

# Office of the Police & Crime Commissioner

**REQUEST FOR POLICE & CRIME COMMISSIONER DECISION - (N° 007 /2020)**

**TITLE: 3x Temporary Dedicated Serious and Organised Crime Posts (The 2-year posts will be funded from Misuse of Drugs Act Fund/ARIS)**

## **Executive Summary:**

The proposal is to create three new temporary positions within the Force Intelligence Bureau to help protect the people of Cumbria and keep the streets safe by assisting Cumbria Constabulary in their efforts to tackle serious and organised crime within the county and to support the concerted effort made by Cumbria Constabulary to improve front line and partnership understanding of County Lines.

- a) The Serious and Organised Crime Prevention Officer (Grade 6/Temp 2-year) will be required to use all powers and legal orders available to law enforcement organisations to disrupt the ability of Organised Crime Groups to operate within the county.
- b) The role of dedicated County Lines Analyst (Grade 6/Temp 2-year) and dedicated County Lines Researcher (Grade 4/Temp 2-year) will enable a deeper focus on the issue and improve our operational understanding and response. This will assist in shaping more effective Enforcement, Prevent and Safeguarding tactics in Cumbria and in 'exporting' force areas with the aim of making our neighbourhoods a more hostile environment for outside crime groups to operate.

The recommendation is that these three temporary two year contracts will be funded from the Asset Recovery Incentivisation Scheme (ARIS). The proceeds of Crime Act 2002 gives power to the police and other public bodies to confiscate assets and cash from individuals who are convicted of offences or on the balance of probability have benefited from their illegal activity. The three post will enable Cumbria Constabulary to recover further assets related to criminal wealth and will assist in the disrupting of serious and organised crime gangs targeting Cumbria.

## **Recommendation:**

The Commissioner is asked to consider the following:-

Approves the allocation of **£171,020** from the Asset Recovery Incentivisation Scheme (Drugs Fund) for the establishment of three new temporary post that will support the targeting of serious and organised criminality activity impacting on Cumbria.

**In Response:**

The Constabulary should make better use of preventative orders, and realise the benefits of intelligence available to disrupt Serious and Organised Crime and County Lines activity.

This can be achieved by creating a police staff role profile for a SOC Prevent/Ancillary Orders position with the FIB structure. That role will be tasked with using existing intelligence to create an evidential case for Legal Services to progress. The new role will be under a temporary contract for two years, to evaluate the benefits and whether the concept is an effective at reducing harm.

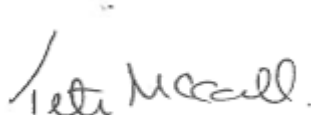
In support of this new role a further two posts are required including a dedicated analyst and dedicated researcher whose roles will assist in shaping more effective Enforcement, Prevent and Safeguarding tactics in Cumbria and in 'exporting' force areas with the aim of making our neighbourhoods a more hostile environment for outside crime groups to operate.

**Police & Crime Commissioner / ~~Chief Executive~~**

I confirm that I have considered whether or not I have any personal or prejudicial in this matter and take the proposed decision in compliance with the Code of Conduct for Cumbria Police & Crime Commissioner. Any such interests are recorded below.

I hereby approve/~~do not approve~~ the recommendation(s) above

**Police & Crime Commissioner / ~~Chief Executive~~ (delete as appropriate)**



**Signature:**

**Date: 28<sup>th</sup> July 2020**

## **PART 1 – NON CONFIDENTIAL FACTS AND ADVICE TO THE PCC**

### **1. Introduction & Background**

The Constabulary effectively uses ancillary orders such as SCPO and Modern Day Slavery powers at the point of conviction to manage the longer term risk posed by OCGs that have drug supply as their main type of offending.

However, many of these powers are also available through the civil process with a lower burden of proof when people are not convicted by a criminal court. This often allows officers to present information not otherwise admissible to obtain an order and prevent offending.

The force has a robust process for gathering SOC/County Lines intelligence, there are large quantities of intelligence that cannot be actioned because of the limits on operational resourcing but could be effectively managed to support preventative orders.

The force SOC and County Lines Strategies both promote the use of Ancillary Orders under the prevent strand.

HMICFRS have the following as part of their inspection criteria for SOC:

- How does the force make use of ancillary order, what is the process for ensuring this takes place?
- How does the force make use of serious crime prevention orders to prevent members of OCGs?
- How does the force make use of drug dealing telecommunications restriction order, Telecommunications Restitution Orders Regulations 2017?

HMICFRS wrote to all forces and ROCU on 21st June 2019 asking them to comment on the number of DDTRO they had applied for ahead of a forthcoming County Lines thematic inspection.

HMICFRS have an area for improvement as:

*“The Constabulary should enhance its approach to the lifetime management of organised criminals to minimise the risk which they pose to local communities. This approach should include routine consideration of ancillary orders, partner agency powers and other tools to deter organised criminals from continuing to offend”.*

Types of orders (examples - not exhaustive)

- Drug Dealing Telecommunications Order (DDTRO) – court order to close a telephone line as identified as being used to supply drugs.
- Closure Orders – closure of premises used for crimes, including drug dealing.
- Modern Day Slavery and Trafficking Order – can be used against persons known to traffic persons in County Lines drug dealing.

