	LEA
Andrew	Hayes	Humberside Police	LEA
Chris	Hearn	BTP	LEA
Ian	Hetherington	BMRA	P&D
Marilyne	Hopkinson	PUAC	LEA
Bill	Hotchkiss	SYP	LEA (Chair)
Mandy	Ingham	Electricity North West	P&D
Rayna	Karcheva	European Institute	P&D
Paul	Key	Environment Agency	LEA
Dave	Knockwood	WYP	LEA
John	McKechnie	BT Openreach	P&D
Ged	McManus	WYP	LEA
Keith	Murphy	Humberside Police	LEA
Stephen	Palmer	WYP	LEA
Lubov	Panayotova	European Institute	P&D
Trevor	Parish	Environment Agency	LEA
Helen	Parr	PUAC	P&D
Nikolas	Petropoulos	ERFC	P&D
Reinhard	Runne	SNCF	P&D
Stuart	Preston	IOM <sup>3</sup>	P&D
Paolo	Quercia	Agenfor Lombardia	LEA
David	Ransom	PUAC	P&D (Chair)
David	Shepherd	UK Power Networks	P&D
Ivan	Vidolov	European Institute	LEA
Adrian	Young	BTP	LEA

## **Welcome, introduction and keynote speech**

### **Pol-PRIMETT aims and objectives**

David Ransom (DR) welcomed the delegates to the third Pol-PRIMETT EUG meetings at WYP's Training Centre, Bishopgarth, Wakefield, UK.

DR provided a brief overview of Pol-PRIMETT including that it is a three year project, which began in September 2010, consists of ten partners from the UK, Bulgaria, Greece, Italy and Spain and is co-funded by DG HA, European Commission.

Pol-PRIMETT aims to:

- Create a police-private sector partnership to reduce metal theft across Europe
- Improve collaboration between LEAs and the private sector to gain a better understanding of metal theft
- Create a LEA EUG to improve liaison and to share intelligence and enforcement practices
- Create a private sector EUG to improve liaison and to share P&D practices
- Create a legacy of collaboration, good practice and a reduction in metal theft

The project objectives are to:

- Improve liaison and co-operation between the private sector and LEAs
- Reduce risks and improve security for organisations using metal in their daily operations
- Develop technological and operational solutions to tackle metal theft
- Identify and prioritise the types of information to be disseminated to stakeholders
- Influence national and European policy and legislation

Pol-PRIMETT has an "open door policy" with stakeholders from across the EU and welcomes any organisation to share solutions and good practice and to reduce the risk and impact of metal theft. All organisations who attend Pol-PRIMETT events are kept informed regarding project activities and are encouraged to contribute to the project on an ongoing basis.

DR welcomed the new stakeholder organisations to the EUG meetings: Church of England, IOM<sup>3</sup>, UK Power Networks and SNCF.

Two separate EUG meetings are held to allow LEA and private sector representatives to discuss matters independently. Following these meetings the two groups will meet to discuss matters jointly. These meetings are replicated three times a year. A conference is held on an annual basis.

### **Keynote speaker – Deputy Chief Constable Mark Whyman, Yorkshire and Humberside Police**

MW stated that metal theft has been an issue for the police for many years and that the key to reducing metal theft is through collaboration and partnership working.

Metal theft is a disruptive crime in which remote locations are often targeted due to police not necessarily being deployed in those areas. The lack of identifying marks makes metal an easy target for thieves.

Metal theft is driven by the price of metal. The sentencing of metal thieves often only reflects the price of the metal stolen and does not consider the full impact of the crime. This is due to the full impact being inaccurately recorded and presented to the courts.

Metal theft is a cross border crime which requires cross border collaborative working to combat it.

MW stated that UK legislation on metal theft and SMDs must be updated to allow enforcement to be easier and that the review of the existing legislation is long overdue.

There are intelligence gaps in the levels of criminality – who is conducting the metal theft? Is it low level criminals, travelling communities or OCGs?

WYP has developed the Metal Theft Toolkit, a training package for front line officers, which is being shared amongst UK police forces and Pol-PRIMETT partners and stakeholders as an example of good practice.

The sharing of knowledge, good practice and private sector perspectives is key in the fight against metal theft.

### **Separation into EUGs**

The delegates separated into two EUGs:

1. P&D EUG – comprising of representatives from the private sector
2. Intelligence and Enforcement (LEA) EUG – comprising of representatives from LEAs

## P&D EUG

### Welcome and introductions

DR welcomed the P&D EUG members and requested brief introductions from all attendees. DR stated that there was a comprehensive cross section of delegates and that developing a unified approach to tackling metal theft was the objective of the meeting.

### EUG priorities and workstreams

Following the previous two Pol-PRIMETT EUG meetings – Sheffield, November 2010 and Rome, March 2011 – a number of priorities, research activities and actions were agreed.

The agreed priorities are to:

- Share good practice to leave a legacy for EU Member States
- Enhance collaboration between LEA's and the Private Sector
- Improve knowledge of the movement of stolen scrap metal throughout Europe
- Engage with government representatives to raise awareness of the impact of metal theft

The focus of the research activities are:

- EU directives and national legislation on registration / regulation of SMDs
- EU directives and national legislation on shipment of scrap metal
- Establish the amount of metal theft at each level of criminality
- Offender profiling, sentencing of offenders and re-offending trends
- Threats and impact of metal theft

The Pol-PRIMETT agreed actions are:

- P&D EUG members to participate in research activities
- Participate in European 'Days of Action' both operational and political
- Consider media strategies to deter criminals
- Establish the feasibility of a system that informs SMDs where metal they are handling has come from

The LEA EUG workstreams were presented to the P&D EUG members:

- Involve relevant LEAs in partner countries e.g.:
  - Police
  - Border control and customs agencies
  - Environment agencies
  - Prosecution and judiciary
- Develop a training package for front line officers
- Develop a European good practice guide for LEAs
- Research existing intelligence gaps relating to serious and organised criminal involvement in metal theft
- European 'Days of Action'
- Develop a European MetalWatch database

Ian Hetherington (IH) stated that there are a number of metal theft databases in the UK and throughout Europe and in order to avoid duplication, research should be undertaken into these databases to establish if collaboration is possible.

## **New EUG members**

Organisations that were attending the Pol-PRIMETT EUG for the first time presented an overview of their organisation and how it was affected by metal theft and to share examples of good practice.

## **UK Power Networks**

David Shepherd (DS), UK Power Networks is also part of the ACPO Metal Theft Working Group Task Force and chairs the Energy Security Managers Forum.

The purpose of these forums is to share information and current activities as well as to share knowledge and to avoid duplication of effort. Additionally the aim is to work with government in order to effect change e.g. changes in legislation.

The offender profile developed for UK Power Networks suggests that metal theft is not led by the travelling community. The majority of thieves that target UK Power Networks are local criminals, career criminals or existing/past employees – either staff or contractors.

UK Power Networks has 170,000km of network cable in the UK and service 8.5 million customers. In one example of metal theft last year 100,000 people were taken off line which included a local hospital and local railway networks.

A piece of cable worth £5 can cause up to £50,000 worth of damages to the organisation.

The industry needs to gather information regarding the impact of metal theft on their organisation, local economies and communities to send to the CPS and judiciary to demonstrate the impact of metal theft.

UK Power Networks employs one full time investigator to look into metal theft. In comparison BT currently employs 27 full time staff members to investigate metal theft.

UK Power Networks has invested in intelligent locking of vulnerable or frequently targeted substations and protects buildings and compounds with access keys, utilising security packages on large sites. However security is mainly viewed as a safety measure for employees and not to protect against the threat of metal theft.

DS stated that in his experience it takes a long time for the government to react to requests from industry.

DS stated that metal theft will evolve. Once copper and lead thefts have been averted, new forms of metal theft will appear. Recently UK Power Networks has experienced a large number of battery thefts, thefts of padlocks, components and over head cabling. EON reportedly had 9km of over head conductor cable stolen in one night.

## **Church of England**

Ben Greener (BG), Church of England explained that the Church of England has 16,200 churches and cathedrals across the country. Most of these buildings contain or contained lead or copper. Additionally the Church of England is responsible for a large number of heritage buildings.

This year 1,763 metal theft claims have been made by the Church of England, the highest number of metal theft claims came in 2008 when there were 2,400. Ecclesiastical Insurance who specialise in insuring religious and heritage buildings has now begun to cap metal theft claims at £5,000.

The main issue faced by the churches / cathedrals is damage caused by metal theft. Lead may have been stolen during the summer months and gone unnoticed, but during a period of bad weather the roof may collapse causing security risks and extensive damages costs.



Churches are being forced to close due to being victims of multiple metal thefts which has a significant impact on local communities. Some heritage buildings must replace lead with lead therefore the thieves return to steal the replaced material. Two churches have been targeted six times each so far this year. The replacement draws money away from other areas of the churches budget and restricts their community activities.

BG stated that Google Earth has been used by criminals to identify churches with lead roofs making them a target for OCGs.

The Church of England reports to the Home Office Metal Theft Working Group and has strong connections with the government including ongoing support from Baroness Browning, UK Crime Prevention Minister (who has since resigned from the post to be replaced by Lord Henley).

The Church Buildings Council, which forms part of the Church of England, released a report on the penalties given to metal thieves in order to raise awareness of the problem to the CPS and the judiciary to illustrate the need for harsher sentencing.

The Church of England supports the need for revised legislation on scrap yards, including:

- Cashless transactions
- Making anonymous sale illegal
- Regular register checks regardless of a crime being committed
- Recording of vehicle licence plates

The Church of England supports the targeting and identifying of unlicensed SMDs.

BG stated that guidance is required on how to communicate effectively with the police. Advice needs to be given to organisations affected by metal theft on what information and evidence is required from them in order to increase sentencing of metal thieves.

BG stated that some insurers were now not paying compensation if the metal stolen is not forensically marked.

The Church of England is researching preventative techniques including motion detectors on roofs, voice activation alarms and utilising alternative metals. Additionally the Church of England advises its representatives to engage with local communities in order to prevent and deter metal thieves.

In summary BG stated that metal theft was a massive issue facing the Church of England, they endorsed the regulation changes for SMDs and desired advice and guidance on liaison with police forces.

### **Stuart Preston, IOM<sup>3</sup>**

SP explained that IOM<sup>3</sup> was requested by BTP and the UK Home Office to create a KTN to investigate methods to design out metal theft – MaDE.

MaDE encouraged product designers and materials experts to collaborate to prevent metal theft. In order to understand the issues they faced, practical experiments took place to demonstrate how easy it is to cut cables etc. Following a brainstorming session with experts 30 initial ideas on how to design out metal theft both at the crime scene and beyond were presented. A list of the ideas with the feasibility ratings was produced. Please see Appendix 2.

At an event 'MaDE on a bus' key stakeholders visited crime scenes and SMD premises to understand problems faced by police at crime scenes and to see a SMD operate.

SP stated that reputable SMDs rely on using cash transactions and turning the business into cashless transactions would not solve the problem of metal theft.

Also SP stated that there had been some issues with the use of Smartwater and therefore it can not be seen as the solution to metal theft.

SP stated that joined up working across Europe was the only way to tackle metal theft.

SP stated that copper, lead and aluminium were being targeted at the moment but metal theft will mature and evolve therefore we need to identify where the future problems will be and guard against this.

### **Ross Bartley, BIR**

RB stated that BIR aims to identify problems and seek solutions to metal theft.

The cost of metal which is generally stolen is significantly less than the cost of the repairs and the impact on business. These costs are not accurately recorded and presented to the courts as the true cost of metal theft.

RB recommends that LEA's and the private sector must cooperate with licensed SMDs in order to influence governments and policy makers.

The focus must be on closing unlicensed SMDs who are more likely to deal in stolen metal.

There is enough legislation available to close unlicensed dealers and the right legislation needs to be understood and enforced correctly.

Europol, Interpol and IMPEL collaborate to form the Environmental Crime Unit. Stolen metal infiltrating the SMDs can also fall under waste / environmental crime.

There are 42,000 licensed recycling companies across the 27 EU Member States. This demonstrates the scale of the recycling industry. Correct enforcement of existing legislation is key to identifying and closing the unlicensed, illegal SMDs.

International trade of recycled metal is massive and the percentage of stolen metal is small in comparison.

RB reported that two recommended solutions had been trialled and did not work:

- 'Tag and hold' - as scrap yards may make hundreds of purchases of scrap metal and end-of-life goods per day amounting to many tonnes, scrap yards cannot label and separately store each metal lot. "Tag and hold" as this is sometimes called is a high administrative burden and logistical menace
- EU wide alert system – BIR managed an EU wide theft alert system for over one year and did not record any successful identification of stolen scrap metal or lead to the apprehension of metal thieves

There is a growing need to establish national, publicly available databases. National databases would allow authorities to collaborate with LEA's in order to identify and close down illegal scrap yards and metal works. RB believes that this must be a priority to reduce metal theft.

RB recommends that relevant authorities in the EU-27 understand that all SMDs must be permitted and / or registered (EU Waste Framework Directive).

RB states that the relevant authorities need to assist the licensed SMDs by encouraging them to:

- Identify the seller – use: “police books” and CCTV as a record and agree that ‘no identification’ means ‘no cash purchase’
- Maintain records of purchases
- Choose scrap purchase payment method - such proposals need to take account of national differences, infrastructure
  - Cashless (additional benefit of minimising cash kept on company premises)
  - Cash limits e.g. limit total paid to individual sellers per year
- Use ‘no-buy’ list e.g.:
  - beer kegs
  - manhole covers
  - new road signs
  - sculptured bronzes
  - commemorative plaques

In Bulgaria SMDs have protested against the government following recent legislation changes. The changes include only cashless transactions and restricting the numbers of licensed scrap yards. This illustrates why the authorities need to work with the licensed SMDs.

RB stated that SMDs are also victims of metal theft and that the focus must be on catching the criminals and not criminalising the scrap metal industry.

## **Country profiles**

### **Bulgaria**

Lubov Panayotova, (LP) of the European Institute provided an overview of the metal theft situation in Bulgaria.

Legislation for SMDs in Bulgaria has been regularly reviewed and amended since 1994. Due to the constant increase of SMDs the government decided to regulate the industry.

