

PoI-PRIMETT



Tackling Metal Theft



8th Expert User Group Meeting Report

Valencia, Spain

Tuesday 5th March 2013

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Welcome, introduction and keynote speech

Pol-PRIMETT aims and objectives

David Ransom (DR) Pol-PRIMETT Project Director opened the seventh Pol-PRIMETT EUG meeting in Valencia, Spain and introduced PUAC, the UK based charity that is the lead partner of Pol-PRIMETT.

Pol-PRIMETT is a three year project, which began in September 2010 and consists of ten partners from the UK, Bulgaria, Greece, Italy and Spain. Pol-PRIMETT is co-funded by DG HOME, 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 prevention and deterrence practices
- Create a legacy of collaboration, good practice and a reduction in metal theft



Pol-PRIMETT 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 to reduce the risk and impact of metal theft. All organisations that attend Pol-PRIMETT events are kept informed of project activities and are encouraged to contribute.

There have been seven Pol-PRIMETT EUG meetings since 2010:

Location	Date	No. of attendees	No. of organisations	No of countries represented
Sheffield, UK	November 2010	36	16	5
Rome, Italy	March 2011	48	28	8
Wakefield, UK	June 2011	36	23	5
Sofia, Bulgaria	December 2011	65	31	5
London, UK	March 2012	77	51	9
Athens Greece	July 2012	78	44	9
Valencia, Spain	November 2012	67	43	10

DR stated that 52% of delegates who have attended Pol-PRIMETT EUG meetings have been from the public sector, and 48% from the private sector. This demonstrates the good balance between public and private sector representation at Pol-PRIMETT EUG meetings.

Andrés Rabadán, Chief Constable, Head of the Local Police Department, Valencia City Council
Miquel Dominguez, Deputy Mayor of Public Safety

The delegates were addressed by Andres Rabadan followed by Miquel Dominguez who stated that metal theft is a serious and growing problem in Spain which requires complex, coordinated and comprehensive solutions to tackle it.

Metal theft not only affects the immediate victim. The consequences of metal theft resonate to all citizens, jeopardising utilities and services and - in extreme cases - costs lives.

Metal theft affects a range of sectors including telecommunications, agriculture, water, metallurgy, recycling, energy, gas and electricity, railways, port, construction, insurance, cultural heritage and ecclesiastical. Therefore it requires a coordinated response by police, environmental agencies and other public bodies to tackle it.

In the last decade Valencia Local Police has been struggling to minimise opportunities to commit metal theft. Metal theft is commonly seen as 'low risk – high reward' and is therefore attractive to criminals.

However, the indirect damage caused by metal theft is very high and has a significant effect on individuals, businesses and communities. The theft of a small piece of copper cable can suspend rail services or disrupt telecommunication networks.

Initially, Valencia Local Police pursued these crimes reactively. Later, in line with a strategy and business model, they identified the need to address the problem from a preventive perspective. This included patrolling the most vulnerable areas such as industrial estates, roads and public works.

By being aware of the problem of metal theft and the solutions required, Valencia Local Police has implemented the following measures:

- Installing mechanisms to easily detect metal theft in vulnerable areas. Information is sent to district police units for analysis and if necessary to the national police
- Conducting static and dynamic surveillance in metal theft hotspots
- Developing a specialised police unit to protect the environment - the Green Patrol. The Green Patrol conduct inspections of scrap yards to ensure metal is stored in compliance with environmental legislation. The Green Patrol liaises closely with other police forces that perform similar functions

Valencia Local Police has contributed to the continuous improvement of the management of metal theft. They have begun to conduct analysis to anticipate future demands and threats. Other work includes:

