

Deputy Mayor for Policing
c/o Siobhan Coldwell
Head of Strategy
Mayor's Office for Policing and Crime
10 Dean Farrar Street
London, SW1H 0NY

Catherine Bowen

1 March 2013

Dear Mr Greenhalgh,

Draft Police and Crime Plan

I would like to thank you for the opportunity to provide feedback on the draft Police and Crime Plan for London. As you know the British Retail Consortium (BRC) and its members have been working closely with the Commissioner and Deputy Commissioner in the Metropolitan Police Service (MPS) to devise a strategy for tackling business crime. We are therefore delighted to see the inclusion of business crime in the draft Police and Crime Plan. We will continue to work with the Deputy Commissioner through the Business Crime Forum to ensure that there is a comprehensive strategy in place to tackle business crime by September 2013.

The BRC's latest Annual Retail Crime Survey shows that there is a significant lack of confidence in the police to respond to business crime offences. This is clear from the gross under-reporting of offences, for example only 12 per cent of shop theft is reported to the police, with around two in five respondents stating that this was due to not having the confidence in the police to respond.

We are keen to work with the MPS to ensure that the full extent and impact of business crime is understood. We welcome the analytical review that the MPS has undertaken under the direction of the Deputy Commissioner. However, this should be an ongoing process and form part of the annual strategic assessment and strategic planning. The lack of an agreed definition for business crime makes it very difficult to quantify the true extent of the problem. It is therefore essential that businesses are given the opportunity to provide their data and knowledge about the issues to enhance the current profile. This would also ensure that the business community is genuinely involved in helping to determine the most appropriate solutions and outcomes to the problems identified.

The BRC welcomes the continued investment in Safer Neighbourhood Teams and believes that a visible police presence in local communities will have a significant impact to improve people's confidence in the MPS. However, it is important that the Safer Neighbourhood Teams are fully briefed on the business crime strategy once it has been established and that this is reflected in local crime planning. Regular engagement between the Safer Neighbourhood Teams and the business community should also be actively encouraged. However, it is important that Safer Neighbourhood Teams understand how larger businesses operate and that this engagement occurs at the right level of the business.

Retailers recognise they have an important role to play in supporting local community safety. As the draft Police and Crime Plan has highlighted there are a wide variety of ways that retailers can assist the Deputy Mayor to reduce crime and costs whether it be participating in Employee Supported Policing, providing refreshments to officers, or providing office space for officers allowing them to remain a visible presence in the community. The BRC recently launched the website www.tacklingretailcrimetogogether.co.uk to help promote the many ways that retailers invest in local policing and partnerships to prevent crime.

The BRC would be keen to work with the MPS and Mayor's Office for Policing and Crime to ensure that these benefits are maximised and that effective partnership practice between retailers and the MPS is shared across boroughs and with other force areas.

There are also opportunities that should be further exploited to ensure that the MPS can make better use of technology and intelligence held by the retail sector. BRC members have already been involved in a 'Big Wing' Operation to tackle economic crime and are involved in pilots to investigate how ANPR and CCTV data can be used more effectively. Retailers also invest in local partnerships such as Community Alcohol Partnerships and are very keen to work with the MPS to develop these across the force.

The BRC is very supportive of the increased focus on victims of crime and is delighted that businesses have been recognised as a victim of crime. Both the perception and reality of crime in a local area can have a significant impact on the commercial activity of local businesses. Shoppers and employees alike need to feel safe and supported by their local police.

The Annual Retail Crime Survey produced by the BRC reported a reduction in violence against staff, this could be partly attributed to the best practice guidance for retailers that the BRC produced last year to tackle violence in the workplace and ongoing work with the Union for Shop, Distributive and Allied Workers (USDAW). However, this still remains an unacceptable threat to the health and well-being of the retail sector's three million employees. Many crimes go unreported because victims do not believe the police will take any action, or if they do, that criminals will be brought to justice.

We would like to ensure that the business crime strategy addresses these concerns. One area we would like to see more focus on is the use and practice of victim impact statements. While retailers have encouraged their staff to complete Victim Personal Statements the fact these have to be completed by the individual victim rather than the business has meant that there is inconsistent practice across the country. It has also meant that the full extent and impact of offences affecting retail and the wider community is often not understood.

The BRC has therefore recommended that the Ministry of Justice considers develop impact statements specifically for businesses. This would ensure that the impact of crimes affecting retail businesses/retail staff is clearly understood and consequently that offenders receive the appropriate criminal justice outcome. This would also provide much needed reassurance to retail staff that violence and abuse in the workplace is unacceptable and that they will receive an equitable response from the criminal justice system if they are a victim of retail crime.

When focusing on business victims of crime it is important to remember that the cost of retail crime often goes far beyond the cost of stolen goods and can include the cost of damage, lost trading and reputational harm. It is therefore absolutely essential that retailers are consulted on any punishment that may affect their business or the wellbeing of their staff/customers.

One area of persistent concern is the continued use of Penalty Notices for Disorder (PND). While the BRC supports the use of PNDs when dealing with first time offenders we remain concerned that penalty notices are often issued to repeat and persistent offenders. Our main concern in relation to PNDs is the high level of fines that remain unpaid. In 2011 34,688 PNDs were issued for retail theft, equating to around 27 per cent of the total number of PNDs issued (127,530). Of the PNDs issued for shop theft in 2011, only 18,603 (54%) were paid. Although this is an improvement when compared to previous years, this is still a matter of great concern. If unpaid fines are not enforced effectively, this undermines the confidence of retailers in reporting these crimes. We also believe that police officers may be discouraged from taking any action when it is clear that unpaid fines are not challenged by the courts.

There is a need for better enforcement and to ensure that those who continue to avoid payment are challenged. Unless such enforcement takes place, obtaining penalties via other means, such as directly from benefits, salaries or goods or the knowledge that persistent evasion would result in a custodial sentence would provide a more suitable deterrent.

The latest Annual Retail Crime Survey has again reported an increase in the level of serious and organised offending, however, there is growing concern amongst the BRC's retail members about the police's ability to respond effectively to cross border serious and organised crime. Through the work the BRC has undertaken with the MPS we now have a Single Point of Contact for Business Crime in each London Borough. This has proven to be extremely beneficial and has helped to identify and respond to issues which have crossed MPS boroughs or police borders, however, business needs to be assured that the capacity to resolve these issues is sustainable and that there is greater cross force collaboration on offences that cross force boundaries.

A particular concern is the ability of the MPS to respond to economic and cyber-crime. Online retailing is a significant element of the future strategy for many businesses and increasingly important to the economy. Although victims of fraud are now encouraged to report offences via Action Fraud there is still an onus on the local force to respond to crimes in action. Unfortunately however many offences remain undetected due to a lack of ownership for this type of crime at local force level. It is therefore imperative that the MPS retains the capacity to deal with economic and cyber-crime offences that impact on London's business community.

While it is very reassuring to see that the Police and Crime Plan is focused on working with the business community to tackle crimes against them the BRC is keen to work closely with the MPS and the Mayor's Office for Policing and Crime to address the ongoing concerns set out in this letter. The BRC remains committed to ensuring that significant progress is made to address business crime and looks forward to working with the Deputy Commissioner and his team to develop the MPS business crime strategy that underpins the Crime and Police Plan.

I would welcome the opportunity to discuss any of the concerns raised in this letter or to discuss your expectations of the business crime strategy in further detail.

Yours sincerely



Catherine Bowen
Head of Crime Policy