



Home Office

THE NATIONAL CRIME AGENCY

A PLAN FOR THE CREATION OF A NATIONAL CRIME-FIGHTING CAPABILITY



The National Crime Agency

A plan for the creation of a national crime-fighting capability

Presented to Parliament
by the Secretary of State for the Home Department
by Command of Her Majesty

June 2011

© Crown copyright 2011

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit www.nationalarchives.gov.uk/doc/open-government-licence/ or e-mail: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Any enquiries regarding this publication should be sent to us at:

National Crime Agency Programme
Home Office
6th Floor
Peel Building
2 Marsham Street
London
SW1P 4DF

Email:
nationalcrimeagencyprogramme@homeoffice.gsi.gov.uk

This publication is also available for download at
www.official-documents.gov.uk

ISBN: 9780101809726

Printed in the UK by The Stationery Office Limited on behalf of the Controller of Her Majesty's Stationery Office

ID P002435167 06/11

Printed on paper containing 75% recycled fibre content minimum.

Contents

FOREWORD	4
EXECUTIVE SUMMARY	5
1 INTRODUCTION	7
2 THE NEED FOR THE NCA	9
• Cutting crime	
• National threats	
• Existing response	
3 THE VISION FOR THE NCA	12
4 THE SCOPE AND FUNCTIONALITY OF THE NCA	13
• Scope	
• Resources	
• Core capabilities	
- Intelligence, prioritisation and tasking	
- Investigation and operations	
- Prevention	
• The reach of the NCA	
5 THE COMMAND STRUCTURE OF THE NCA	18
• The Organised Crime Command	
• The Border Policing Command	
• The Economic Crime Command	
• The Child Exploitation and Online Protection Centre	
6 THE ACCOUNTABILITY AND GOVERNANCE OF THE NCA	22
7 NEXT STEPS	23
• Transition and funding	
• Consultation	

FOREWORD BY THE HOME SECRETARY



Last year's National Security Strategy recognised that organised crime is one of the greatest threats to our national security. The social and economic costs are estimated at between £20 and £40 billion per year and the impact is seen on our streets and is felt in our communities every single day – the drug dealing on street corners; the burglary and muggings by addicts; the trafficking of vulnerable young women into prostitution; the card cloning and credit card fraud that robs so many.

But the current response is patchy and fragmented: there has not been a cross-government organised crime strategy, coordinated border policing or strong national tasking and coordination. Instead, there were varying responsibilities for policy, prevention and investigation and a tendency to operate in silos.

The National Crime Agency will transform our response. It will tackle organised crime, defend our borders, fight fraud and cyber crime, and protect children and young people.

The NCA will be a powerful body of operational crime fighters, led by a senior Chief Constable and accountable to the Home Secretary.

The NCA will produce and maintain the national threat picture for serious, organised and complex crime, which all other agencies will work to. Using this agreed intelligence picture, the NCA will task

and coordinate the police and other law enforcement agencies, underpinned by the new Strategic Policing Requirement. The NCA will also have its own specialist capabilities, including for surveillance, fraud and threat to life situations. These will be used by the NCA itself and will be available to the police and other agencies.

The Agency will comprise a number of distinct operational commands: Organised Crime, Border Policing, Economic Crime and the Child Exploitation and Online Protection Centre. It will also house the National Cyber Crime Unit. Crucially, capabilities and expertise, assets and intelligence will be shared across the entire agency and each Command will operate as part of one single organisation.

The NCA will come fully into being in 2013, with some key elements becoming operational sooner.