- Sexual Harm Prevention Order – can be used in cuckooing situations, when a vulnerable drug user is subjected to sexual violence.
- Violent Offender Order – can be used to prevent extreme violent crime such as beating and threats to kill over criminal vendettas.

The primary responsibilities for the three new temporary roles would be to help protect the people of Cumbria and keep the streets safe by assisting Cumbria Police in efforts to tackle serious and organised crime within the county. The role holder will look to use all the existing powers and legal orders available to law enforcement organisations to disrupt the ability of Organised Crime to operate within the county. The roles will require the researching of intelligence, compiling and presenting evidential packages to legal and Crown Prosecution Service, and support the legislation through any subsequent court process. The post holder will oversee the administration of the SOC orders that have been successfully obtained by the force.

## 2. Issues for Consideration

- The Constabulary can make better use of powers provided by the government to prevent drug dealing criminality in communities.
- HMICFRS has identified the force’s use of ancillary orders as an area for improvement and there is no capacity in the intelligence function to take on this additional work.
- South Cumbria in particular is a hot spot for County Lines drug crime, which is having a disproportionate impact on communities and increasing other crime types such as violence, sexual exploitation and retail theft.

## 3. Implications

**(List and include views of all those consulted, whether they agree or disagree and why)**

### 3.1. Financial

JOB TITLE	PAY GRADE	PROPOSED SALARY (£)	TOTAL REVENUE (£)	TOTAL CAPITAL (£)
Serious and Organised Crime Prevention Officer	Grade 6 (1x)	£26,208 - £28,023	£61,440	£1,744.50
Dedicated County Lines Analyst	Scale 6 (1x)	£26,208 - £28,023	£69,320	£1,744.50
Dedicated County Lines Analyst	SCALE 4 (1X)	£21,342	£59,970	£1,744.50
<b>BALANCE:</b>			£190,730	£5,233.50
<b>TOTAL COMBINED COSTS :</b>				£195,963.50
<b>EXTERNAL FUNDING RECEIVED:</b>				£30,000
<b>PCC CONTRIBUTION:</b>				£171,020

3.2. **Legal**

Legal have been contacted and have not identified any legal implications.

3.3. **Risk**

HMICFRS has identified the force's use of ancillary orders as an area for improvement, and there is no capacity within the force to take on this additional work.

3.4. **HR / Equality**

No risks have been identified at this stage.

3.5. **I.T.**

ICT provision for laptop, Microsoft licence, docking station and screen.  
Total capital £1,744.50 x3 (£5,233.50)

3.6. **Procurement**

No risks have been identified at this stage.

3.7. **Victims**

A reduction in drug based criminality should reduce the risk posed to local communities, and have a reduction on the numbers of people who become victims of criminality due to Serious and Organised crime, or County Lines activity. These include potential victims of acquisitive crime, retail theft, modern day slavery and trafficking of people, sexual violence, and extreme violent crime linked to vendettas.

**4. Backgrounds / supporting papers**

(List any relevant business case, EIA, PID, Media Strategy and append to this form; list persons consulted during the preparation of the report)

**a) Memorandum of Understanding to be signed on approval of funding from PCC.  
(attached)**

The following documents and evidence are not attached to Decision Paper, however they are available for inspection.

*b) HMICFRS email dated 21.06.19 re HMICFRS County Lines thematic inspection – use of drug dealing telecommunications restriction orders (DDTROs).*

*c) Email chain from DCI Nicholas Coughlan.*

*d) Andrew Dobson and Bob Bacon in Legal Services (emailed by DCI Coughlan).*

**Public Access to Information**

Information in this form is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. Part 1 of this form will be made available on the PCC website within 5 working days of approval. Any facts/advice/recommendations that should not be made automatically available on request should not be included in Part 1 but instead on the separate Part 2 form. Deferment is only applicable where release before that date would not compromise the implementation of the decision being approved.

Is the publication of this form to be deferred? YES / NO

If yes, for what reason:

Until what date (if known):

Is there a **Part 2** form - YES / NO

(If Yes, please ensure Part 2 form is completed prior to submission)

**ORIGINATING OFFICER DECLARATION:**

I confirm that this report has been considered by the Chief Officer Group/ OPCC Executive Team and that relevant financial, legal and equalities advice has been taken into account in the preparation of this report.

**Signed:** *Supt Nick Coughlan*

**Date:** 22<sup>nd</sup> July 2020

**OFFICER APPROVAL**

~~Chief Executive~~ / Deputy Chief Executive (delete as appropriate)

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Police and Crime Commissioner / Chief Executive (delete as appropriate).

**Signature:** V. Stafford

**Date:** 22<sup>nd</sup> July 2020

**Media Strategy**

The decision taken by the Police & Crime Commissioner / Chief Executive may require a press announcement or media strategy.

Will a press release be required following the decision being considered? YES / NO

If yes, has a media strategy been formulated? YES / NO

Is the media strategy attached? YES / NO

What is the proposed date of the press release: