

DMPC Decision – PCD 955

Title Home Office Funding for Regional and Force Cyber Dependant Crime Response 2021/22

Executive Summary:

This paper seeks approval to accept the Home Office offer of grant funding for 2021/22 of upto £2,580,000 to support the work of the Prevent, Protect Prepare and Pursue activity in relation to Cyber Dependant Crime.

Recommendation:

The Deputy Mayor for Policing and Crime is recommended to:

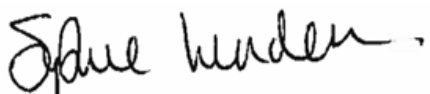
1. approve acceptance of Home Office Grant funding of upto £2,580,000 to support the Prevent, Protect, Prepare and Pursue response to cyber dependent crime in 2021/22

Deputy Mayor for Policing and Crime

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

Signature



Date 19/03/2021

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC

1. Introduction and background

- 1.1. This is a continuation of funding previously approved by MOPAC PCD371 and PCD815. This funding stream has been in place since 2014.
- 1.2. The current grant funding ceases on 31/03/2021 and the grant offered for continuation will be for financial year 2021/22 only in line with the chancellor's decision of a one year spending review.

2. Issues for consideration

- 2.1. The proposed grant funding will directly support the MOPAC Police & Crime Plan in the following areas
 - "we will continuously review our approach, skills and capabilities to tackle new and emerging threats and the changes in the types of crime facing Londoners such as social media hate crime, fraud and cybercrime. Many traditional investigations for example, missing persons or harassment, now include online and digital elements"
 - "Make London's residents and business feel safer from the threat of cybercrime by supporting them to protect themselves and investigating when crime happens"
 - "Continue to increase the judicial outcome rate in the pursuit of cybercrime, fraud and online offences, while safeguarding young people from being drawn into hacking and cybercrime" and
 - "Respond to the emerging and increasing threats of fraud and cyber-crime, maintaining focus on pursuing those involved in this criminality as well as developing prevent and protect measures to reduce the number of London victims of fraud and cybercrime"

3. Financial Comments

- 3.1. This proposal seeks approval to accept upto £2,580,000 of Home Office grant funding for 2021/22. The grant will support the funding of staff and officers as well as software, equipment and specialist training.

4. Legal Comments

- 4.1. This grant will be paid to MOPAC by the Home Office in the exercise of power conferred upon the Secretary of State pursuant to Section 169 of the Criminal Justice and Public Order Act 1994 and Section 48 of the Police Act 1996 to make awards of Grant funding.
- 4.2. MOPAC may accept the offer of the Grant pursuant to Schedule 3 Paragraph 7 of the Police Reform and Social Responsibility Act 2011 ("2011 Act") where MOPAC may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise

of the functions of the Office which includes entering into contracts and other agreements (whether legally binding or not).

- 4.3. Paragraph 4.8 of MOPAC's Scheme of Delegation and Consent requires the approval of the Deputy Mayor for Policing and Crime to approve the receipt of the grant.

5. GDPR and Data Privacy

- 5.1. MOPAC will adhere to the Data Protection Act (DPA) 2018 and ensure that any organisations who are commissioned to do work with or on behalf of MOPAC are fully compliant with the policy and understand their GDPR responsibilities.
- 5.2. MPS assure that a screening questionnaire has been completed and a further DPIA is not considered necessary.

6. Equality Comments

- 6.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.2. MPS assure that a equality screening exercise has been completed and which identified no impact to any of the protected characteristic groups.

7. Background/supporting papers

- Appendix 1 MPS Report Funding for Regional and Force Cyber Dependant Crime Response Met21/0002

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

If yes, for what reason:

Until what date: N/A

Part 2 Confidentiality: Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – YES

ORIGINATING OFFICER DECLARATION	<i>Tick to confirm statement (✓)</i>
Financial Advice: The Strategic Finance and Resource Management Team has been consulted on this proposal.	✓
Legal Advice: The MPS legal team has been consulted on the proposal.	✓
Equalities Advice: Equality and diversity issues are covered in the body of the report.	✓
GDPR/Data Privacy GDPR compliance issues are covered in the body of the report	✓
Director/Head of Service: The MOPAC Chief Finance Officer and Director of Corporate Services has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.	✓

Chief Executive Officer

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 Deputy Mayor for Policing and Crime.