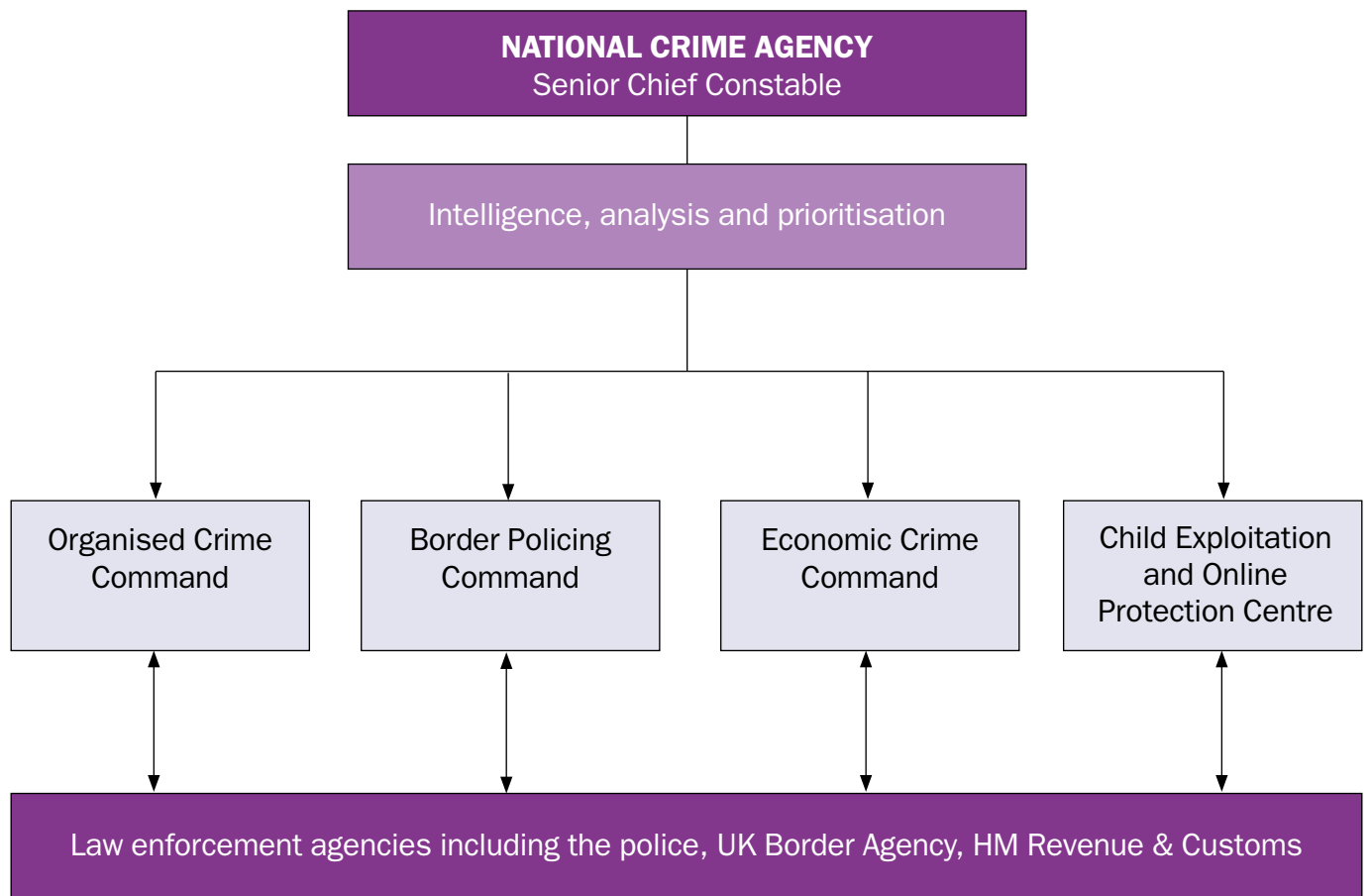
We must do more to tackle the scourge of drugs, secure our borders, reduce fraud and cyber crime, and stop the exploitation of children. That is what the NCA will do. This is a landmark moment in British law enforcement.