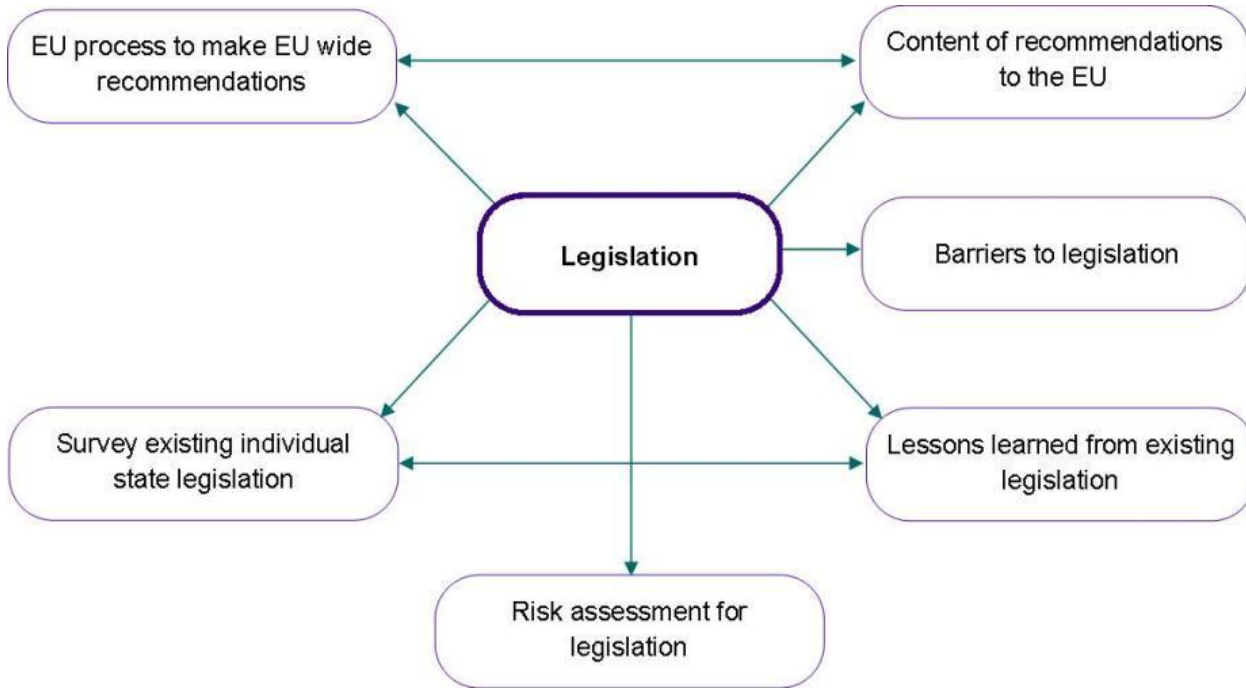
- Redefining protocols to assist officers during inspection of recycling sites to standardise operations and centralise information gathering
- Implementing new systems of analysis and information processing to enable information to be processed more efficiently
- Establishing communication channels within specialised metal theft police groups, such as the Judicial Police Unit of the Guardia Civil and the National Police's Metal Theft Group
- Training police staff to understand the complexities of metal theft and the organised crime networks involved
- Participating in projects such as Pol-PRIMETT to establish the transnational picture of metal theft and to share good practice across Europe

Global resources are limited and metal is no exception. This, coupled with growing demands means prices will continue to increase and the problem of metal theft will persist. All agencies and Member States must be prepared to address this problem fully, clearly and with unreserved cooperation.

Legislation in participating Member States

Feedback from the previous EUG meeting (7) was to produce recommendations to Member States on legislation to regulate the scrap metal industry and submit a proposal to the European Commission regarding good legislative practice.

Therefore Pol-PRIMETT devised the EUG8 meeting to:



To prepare for the meeting a questionnaire was issued to Member States requesting they answer three questions regarding legislation in their country:

1. Has metal theft legislation been reviewed in your country since 2009?
2. What are the main points of metal theft legislation in your country?
3. Has your country adopted the cashless model?

The questionnaire was issued by Europol and the results included:

Country	Reviewed legislation since 2009	Cashless
Austria		
Belgium		
Bulgaria		
Cyprus		
Czech Rep.		