Signature



Date 11/03/2021



MOPAC

MAYOR OF LONDON
OFFICE FOR POLICING AND CRIME

Funding for Regional and Force Cyber Dependant Crime Response Met21/0002
MOPAC Investment Advisory & Monitoring meeting 5th March 2021

Report by Ceri Griffiths on behalf of the Chief of Corporate Services

Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC

EXECUTIVE SUMMARY

This paper is to request approval to accept upto £2,580,000 for financial year 2021/22. For Prevent, Protect Prepare and Pursue activity in relation to Cyber Dependant Crime covering both force and regional response, subject to offer from the Home Office.

The funding will cover staff and support costs including software, equipment, training and communications.

Recommendations

The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to:

- 1. approve acceptance of Home Office Grant funding of upto £2,580,000 to support the Prevent, Protect, Prepare and Pursue response to cyber dependent crime in 2021/22.**

Time sensitivity

A decision is required from the Deputy Mayor 11/03/2021. This is because current funding ceases 31/03/2021

Non-confidential facts and advice to the Deputy Mayor for Policing and Crime

Introduction and background

1. This is a continuation of funding previously approved by Sophie Linden Deputy Mayor for Policing and Crime 16/04/18 PCD371 and 24/08/20 PCD815 these funding streams have been in place since 2014 and 2018 respectively.
2. The current grant funding ceases on 31/03/2021 and the Grant offered for continuation will be for financial year 2021/22 only in line with the chancellor's decision of a one year spending review.

3. The final funding received will be based on actual costs and may therefore vary from the amounts given above but not exceed them.
4. London / the Metropolitan Police received nearly 20% of all Cyber dependant investigations in 2020 - the highest demand of all Forces, therefore national figures are affected significantly by our progress.
5. The Metropolitan Police Cyber Crime Unit forms part of the National Network and the regional response for London, this network is directly in support of the recommendation from HMRCFRS 2019 Cybercrime inspection.
6. The need for this resource in London is shown by the broad portfolio of victim care currently provided - delivery of resources and advice during the pandemic, and targeting those committing the highest harm, whilst continuing to support potential victims to stop them becoming so. This would not be possible without the offered funding

Issues for consideration

7. Funds provided will be for financial year 2021/22 in line with the chancellor's decision for a one year spending review and the process to seek funding beyond this year is currently unknown.
8. The Home Office have indicated that the funding streams are likely to continue for 2021/22 and formal offers will follow.

Contributes to the MOPAC Police & Crime Plan 2017-2021¹

1. The money received in this bid will directly support the MOPAC Police & Crime Plan which states "we will continuously review our approach, skills and capabilities to tackle new and emerging threats and the changes in the types of crime facing Londoners such as social media hate crime, fraud and cybercrime. Many traditional investigations for example, missing persons or harassment, now include online and digital elements"

"Make London's residents and business feel safer from the threat of cybercrime by supporting them to protect themselves and investigating when crime happens"

"Continue to increase the judicial outcome rate in the pursuit of cybercrime, fraud and online offences, while safeguarding young people from being drawn into hacking and cybercrime"

This also supports the relevant milestone of;

"Respond to the emerging and increasing threats of fraud and cyber-crime, maintaining focus on pursuing those involved in this criminality as well as developing prevent and protect measures to reduce the number of London victims of fraud and cybercrime"

¹ [Police and crime plan: a safer city for all Londoners | London City Hall](#)