The objective of the legislation was to develop an efficient system for the collection and preliminary processing of scrap metal and recommended licensing for the scrap metal industry.

The information contained on the licence includes:

- ID number and issue date
- Company name
- Company address
- Company registration number
- Volume and batch number
- BULSTAT (property registration number)
- A list of the company’s active sites

Since the implementation of the licenses in 1997, the number of licensed companies has grown exponentially. In 2000 there were 240 companies and in 2011 there are now 1023 companies with 2390 scrap metal sites across Bulgaria.

Regulation and legislation in Bulgaria differs from the majority of other Member States. The Bulgarian government has implemented:

- A ban on the sale of non-domestic metal to discourage the theft of commercial metal / cable
- A certificate of origin and a written contract must be produced for each transaction
- Cashless transactions
- Reduction of the number of sites

Unfortunately it is felt that the new regulation changes only impact on licensed SMDs.

LP stated that metal theft is not an emerging crime in Bulgaria; it has been around for many years and continues to impact on businesses and communities.

## **Greece**

Nikolas Petropoulos, (NP) ERFC provided a broad picture of metal theft in Greece.

ERFC is a new partner within Pol-PRIMETT and has recently begun contacting relevant Greek stakeholders to understand metal theft.

Mining is an important part of the Greek economic recovery particularly materials including bauxite, nickel, lead and zinc. Gold production is soon to begin in northern areas of Greece.

There are 32 registered SMDs in Greece and the majority are situated on the outskirts of Athens near the ports. This area has become a favoured location for the travelling community.

There is a large amount of environmental damage affecting the area outside of Athens due to the burning of stolen cable.

OSE has been significantly targeted by metal thieves with €1.5 million worth of damage and 195 related arrests occurring in 2010.

The offender profile developed in Greece illustrates there are a large amount of cross border activities related to metal theft which is also being linked to OCGs.

Like most countries metal theft is impacting on the Greek people and businesses through the break down of services (trains, utilities etc.). Additionally communities are beginning to feel unsafe in the region outside Athens. This is due to the rise in related crime and the environmental damage caused by the burning of cables.

Additionally Greek tourism is feeling the impact as the environmental damage and security risks are deterring tourists from Athens which forms a large part of the Greek economy.

NP stated that ERFC has been in contact with the Ministry for Justice in Greece to engage them in the Pol-PRIMETT project and NP is hopeful that a representative will attend the next EUG meeting.

ERFC has also been in contact with the Greek police and will present the Metal Theft Toolkit to them to raise the awareness of how to tackle metal theft.

The Greek government has increased raids of SMDs to regulate the industry and target unlicensed dealers. Additionally there will be an increased police presence and patrolling around vulnerable sites and the creation of metal theft SPOCs within the police force.

There is no specific legislative framework in Greece to tackle SMDs and ERFC is continuing to discuss this with the government.

## **Collaborating with national strategies**

Helen Parr (HP), Pol-PRIMETT Project Manager stressed the importance of Pol-PRIMETT working with national strategies in partner countries. As an example of this HP presented the UK national strategy produced by ACPO and the UK Home Office as part of the Metal Theft Working Group.

This strategy encouraged the participation between the public and private sector working with SMDs in order to influence government.

HP stated that the national working group had been restructured recently to form regional working groups which fed into the national working group. This was to improve working practices and ensure that information from across the country was being captured.

HP stated that as part of Pol-PRIMETT activities, PUAC had developed questionnaires relating to this strategy to gauge the level of stakeholder activity and collaboration which already exists and to identify areas for further collaboration.

HP requested that the questionnaires be circulated to all EUG members and Pol-PRIMETT stakeholders. The questionnaires will then be collated and the responses sent to the Home Office. This activity can be replicated with national strategies from other Member States. Please see Appendix 3 and 4 for a copy of the questionnaires.

HP stated that Pol-PRIMETT wished to encourage licensed SMDs to become part of the solution.

It was noted that the SIRS database had been included in the ACPO Metal theft Working Group strategy but the owners of the database, UK Power Networks had not been consulted. DS stated that he wished for it to remain in the strategy as he wanted to encourage more companies to participate and contribute to the SIRS database.

All feedback regarding the SIRS database will be fed back to DS.

It was stressed that Pol-PRIMETT partners should review and liaise with existing databases to ensure there is no duplication and to enhance collaboration.

IH stated that kite marking of SMDs was already in existence.

## **Open forum**

DR chaired the open forum which created a platform for debate and discussion amongst the delegates.

Alicia Garcia-Franco Zuniga (AGFZ) of FER described the situation facing SMDs in Spain. There are four separate registers in Spain for SMDs and a large amount of legislation which is incorrectly enforced. There are many illegal sites which are not monitored or regulated. Additionally the sentencing for metal theft is weak which encourages metal theft.

LP stated that in Bulgaria the legislation is there to be enforced. The main issue is that the judiciary is not aware of the impact of metal theft which allows criminals to receive weakened punishments. Additionally the SMDs are perceived as criminals when most of them are registered businessmen.

RB stated that the focus must be on closing unlicensed, illegal SMDs and targeting criminals, not the licensed SMDs.

DS stated that preventing the criminals from selling the stolen metal will not stop metal theft in its entirety. The crime will be displaced.

SP stated that changing the alloy mixture of metals enables the SMD to trace the metal back to the owner. Additionally, if businesses implement methods to prevent the theft of the metal as well as enabling it to be tracked, this will act as a big deterrent to metal thieves.

John McKechnie, (JM) BT stated that the adoption of sensors on cabling is not practical for a company like BT due to the amount and length of cabling across the country. JM believes that targeting the outlet is the best way forward. BT works with licensed SMDs to identify BT cabling. Therefore the focus must be on targeting the unlicensed SMDs.

RB stated that recent reports indicated that an OCG in Sweden was placing containers at secret locations and informing metal thieves to bring stolen metal to the site for sale. The meetings were reportedly being arranged via social networking sites including Facebook.

IH stated that BT's work with licensed SMDs was highly commendable. BMRA members were beginning to recognise BT cabling and alerting the authorities.

IH stated that 25,000 tonnes of metal was stolen each year. Compared with the annual trade amount of 13 million tonnes it is a small minority of the metal in the scrap metal industry that is stolen.

Reinhard Runne (RR), stated that SNCF now employed helicopters to survey crime hotspots on their railway network. Additionally they are producing a database of frequently targeted areas of the rail network.

DR requested that each delegate made one statement or requested one action for Pol-PRIMETT to focus on and take forward:

Delegate	Action and/or comment
SP	Design out metal theft – deter and make it more difficult to steal metal
BG	Provide clarity on the route of stolen metal and identify where the network can be broken
Maud Grillard, FEDEREC	Target illegal SMDs by enforcing existing legislation. In turn this will strengthen the relationship with the licensed SMDs
LP	Establish a communication channel between public and private sectors encouraging cooperation and collaboration with licensed SMDs
NP	Develop a checklist of good practice to share amongst other organisation and Member States
AGFZ	Encourage the enforcement of existing legislation for SMDs and ensure the punishments for offenders is harsher
RR	Encourage the enforcement of legislation for SMDs and documenting and understanding the impact of metal theft against businesses and communities. In turn this will lead to harsher punishments; additionally a representative from Railpol should be at future Pol-PRIMETT EUG meetings
RB	Collaboration of national databases and the enforcement of legislation and regulations regarding the scrap metal industry

IH	Reduce the amount of regulations surrounding the scrap metal industry and encourage stronger enforcement of existing legislation
JM	Improve sentencing / harsher punishments for metal thieves by producing impact statements for police as evidence to form part of the case against the perpetrator. The average cost to BT per cable incident is £10,000. This has an impact on brand reputation as communities can be affected by a loss of signal.
Mandy Ingham, Electricity North West	Echoes the comments by BT above. Additionally new technologies are difficult to integrate with existing systems and can only be changed when a theft has occurred.
DS	<ol style="list-style-type: none"><li>1. Consolidation of metal theft databases</li><li>2. Ensure there is no pre-advertising of the operational day of action</li><li>3. Development a media strategy to deter metal thieves – link with SOCA</li></ol>

## Intelligence and Enforcement EUG

Bill Hotchkiss (BH) welcomed the LEA EUG members and requested brief introductions from all attendees.

It was agreed that the previous minutes were a true and accurate record.

Updates from the previous actions were:

- PQ reported that influencing EU legislation changes was ongoing. Agenfor is leading research activity into partner country legislation which will be presented to the EU to demonstrate the variances in legislation. This will also form part of the Pol-PRIMETT final report.
- Presentations from the previous meeting were sent to PUAC
- WYP Metal Theft Toolkit has been circulated amongst the Pol-PRIMETT partners this is adaptable across agencies (including the Environment Agency) and Member States
- BTP media contacts have been sent to FCVRE
- BTP's UK Good Practice Guide and Problem Profile has been sent to PUAC
- The EU Day of Action will have three themed areas related to metal theft and will be conducted in coordination with Railpol. BTP circulated a form to document the activities carried out on that day which will be sent back to BTP for analysis. There will be 14 countries involved in the EU Day of Action

### Environment Agency, UK

Paul Keay (PK) gave an overview of the Environment Agency, outlining that it is a non-government organisation who report to DEFRA. PK and Trevor Parish's (TP) main focus is waste crime, looking at illegal waste sites, illegal exports, and illegal waste disposal on a large scale. The Environment Agency is adopting a proactive instead of reactive approach.

The Thames Flood Barrier is managed and maintained by the Environment Agency and has been hit by metal theft. The Environment Agency is committed to supporting local operations and sharing intelligence locally and nationally. It was agreed that TP will be the SPOC within the Environment Agency for the national Fusion Intelligence Unit at BTP. Although the present climate is tough, the Environment Agency is aiming to do all they can and are looking for more focused efforts towards the problem.

Ged McManus (GM) stated he felt there was uncertainty as to who to contact as the internal structure of the Environment Agency is not clear. PK suggested that from an intelligence point of view, TP would be the initial SPOC. Stephen Palmer (SP) stated that he was working with the Environment Agency on a local level. PK stated that although some employees of the Environment Agency are ex-police, they are recruited for their environmental background as opposed to their enforcement background.

TP said that there is no national Data Sharing Agreement at the moment due to each police force operating differently.

It was agreed that there should be a National Information Sharing Agreement as the Environment Agency is a national organisation. **Action: TP to look at working on a National Information Sharing Agreement.**

There was a discussion around the Waste Carrier License and who governs it, and how it differs from the SMDs Act 1964, which is regulated by local authorities as opposed to the Environment Agency.

GM stated that Allan Harder (AH) has a pro forma statement for local authorities which would provide a template for other police forces.



## **UK**

Chris Hearn (CH) stated that included in the delegate packs were:

- Visiting SMDs Checklist which encourages police officers to conduct checks before they visit SMDs
- Metal Theft Pocket Guide which advises police officers on what to do in the yards
- Original Visit Form used by BTP when visiting SMDs
- Second Site Visit used by BTP when visiting SMDs

The second form requires less information than the first. The SMDs are then given a 'red', 'amber' or 'green' status (RAG), with red yards being prioritised for further visits.

Baroness Browning, UK Minister for Crime Prevention and Anti-Social Behaviour Reduction (who has since resigned from the post to be replaced by Lord Henley), is keen to tackle metal theft and has recommended the Home Office submit new legislation to replace / update the SMDs Act 1964. The proposed legislation would

- Allow inspectors the authority to close SMDs if stolen goods are found,
- Require a cashless model and/or require that all scrap metal is held for at least 72 hours.

If the legislation is approved it would be a good model to transfer to other Member States.

BTP has a national day of action planned for 29<sup>th</sup> July. Currently, BTP require UK regional areas to hold one day of action a month as well as a national day of action quarterly. This is only for BTP however CH recommended other UK police forces contact him so they can work together.

## **Bulgaria**

Ivan Vidolov (IV) stated that metal theft offenders in Bulgaria are generally aged under 30 years old, are male and from a poor / unemployed / uneducated background.

The main reason for metal theft in Bulgaria appears to be due to poverty and an increase in the price of metal.

With regard to OCGs, 70% of the people IV interviewed stated that metal theft was committed by individuals unrelated to OCGs. However, as the price of metal is rising the number of metal theft related offences committed by OCGs appears to be rising.

IV stated that new penalties had been introduced so that metal theft will now warrant imprisonment of seven years instead of five years as it was previously.

## **Spain**

Jose Luis Diego (JD) stated the problem in Valencia is the rising price of metal. JD also stated that Spain has a lack of coordination between police forces. There is a current proposal to deal with scrap metal similarly to dangerous waste to ensure that authorisation is required to dispose or sell scrap metal.

The majority of the metal thefts which are committed are at Level 1 and often the goods are exported to China and/or India. There are also smaller robberies where metals are sold in Spanish scrap yards.

One solution being researched is to document the control of metal from origin across its lifetime. Another is to implement a silent warning system which raises an alarm to the police and provides surveillance in hotspot areas.

## Italy

Francesco Cavouto (FC) stated that the majority of stolen metal in Italy is sent to Eastern European countries. Approximately 25% of the total export to China from Italy is carried by companies who are involved in metal theft.

Italian police forces are using phone tapping and GPS tracking to tackle metal theft, with excellent results.

It has been discovered that some companies have been issuing false invoices and FC stated that there is a possibility of a database being set up to track scrap metal which would tackle this issue.

SP stated that he found it interesting that phone tapping could be used for metal theft as in the UK it can only be used for high level criminal activity.

TP said that the Environment Agency work closely with Interpol on an Environmental Crime programme. This is being used to tackle organised crime. He mentioned that the intelligence is being captured on the Environment Agency system and then fed into Interpol. It has been discovered that stolen metal appears to be moving with relative ease across mainland Europe, whereas in the UK this is prevented by the fact that the UK is an island. TP suggested it might be useful to invite someone from Interpol to a future Pol-PRIMETT meeting to present.

**Action: SC to invite Interpol to the next Pol-PRIMETT meeting.**

## Good practice

CH stated that there is a minimum standard of investigation within BTP which can be viewed by all police officers. There is also a SOCO strategy which outlines how they look at live metal theft offences (which affect the running of the railway) and non live metal theft offences (which don't affect the running of the railway). For live metal theft offences, BTP aim to get 100% SOCO attendance. There is also a SMD strategy where the RAG system is utilised.

BTP supplies training on the procedure to follow when visiting SMDs.

BTP has a media strategy linked to Network Rail which informs the public that metal theft is not a victimless crime.

BH stated that this good practice which other Member States could adopt.

JD stated that he is liaising with a company that is developing an application to track each step in the life of metal, from its origin. PK suggested that this is like the 'Duty of Care' which currently exists in the UK, however in the UK there is only a requirement to document the first transaction. **Action: PK and JD to liaise to investigate the current Duty of Care in the UK and consider how this could be developed.**

## Collaborating with National Strategies

BTP works with ERU to visit metal recyclers, monitor exports and help them understand what is happening to their metals. The price of aluminium keeps rising and copper is expected to reach £7,500 a tonne, which may cause a bigger problem.

CH stated that in the UK, Gerry Wareham, CPS is engaged in metal theft on a number of levels. CH stated that he would send the contact details onto UK SPOCs.

PQ stated in Italy, they were attempting to reduce legislation and send definite proposals to decision makers. It was suggested that public prosecutors should be invited to future EUG meetings.

## Joint EUG

### Summary of LEA EUG meeting

BH provided a summary of the LEA EUG meeting including:

- The possibility of a national Data Sharing Agreement being developed between all UK police forces and the Environment Agency
- BTP presented the 'Checklist for Officers' and shared some of the proposals regarding the revision to the SMD Act which includes
  - Inspector authority level to close SMDs
  - Implementation of a cashless model
  - Ensuring metal is held by SMDs for a certain amount of time (e.g. 72 hours)
  - Review of all licences by the local authority
  - Introducing a 'fitness to hold a licence' i.e. preventing convicted metal thieves from holding a scrap metal licence
- Bulgarian Ministry of Interior presented the findings following the offender profile work and the penalty increases which have been recently introduced
- PLV, Spain described the lack of cohesion between local forces in Spain and presented the possibility of a metal management system to track the lifetime of a metal from origin to disposal. This evolved into further discussions with the Environment Agency who will link with PLV following the meeting
- Guardia di Finanza, Italy stated that copper theft was the main problem in Italy with 25% of stolen metal being shipped to China
- Best practice was identified including:
  - BTP's minimum standard of investigation
  - SOCO strategy at a metal theft site
  - BTP's training and awareness course
  - Media strategies highlighting the danger of metal theft to criminals
  - Identifying a national CPS / judiciary lead to describe the impact of each case on businesses and communities
  - Impact statements

### Summary of P&D EUG meeting

DR described the P&D EUG meeting as positive and constructive. The points to highlight were:

- It is perceived that current legislation is sufficient and that wider enforcement and understanding of this legislation is required
- Further regulating of the scrap metal industry will not solve criminal activity the focus needs to be on the non-compliant area of the industry
- IOM<sup>3</sup> reported that the UK Home Office has requested they research what metal will be stolen in the future and to design suitable prevention and deterrence techniques
- Designing out metal theft will be an evolutionary process due to the cost and resource available
- The private sector has requested further research to be conducted into the movement of stolen metal from the point of theft to export
- Improved collaboration and inter-agency working is required – the P&D EUG is starting to work together and so is the LEA EUG, now we must encourage and facilitate both EUGs working together to tackle metal theft
- Pol-PRIMETT website will be the platform of information exchange including a checklist of experiences and case studies

- Impact statements can be produced to highlight the reputational and economic impact metal theft has on businesses including the penalties the government imposes when service is not provided. Also impact statements from communities could be created to inform the judiciary of the effect metal theft has on vulnerable individuals. This could become a transnational model or pro forma
- SNCF has a contract with French police to provide helicopter patrols on rural, high risk areas on the rail network
- A covenant / service level agreement has been produced in the Netherlands between the police, a trade association and the government to tackle freight crime. This model could be transferred into the fight against metal theft
- There is a requirement for the consolidation of existing databases to create a national or transnational database of information and intelligence sharing. Additionally a national or transnational database of registered dealers could be created
- Operational days of action are important as long as they are covert and political days of action must be well coordinated and impactful

### National Fusion Intelligent Unit

CH presented BTP’s Fusion Intelligent Unit (FIU) which was recently launched and brings together intelligence from police and industry to tackle metal theft.

CH reported that metal theft is a market driven crime which causes a ripple effect affecting the majority of people in the country. Metal theft is not a new crime; however the rise of metal prices has caused a significant increase in metal theft and in 2006 BTP took the lead in the UK and invested heavily in resource to tackle metal theft.

BTP began categorising metal theft in live (immediate impact on the railways) and non-live (other metal theft not impacting on the railway) offences and introducing crime codes.

The FIU was developed as a three year strategy to ensure that methods of tackling metal theft will have improved during this time.

CH presented current statistics provided by the SIRS database (fig 1) which provides information from industry including UK Power Networks, BT and Virgin Media.

CH stated that the SIRS data is uploaded sporadically by industry due to resource and other restrictions. Therefore this information is used as an indication of the type of offences being committed.

As the FIU has seconded industry representatives working with the police, it allows BTP to see the internal systems used by companies. This enables BTP to act quicker to metal theft incidents as the reporting time is reduced.

Fig 2 shows the FIU model. The left hand side of the model is referred to as the primary areas which feed into the FIU which sits in the middle. The FIU welcomes input from all avenues including industry, Crimestoppers etc.

Incidents by Month:	
January	557
February	669
March	795
April	599
May	547
June (1 <sup>st</sup> – 12 <sup>th</sup> )	112

fig 1

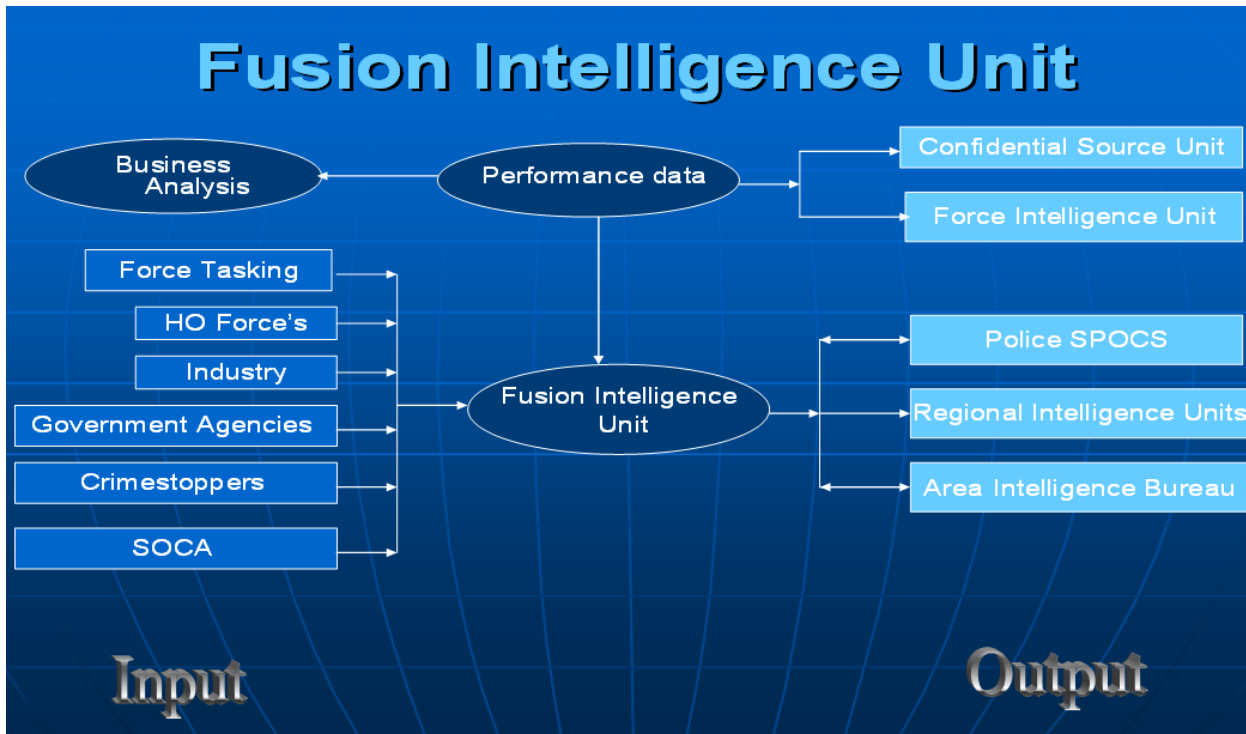


fig 2

The outputs from the FIU are intelligence packages which depending on their content will be disseminated to the relevant contacts. Intelligence on low level criminals will be delivered to police SPOCs and the Area Intelligence Bureau whereas high level (organised crime) will be disseminated to the Regional Intelligence Units.

The intelligence packages will be produced for industry representatives also. These will be sanitised and will include results following intelligence provided to the police.

The FIU is beginning to work with HMRC, the Environment Agency and SOCA to tackle all elements of metal theft including carousel fraud, environmental law violations and the involvement of organised crime.

**Metal Theft Toolkit**

SP distributed the Metal Theft Toolkit which has been produced by WYP following input from BTP. SP stated that metal theft was a complex problem which affected many areas of businesses and communities from rail networks to faith buildings.

The Metal Theft Toolkit promoted two ways to deal with metal theft – prevention / deterrence and prosecuting offenders. This is done by supplying front line officers with information enabling them to understand the roles and powers of agencies.

In addition to the pocket-sized toolkits a training programme has been developed which is delivered to police officers to provide further information and methodology on dealing with metal theft incidents. Please see Appendix 6 for the Metal Theft Toolkit.

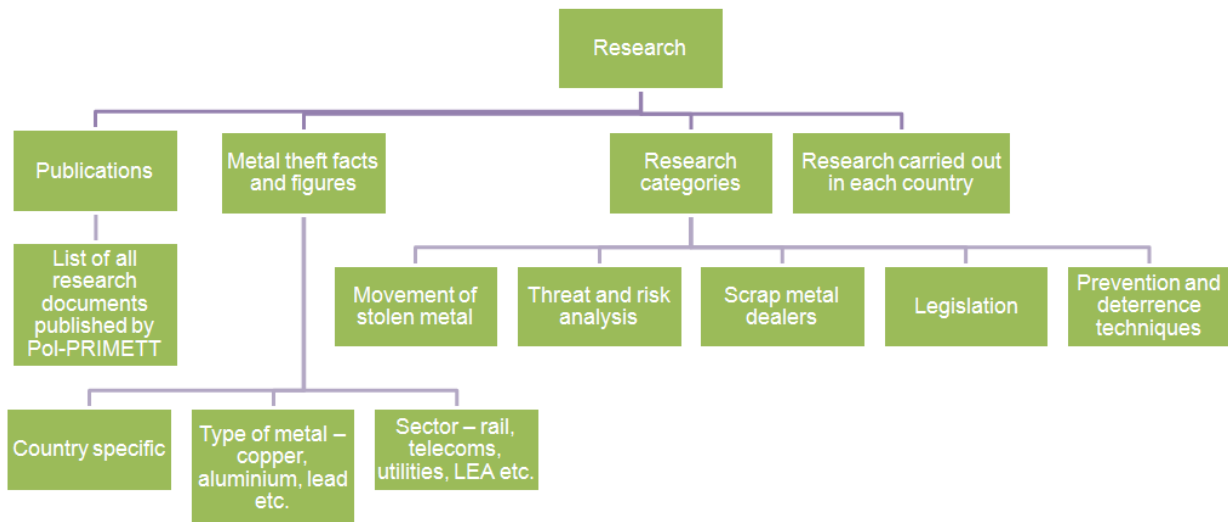
### PoI-PRIMETT website – central repository

HP presented the operational framework which has been developed for the PoI-PRIMETT website. The website will have a public-facing section with news articles from across the EU. In addition there will be a password protected area for approved members to access.

This secure area will have three sections:

- Partner area – where PoI-PRIMETT partners can access documents relating to project activities including monthly flash reports, contractual agreements and reporting templates
- Restricted LEA area – this section will contain restricted documents to allow LEA's to securely share information transnationally
- Stakeholder area – will have five categories:
  - Research
  - Case studies
  - EUGs
  - Country
  - Media

Each category heading will contain a network of information. For example under research:



### Open forum – Q&A session

**Tag and hold** – requesting SMDs hold metals bought for a specified period of time (e.g. 72 hours)

RB feels this is a disproportionate response to the scale of the problem. RB reported that 1% of metal handled is considered stolen. Additionally the scheme causes logistical problems for the industry. It has been trialled in some US states and has been rejected as it was not feasible. RB stated that one solution will not suit every Member State and we must be able to identify bad practice as well as good.

IH stated that 52,000 tonnes of scrap metal is processed everyday in the UK with over 34,000 transactions. If a 72 hour hold was enforced over 150,000 tonnes of metal would need to be stored. The trials in the US demonstrated that this had little effect on the rates of prosecution and caused major disruption to the industry.

DS stated that the concept in principle was good however it was clear that this was not practical especially as illegal operators would not comply.

BH stated that it was a proposal for discussion. He stated that this maybe impractical and cause disruption to the scrap metal industry but metal theft was causing massive disruptions to businesses, communities and the economy. This proposal could also provide LEA's with additional authority to investigate premises that are not complying.

CH echoed the additional enforcement element that would be given to LEA's and that with his experience of visiting SMDs he disputed the '1% of metal handled is stolen' statistic.

PK stated that the Environment Agency has 'tag and hold' powers when investigating environmental offences but this is not normally used during a metal theft investigation.

### **Revising the UK SMDs Act 1964**

IH reported that the revision of the SMD Act 1964 is in development and is long overdue. There needs to be improved engagement between the Environment Agency and the local authorities to enforce the scrap metal licence making the industry more accountable and transparent. This will make enforcement of the licences easier. He praised the work of BTP and the progress they are making to tackle metal theft stating that this is due to identifying there is a problem and assigning appropriate resource to tackle it.

RB requested that the presentations from this meeting should go on the website to provide an explanation of ideas which will and won't be successful. RB stated that there is EU legislation surrounding the permitting of SMDs which was produced in 1998 which some Member States haven't addressed yet. Additionally IMPEL conducted a study into permitting and regulating SMDs and RB recommends that Pol-PRIMETT links with IMPEL and Interpol's Environmental Agency to raise further awareness. RB stated that everyone here was working towards the same goal – to remove the illegal element from the scrap metal industry.