Denmark		N/A
Estonia		
France		
Greece		N/A
Hungary		
Iceland		
Ireland	In progress	
Italy		
Lithuania		
Malta		
Norway		
Portugal		
Romania		
Slovak Rep.		
Spain		
Sweden		
United Kingdom		

Case studies of the impact of legislation: France

Francois Despres , Gendarmerie Nationale provided an overview of the timeline in France as they were the first EU Member State to introduce legislation to tackle metal theft:

In 2007 the Gendarmerie Nationale developed an action plan to tackle the growing trend of metal theft.

In 2008 they held a convention with FEDEREC (national recycling association) to develop the action plan so it would reflect the needs of the police and the industry.

In 2010 a new penal code was introduced forbidding cash payments for the sale of metal over €500.

In 2011 the Gendarmerie and SNCF agreed a protocol for helicopters to patrol the railway lines frequently targeted by cable thieves, the Ministry of Interior ordered for the Gendarmerie to appoint a national contact point for metal theft (OCLDI) and all cash transactions were banned from the scrap metal industry.

In 2012 legislation was passed which meant scrap metal dealers had to declare the identities and amounts of each metal transaction.

Since the implementation of the legislation there has been a reduction of metal theft at a national level but an increase in metal theft has occurred around the borders during the last quarter of 2012.

It is believed that criminals are stealing from the border region of France and selling them in nearby countries where the legislation is not as strict. This highlights the necessity for harmonising legislation across EU Member States to avoid the displacement of theft.

Case studies of the impact of legislation: Bulgaria

Nadia Sabotinova , BAR provided an overview of the impact of legislation relating to metal theft in Bulgaria.

Between 2009-2011 the Government reviewed the Waste Management Act and the Penal Code relating to the metal theft and introduced the following:

- Documenting and reporting all scrap metal transactions
- Prohibiting the sale of items including:
 - Cables
 - Traffic signs
 - Manhole covers
 - Street lighting
- Punishing scrap metal dealers for trading without licences
- Penalising individuals found to be disrupting electric or water distribution

Following the implementation of the new legislation Bulgaria saw a 23% reduction in metal theft.

In 2012 the Waste Management Act was reviewed once more and the following implemented:

- Removing cash transactions from the industry (in force in 2014)
- All scrap metal dealers to have bank guarantees of a minimum of €15,000
- Establishing communal waste sites where the public hand in their waste for no financial gain
- New application process for trading permits – deemed to be cumbersome by the industry
- Storage rules for different types of scrap metal

The Government also introduced heavy penalties for violations of any of the above amendments (between €15,000 - €50,000).

The feedback from the industry is that the amendments to the legislation will cause issues for businesses including:

- The separation of stock as some sites may have up to 200 piles of different metal
- The municipal sites as there is no clear direction as who will fund / manage these sites
- The cashless system as the industry does not feel prepared for this monumental change

It is believed that the introduction of the new legislation will reduce the number of legal scrap metal dealers by 50%.

Delegates broke into discussion groups to identify key topics for legislation taking into consideration any barriers

Discussion groups

The outputs from the discussion groups included:

General:

- Pol-PRIMETT should turn the research document into action points
- Development of a 'police book' which illustrates the benefits of cooperation with the scrap metal industry
- Development of strong national strategies to tackle metal theft
- Fostering a strong public – private partnership in each Member State

Legislation recommendations

- An obligation for all scrap metal dealers to declare the identity of the seller and the type of materials bought
- Involve the recycling associations in the debate on legislation
- Ensure the restrictions for scrap metal dealers are not too strict to encourage compliance rather than forcing the industry underground
- Consult the judiciary to ensure the punishments fit the crimes
- Establish a clear definition of metal theft
- Introduce prison sentences for:
 - Metal stolen without using force – 1-3 years
 - Metal stolen using force – 3-5 years
 - Establishments buying illegal metal or without details of the seller – 6 months-2 years, establishment closed for up to 5 years (judge's discretion)
- Ensure the impact of the crime is included in the punishment
- Introduce limits on cash transactions as opposed to a complete ban

Wish list

- Establish the danger metal theft poses to communities
- Forbid the trade of peeled cable
- Document the history of cable
- Cable can only be peeled at the end of the cycle
- Controlled sale of cable peeling machines
- Identify metal through a coding system
- Cross border legislation
- Ensure cabling from rail and utilities are easily identifiable
- Develop impact statements to highlight damage caused
- Consider compensation for damages at a civil level
- Consider introducing an experts appraisal at court proceedings to highlight impact / cost
- Enable LEAs to examine SMDs without needing a search warrant
- Improved coordination between various state agencies
- Increase the control of vehicles operating without licences or insurance
- Produce a list of good and bad legislative practice

Observations

- The introduction of a cashless system causes displacement therefore coordinated implementation of legislation is required to prevent this occurring

- UK legislation is good but may not be wholly transferable to mainland Europe due to cross border issues
- Tag and hold legislation slows the market down and has little impact on reducing crime levels

Appendices

Appendix 1 - Acronyms

BAR	Bulgarian Association of Recycling
DG HOME	Directorate-General Home Affairs
EU	European Union
EUG	Expert User Group
FEDEREC	Fédération des Entreprises du Recyclage
LEA	Law Enforcement Agency
OCLDI	Gendarmerie Nationale (France)
Pol-PRIMETT	Police – Private Partnership to Tackle Metal Theft
PUAC	People United Against Crime
SMD	Scrap metal dealer
SNCF	Société Nationale des Chemins de fer Français; "French National Railway Corporation"

Appendix 2 - List of participants

First name	Surname	Organisation	Country represented
Alberto	Alba Garcia	Asociación Valenciana de Agricultores (AVA-ASAJA)	Spain
Ángel	Albendín	Valencia Local Police	Spain
Vicente	Albiach	Valencia City Council	Spain
Juan Carlos	Álvarez	Galea Electric	Spain
Tomas	Asensio	Bomberos Atto. Valencia	Spain
Ross	Bartley	Bureau of International Recycling	UK
Jorge	Boguna Pacheco	Fiscalia provincial de Valencia	Spain
Cristina	Checchinato	Europol	Italy
Jacques	Colliard	UIC	France
Francois	Despres	Gendarmerie Nationale	France
José Luís	Diego	Valencia Local Police	Spain
Miquel	Domínguez	Valencia Local Police	Spain
Maria	Fornier Palanca	Valencia Local Police	Spain
Estanislao	Garcia	Universidad de Valencia	Spain
Alicia	García-Franco Zúñiga	Federación Española de la Recuperación y el Reciclaje (FER)	Spain
Alicia	García-Franco Zúñiga	Federación Española de la Recuperación y el Reciclaje (FER)	Spain
Arturo	González	Valencia Local Police	Spain
Wayne	Goodwin	South Yorkshire Police	UK
Ian	Hetherington	British Metals Recycling Association	UK
Marilyne	Hopkinson	People United Against Crime	UK
Viveke	Ihd	Swedish Recycling Industries	Sweden
Manuel	Junquera Suazo	Unidad Orgánica de Policía Judicial. Comandancia de la Guardia Civil de Valencia	Spain
Rayna	Karcheva	European Institute	Bulgaria
Jeff	Kimball	Hulladékhasznosítók Országos Egyesülete (HOE)	Hungary
Patrick	Kornberg	Fédération des Entreprises du Recyclage (FEDEREC)	France
John	Laene	Railpol	Netherlands
Rafael	Lazaro Armero	Valencia Local Police	Spain
Jesús	Luján Chumillas	Cuerpo Nacional de Policía	Spain
John	McBride	British Transport Police	UK
Rafael	Mogro Terrones	Valencia Local Police	Spain
Harriet	Moll	Agencfor Lombardia	Italy
Rui	Moura	Guarda Nacional Republicana	Portugal
Lubov	Panayotova	European Institute	Bulgaria
Helen	Parr	People United Against Crime	UK
Manuel	Perpinan Hernandez	Autoridad Portuaria de Valencia	Spain
Andrés	Rabadán	Valencia Local Police	Spain
David	Ransom	People United Against Crime	UK

Nadya	Sabotinova	Bulgarian Association of Recycling	Bulgaria
Marta	Server Monasterio	Valencia Local Police	Spain
George	Sofianos	European Regional Framework for Cooperation	Greece
Susana	Sola	Valencia Local Police	Spain
Marek	Suchowolec	DROP Company	Poland
Ivan	Vidolov	Bulgarian Ministry of Interior	Bulgaria
Pedro Luis	Viguer	Decanato de Jueces de Valencia	Spain

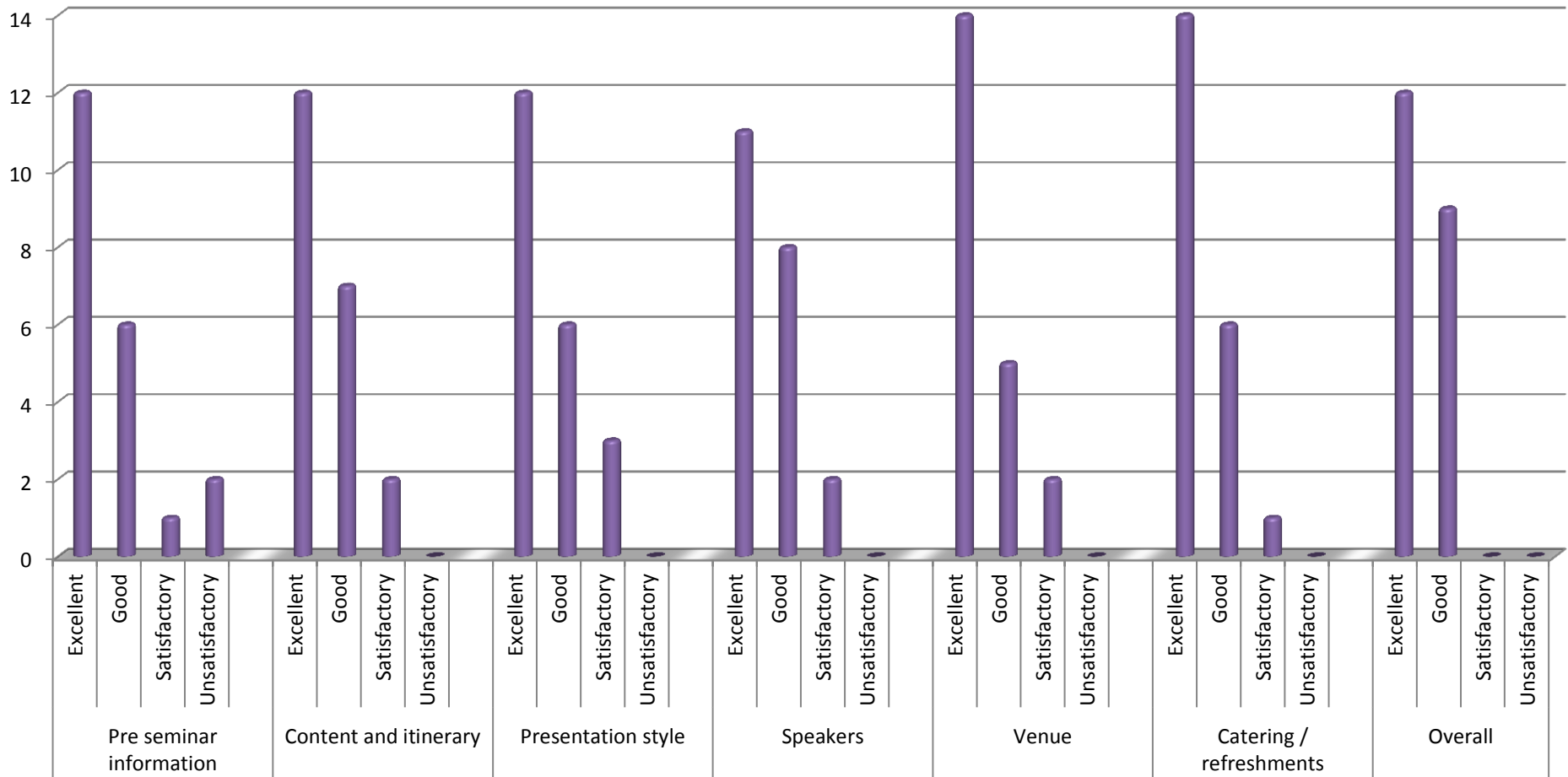
Appendix 3 - Evaluation

The information below is based on the feedback received from delegates who attended the EUG8 meeting.