Financial, Commercial and Procurement Comments

1. This business case seeks permission to accept Home Office funding for Regional and Force Level response to cyber dependent crime in 2021/22 of up to £2,580,000.
2. Breakdown
This information is contained in the restricted section of the report.
3. MPS have received funding for force and regional response for some years and the budgets are set up in Central Specialist Crime to reflect the agreed funding. For 2020/21 £2.58m has been included in the budget.
4. This paper is for wage and direct support costs as well as software, equipment, specialist cyber training and communications.
5. Funding beyond FY 2021/22 will be subject to bids to the Home Office in line with the next Spending Review.
6. As an extension to an existing service this work does not change any aspects relating to responsible procurement.
7. In accordance with previous years, it is anticipated that this Grant will be formalised with an Agreement between MOPAC and the Home Office.

Legal Comments

8. This report seeks MOPAC's approval to accept anticipated grant funding from the Home Office of up to £2,580,000 to support wages, direct support costs, software, equipment, specialist cyber training and communications.
9. MOPAC approval is sought pursuant to Paragraph 4.8 of the MOPAC Scheme of Consent and Delegation which provides the DMPC with delegated power to approve all offers made of grant funding.
10. The legal powers applicable to
 - a. the acceptance of Home Office Grant will be under Schedule 3, Paragraph 7 of the Police Reform and Social Responsibility Act 2011 which provides that
 - 7(1) The Mayor's Office for Policing and Crime may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office.
 - (2) That includes—
 - (a) entering into contracts and other agreements (whether legally binding or not);
 - b. the making of this Grant will be under the powers conferred on the Home Office by Section 169 of the Criminal Justice and Public Order Act 1994 and

Section 48 of the Police Act 1996 to make awards of grant funding.

11. Any Grant Agreement formalised will be substantially in the form of the existing Grant Agreement and will be published pursuant to Articles 3, 4 & 5 of The Elected Local Policing Bodies (Specified Information) (Amendments) Order 2012.

Equality Comments

12. As the primary focus of this paper is to ensuring the continuity of an existing service, this recommendation does not change any aspects relating to our equality obligations and compliance under the Equality Act in particular our continued commitment as an equal opportunities employer to comply with the Public Sector Equality Duty (section 149).
13. An Equality screening exercise was completed where it was identified that there was no impact to any of the protected characteristic groups negating the completion of a full EIA at this time.

Privacy Comments

14. The MPS is subject to the requirements and conditions placed on it as a 'State' body to comply with the European Convention of Human Rights and the Data Protection Act (DPA) 2018. Both legislative requirements place an obligation on the MPS to process personal data fairly and lawfully in order to safeguard the rights and freedoms of individuals.

Under Article 35 of the General Data Protection Regulation (GDPR) and Section 57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.

The Information Assurance and Information Rights units within MPS will be consulted at all stages to ensure the programme/project meets its compliance requirements.

The screening questions have been completed and a DPIA is not required because this is not a project or application to change or introduce a new process or function but to deliver business as usual in an investigative capacity.

Real Estate Implications

15. There is no change in the estate requirements as a result of this paper

Environmental Implications

16. There is no impact in relation to delivering the Mayor's London Environment

Strategy².

Background/supporting papers

17. Supporting papers included with paper 2

Report author: Ceri Griffiths, Band C, Prevention, Performance and Governance Manager, 0207 230 8116

Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.

The Government Security Classification marking for Part 2 is:
OFFICIAL-SENSITIVE [OPERATIONAL]

Part 2 Funding for Regional and Force Cybercrime response Met 21-0002 is exempt from publication for the following reasons:

The relevant sections under the FOIA that would exempt this information from disclosure are

Section 31 Law enforcement.

(1) Information which is not exempt information by virtue of section 30 is exempt information if its disclosure under this Act would, or would be likely to, prejudice—

- (a) the prevention or detection of crime,
- (b) the apprehension or prosecution of offenders,
- (c) the administration of justice,

The paper will cease to be exempt in 2031, it is assessed that the tactical and operational information included would no longer be sensitive.

² <https://www.london.gov.uk/WHAT-WE-DO/environment/environment-publications/draft-london-environment-strategy>