### **Cashless model**

RB highlighted the recent protesting in Bulgaria by SMDs following the adoption of a cashless model. RB stated that these were not criminals protesting to the government, but legitimate businesses. Some EU Member States have introduced ID cards which are being used in scrap yards to formally identify each individual. Obviously this is not transferable to every Member State. RB stated that we must be aware of the current activity in all Member States to avoid duplication.

BH stated that to be successful the cashless model must be across the board. He stated that it costs businesses to handle cash so we should challenge them as to why they would want to continue dealing in cash?

IH stated he is theoretically in favour of a cashless model. The UK turnover is €1.2billion per year so the market appears to demand it. However the scrap metal industry is not the only industry that mainly deals in cash. In order for it to be successful it would need to be regulated and not voluntary.

### **Enforcing existing legislation**

CH stated that enforcement of the current SMD Act has been conducted throughout the industry with only a few prosecutions. The majority of SMDs are cooperative with BTP.

TP highlighted the need for quality intelligence which is achieved by cooperating with a variety of agencies and creating information networks.

DS stated that there are 3000 SMDs in the UK and only 10% of these are BMRA members. This means that 90% of the industry is outside of the BMRA's Code of Practice. How can this figure be reduced?

IH stated that there are plans to pilot an enforcement of the Code of Practice in the North East of England on licensed and permitted sites. Any sites that are non-compliant will be subject to a rigorous investigation. This pilot is being led by the UK Home Office and will be conducted for six to twelve months. IH will provide an update at future meetings.

BH questioned whether a mandatory membership scheme could be implemented similar to the plumbing industry.

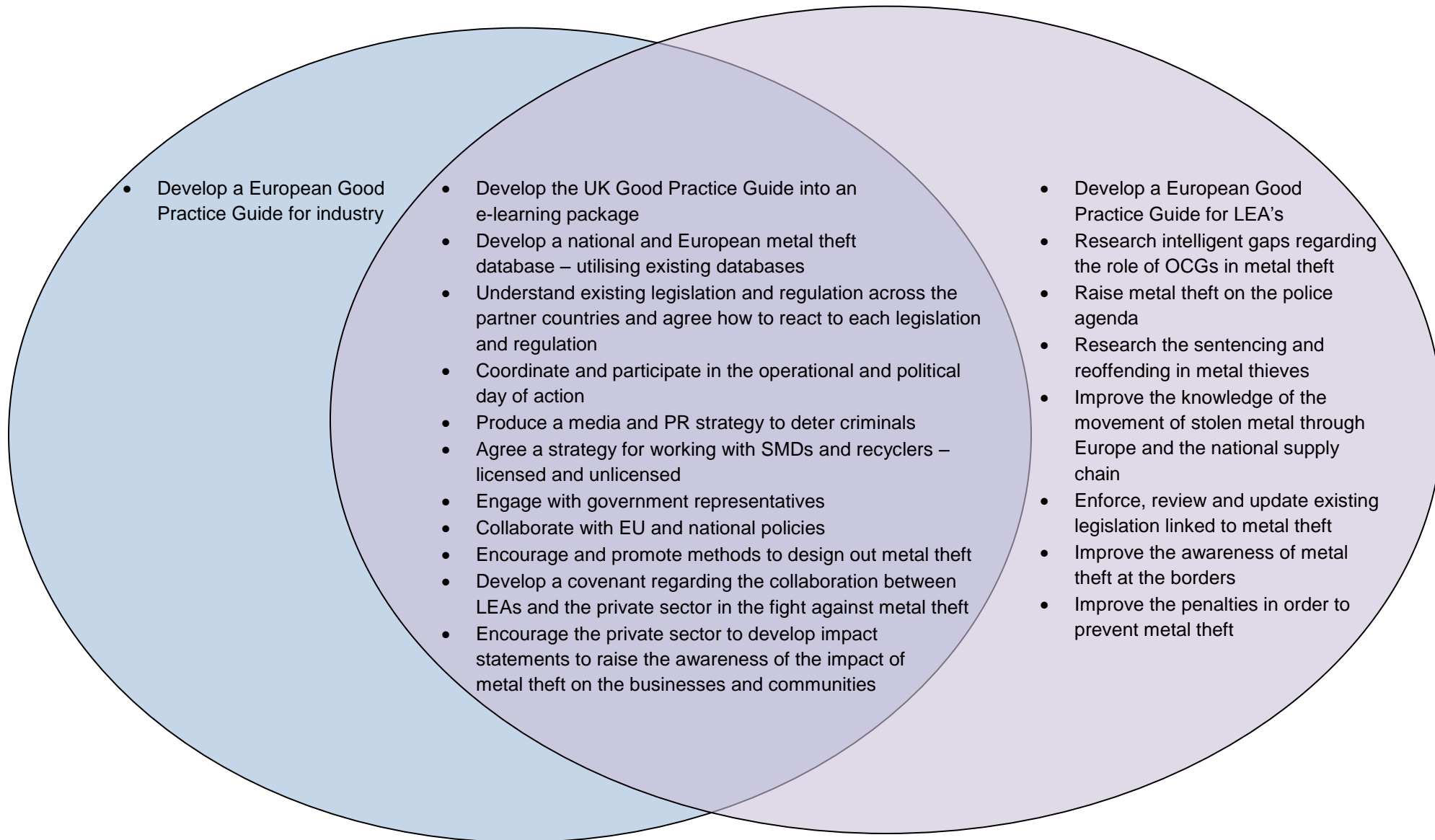
RB stated Austria has a similar system but there was resistance from other Member States.

HP thanked all participants for their openness and willingness to contribute. Pol-PRIMETT partners will review the priorities which emerge from these meetings and ensure the project moves forward to address the impact of metal theft.

DR stated that the Pol-PRIMETT project is aiming to create a unified impact on the fight against metal theft.



**EUG agreed priorities and activities**



Following the production of the emerging priorities (above) Pol-PRIMETT partners agreed to restructure future EUG meetings into action focused workshops to ensure the emphasis was on joint working and collaboration between public and private sectors.