Summary of findings

- 44 delegates attended the EUG meeting and 21 evaluation forms were completed. This is a 48% response rate
- Overall responses ranged from 'excellent' to 'unsatisfactory' with the average response being 'excellent'
- Venue and catering/refreshment received the highest average score of 3.6 = 'excellent'
- Comments included:
 - Somewhat chaotic regarding the workshop arrangements
 - Invitation of Pol-PRIMETT to attend the UIC working body on metal theft in Berlin
 - Keeping groups small will get best results – a good structure for this meeting
 - Excellent organisation
 - Well planned and presented
 - Very informative
 - Very well organised and allowed an excellent exchange of information
- Recommendations for future topics and activities were:
 - Railways
 - Copper alternatives
 - Research by industry
 - More statistics, more data about trends in metal theft
 - Judicial practices

The graph below summarises the responses received:



There were 44 delegates who attended the EUG meeting and there were 21 responses.

Summary information

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

	Median response	Range	Mean
Pre-meeting information	Good	Excellent – unsatisfactory	3.3
Content and itinerary	Good	Excellent – satisfactory	3.5
Presentation style	Good	Excellent – satisfactory	3.4
Speakers	Good	Excellent – satisfactory	3.4
Venue	Good	Excellent – satisfactory	3.6
Catering / refreshments	Good	Excellent – satisfactory	3.6
Overall	Good	Excellent – good	3.6

The content and itinerary, presentation style, speakers, venue and catering/refreshment responses varied from 'excellent' to 'satisfactory' with the average response being good - excellent. The pre-meeting information, varied from 'excellent' to 'unsatisfactory', with the average response being 'good'.

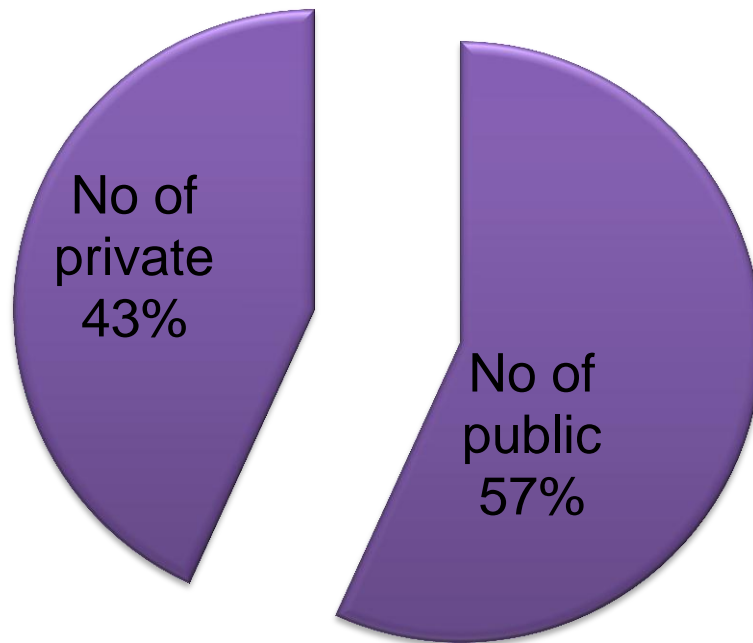
Based on the mean score delegates were most positive on the venue and catering/refreshments (3.6 = 'excellent'), and least on the pre-meeting information which received a score of 3.3 = 'good'.

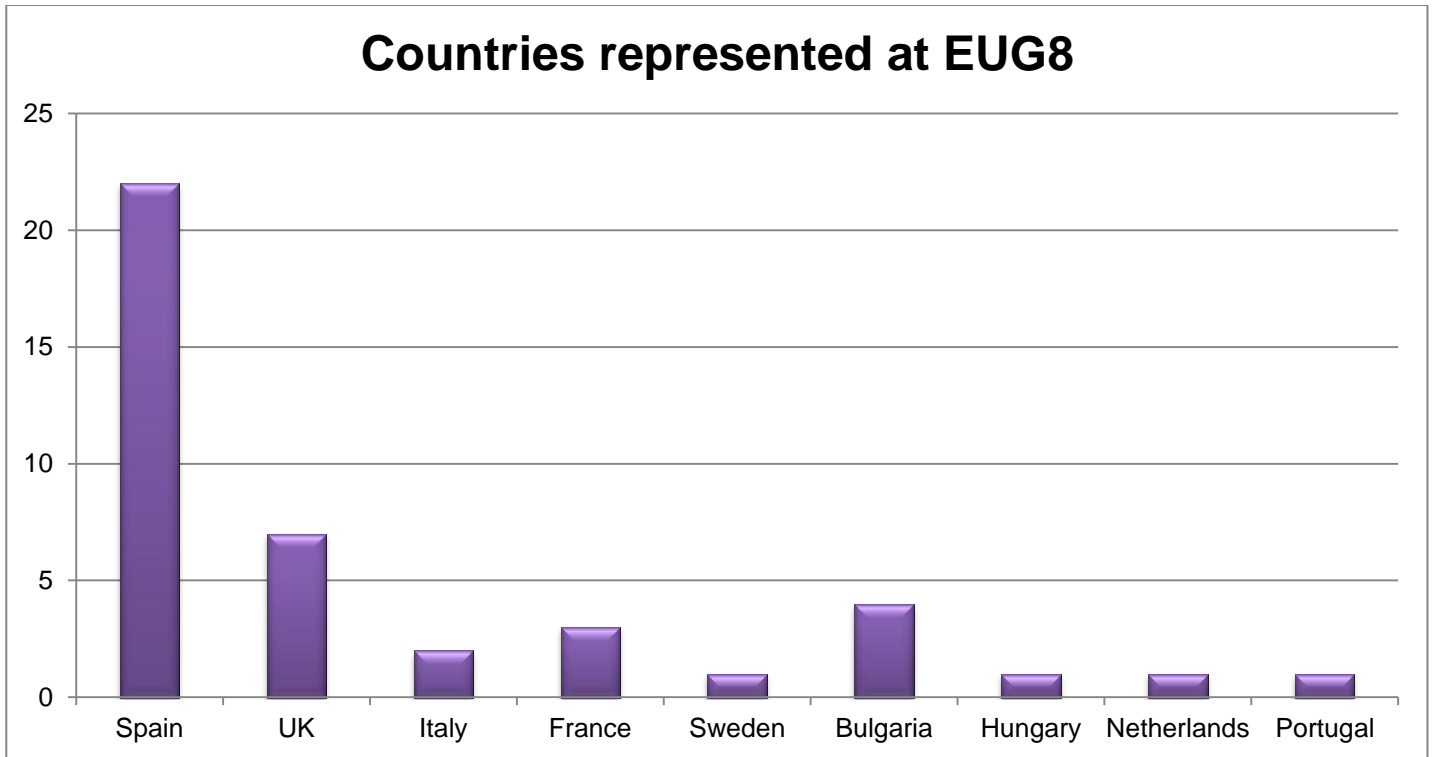
Overall the event was rated as 'excellent', with responses ranging from 'excellent' to 'good'. The overall mean was 3.6 = 'excellent'.

Appendix 4 - Analysis of delegates

No of delegates	44
No of organisations	31
No of countries	11
No of public	25
No of private	19

Split of public and private representatives





Appendix 5 – Pol-PRIMETT EUG8 meeting presentations

Appendix 5 is available in the Stakeholder Area of the Pol-PRIMETT website – www.pol-primett.org.

Please email pol-primett@people-united.org if you experience any problems with the website.

POI-PRIMETT



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www.policingyorkshireandthehumber.co.uk