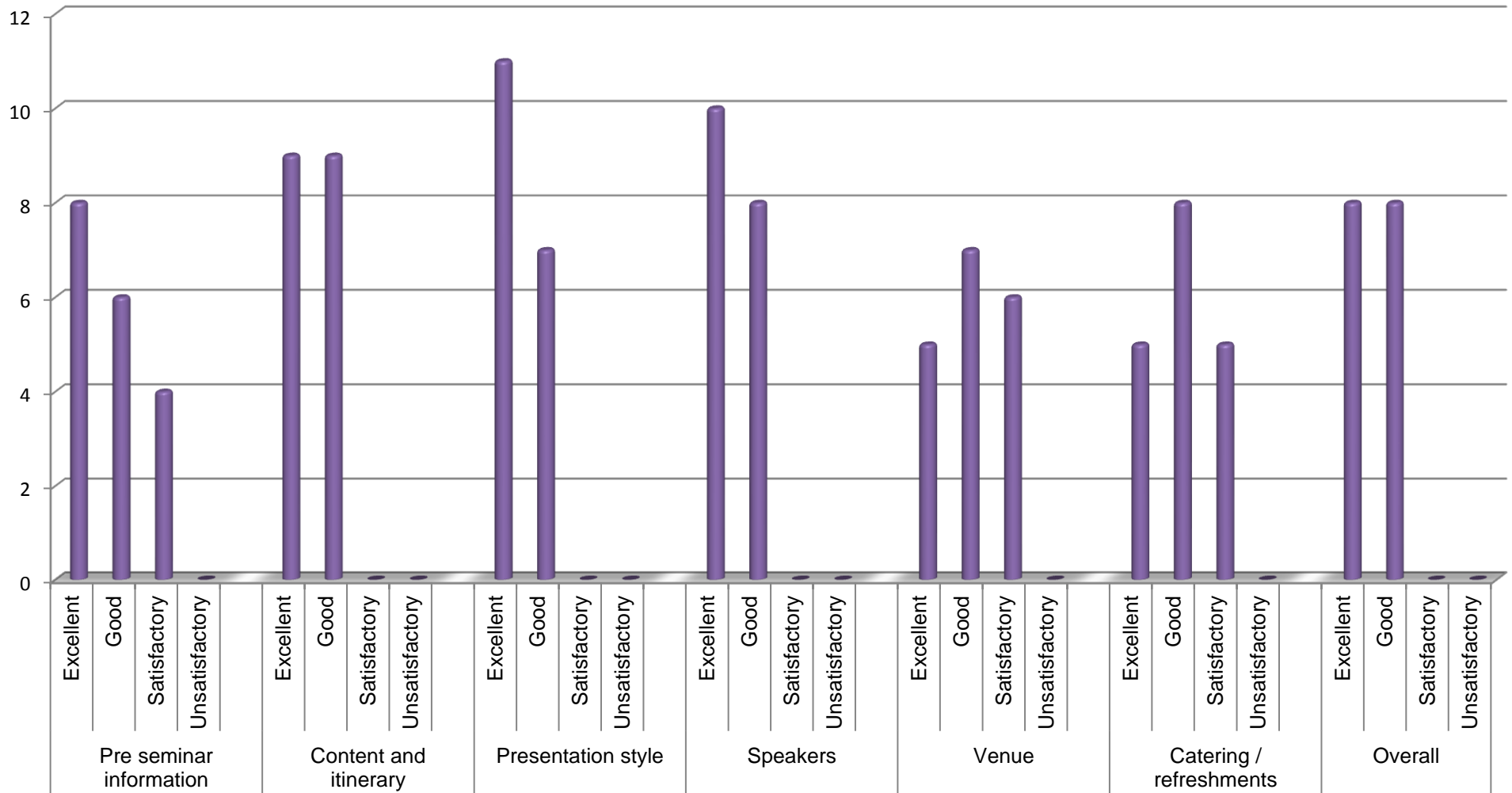
## **Evaluation**

The information below is based on the feedback received from delegates based on their views and experiences of these meetings. The template for this evaluation is provided in Appendix 5.

### **Summary of findings**

- There were 34 attendees to the meetings and 18 evaluation form responses. This is a 53% response rate
- The overall responses for the meetings ranged from 'excellent' to 'satisfactory' with the average response being 'good'
- The most favourable responses were for presentations style which ranged from 'excellent' to 'good' with the average response being 'excellent'
- The questions relating to speakers and content and itinerary also ranged from 'excellent' to 'good' with the average being 'excellent'
- The response for the meetings overall ranged from 'excellent' to 'good' with the average being 'excellent'
- Pre meeting information ranged from 'excellent' to 'satisfactory' with the average being 'good'
- The areas which highlighted most concerns from the delegates were the venue and catering / refreshments. Both these questions 'excellent' to 'satisfactory' with the average being 'good'
- Five out of the six comments provided were positive mainly focusing on the content, input and activities within the meetings, with one comment praising the use of partner facilities
- The only negative comment was on the standard of the venue
- Some recommendations for future topics and activities were:
  - Presenting case studies / good practice
  - Developing an action plan to tackle metal theft
  - Widening the scope of Pol-PRIMETT from rail to buildings
  - Ensure information in the meetings is well captured and disseminated throughout Europe
  - Offender profiling and sentencing around metal theft

The figure below summarised the responses received:



There were 34 attendees at the events and 18 responses

**Summary information**

4= Excellent, 3= Good, 2= Satisfactory, 1= Unsatisfactory

	Median response	Range	Mean
Pre-meeting information	Good	Excellent to Satisfactory	3.2
Content and itinerary	Excellent	Excellent to Good	3.5
Presentation style	Excellent	Excellent to Good	3.6
Speakers	Excellent	Excellent to Good	3.6
Venue	Good	Excellent to Satisfactory	2.9
Catering / refreshments	Good	Excellent to Satisfactory	3.0
Overall	Excellent	Excellent to Good	3.5

Eighteen individuals from attending organisations completed the evaluation form. There were a wide range of responses. For the content and itinerary, presentation style and speakers; responses varied from 'excellent' to 'good', with most respondents rating as 'excellent'. The pre meeting information, venue and catering / refreshments varied from 'excellent' to 'satisfactory', with the average response being 'good'. The venue received the least favourable response (mean =2.9; 'good'). Overall the event was rated as 'excellent', with responses ranging from 'excellent' to 'good'. Based on mean score people were most happy with presentation style and speakers, and least happy with the venue. The overall mean was 3.5'.

**Comments:**

- "Location was disappointing, the facilities were poor"
- "Location of WYP training venue was a good use of partner facilities balanced with cost. All inputs remain positive and feeling of activity / direction towards goals is evident to making the project valuable and worthwhile"
- "The content of the meetings was excellent and generated many new ideas"
- "Very good session with some excellent input and a great opportunity to hear about what's happening across the board. Very worthwhile"
- "Some very good and robust debates"
- "Very useful"

**What topics would you like to see covered at future NS FRITS events?**

- “Details of case studies of metal theft problems, plan created to deal with the issues and results of positive and negative issues”
- “Would be good to see more on buildings / non-rail / telecommunications linked discussions and representatives”
- “Secure capture and dissemination of intelligence”
- “Offender profile and sentencing”
- “Needs to discuss method and content of output from Pol-PRIMETT into the EU, different to good practice and national actions”

## **Appendices**

Appendix 1 – Pol-PRIMETT EUG meeting presentations

Appendix 2 – IOM<sup>3</sup> MaDE findings report

Appendix 3 – ACPO Working Group questionnaires – Private Sector

Appendix 4 – ACPO working Group questionnaires – SMD

Appendix 5 – Pol-PRIMETT EUG evaluation form

Appendix 6 – Metal Theft Toolkit

# Pol-PRIMETT



## Tackling Metal Theft



People | United  
Against | Crime

[www.people-united.org](http://www.people-united.org)

  
AGENFOR  
LOMBARDIA

[www.agenfor.it](http://www.agenfor.it)



[www.btp.police.uk](http://www.btp.police.uk)



[www.uegva.info](http://www.uegva.info)



[www.policialocalvalencia.es](http://www.policialocalvalencia.es)

 europeaninstitute

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