Theresa May
Home Secretary

EXECUTIVE SUMMARY

- Cutting crime is the sole objective that the Government has set for the police. Serious and organised crime is a national threat. It requires a multi-agency national response. The current response remains patchy, with serious and organised criminality causing harm to communities up and down the country and beyond, every day of every year. It is time for a fresh start.
- We are creating a powerful new body of operational crime fighters. Accountable to the Home Secretary, the National Crime Agency (NCA) will set the national operational agenda for fighting serious and complex crime and organised criminality. An integral part of UK law enforcement with a senior Chief Constable at its head, the NCA will have strong, two-way links with local police forces and other law enforcement agencies. The NCA will respect the devolution of powers, recognising the primacy of those in whose territories it operates.
- The NCA will be home to a significant multi-agency intelligence capability, drawing on other existing national intelligence capabilities, including on economic crime. It will build and maintain a comprehensive picture of the threats, harm and risks to the UK from organised criminals and it will be responsible for ensuring that those criminals are subject to a prioritised level of operational response.
- The NCA will have the authority to undertake tasking and coordination of the police and other law enforcement agencies to ensure networks of organised criminals are disrupted and prevented from operating.
- The tasking and coordination function entails the NCA setting the overall operational agenda for tackling serious and organised criminality; ensuring that appropriate action is taken against criminals at the right level led by the right law enforcement agency; stepping in to directly task where there are disputes about the nature of approach or ownership; and where appropriate, tasking or providing its own resources in support.
- Including a dedicated cyber crime unit acting as a centre of expertise on cyber crime, the NCA will have the specialist operational capabilities that add most value to those in police forces and other law enforcement partners, collectively enhancing the fight against serious and organised criminality.
- The NCA will harness the latest technology to ensure that, subject to robust safeguards, its intelligence gathering and analytical capabilities match the threat posed by criminals who seek constantly to evade detection.
- Sharing intelligence, capabilities, expertise and assets, the NCA will comprise distinct Commands for Organised Crime, Border Policing, Economic Crime, and the Child Exploitation and Online Protection Centre. Each Command will be led by a senior experienced individual and will manage its own priorities and risks.
- Our vision for the NCA is to fight and cut serious and organised criminality. The NCA in partnership with the police, other law enforcement agencies, businesses and the public will ensure that those who commit serious and organised crime are tracked down, pursued and brought to justice; their groups and activity disrupted; and their criminal gains stripped away.

The National Crime Agency



1 INTRODUCTION

1.1 This plan sets out the need and vision for the National Crime Agency – to be established in 2013 – and its scope, functionality and structure.

1.2 Cutting crime is the sole objective that the Government has set for the police. We have made significant progress in the work of countering terrorism but despite the foundation of the Serious Organised Crime Agency, the national response to serious and organised crime remains patchy, causing harm to communities up and down the country and beyond every day of every year. The impact of illegal drugs, people smuggling and other illegal immigration, child abuse, cyber crime, fraud and many other serious and organised crimes is fundamentally damaging to individuals, families and neighbourhoods. Those committing these crimes are often interconnected as organised crime groups seek to take advantage of every, and any, opportunity presented to them.

1.3 A growing number of agencies have tried to play a part in getting to grips with the problem. With the absence of a cross-government organised crime strategy, the lack of strong national tasking and coordination, varying responsibilities for policy, prevention, investigation, for example, and a tendency to operate in silos, the overall impact has been fragmented.

1.4 We are therefore creating a powerful new body of operational crime fighters – the National Crime Agency (NCA) – to make the UK a hostile environment for serious and organised criminality. An integral part of UK law enforcement with a senior Chief Constable at its head and strong, two-way links with local police forces and other law enforcement agencies, it will be accountable to the Home Secretary. The NCA will respect the devolution of powers, recognising the primacy of those in whose territories it operates.

1.5 Mirroring the arrangements for countering terrorism, the NCA will be home to a significant multi-agency intelligence capability. This will comprise an intelligence coordination hub with information flowing to and from the police and other law enforcement agencies in support of tactical operational activity. It will also include an expert analytical function, playing a more strategic role – a Joint Serious and Organised Crime Assessment Centre.

1.6 Intelligence will inform prioritisation and tasking. The NCA will have the authority to undertake tasking and coordination of the police and other law enforcement agencies to ensure criminals and networks of organised criminals are disrupted and prevented from operating. The tasking and coordination function entails the NCA setting the overall operational agenda for tackling serious and organised criminality; ensuring that appropriate action is taken against criminals at the right level led by the right law enforcement agency; stepping in to directly task where there are disputes about the nature of approach or ownership; and where appropriate, tasking or providing its own resources in support.

1.7 The NCA will have the specialist and technological capabilities (such as for surveillance, fraud, threats to life) which add most to those in police forces and other law enforcement agencies, collectively enhancing the fight against serious and organised crime. A dedicated cyber crime unit will act as a national centre of expertise on cyber crime.

1.8 Sharing intelligence, capabilities, expertise and assets, the NCA will comprise distinct Commands for:

- Organised Crime – ensuring a prioritised national operational response is made against identified organised crime groups, whether they operate locally, across the country or across our international borders.

- Border Policing – ensuring that all law enforcement agencies operating in and around the border work to clear, mutually-agreed priorities, strengthening our borders, addressing national security threats such as terrorism, disrupting and deterring criminality and bringing offenders to justice.
- Economic Crime – ensuring an innovative and improved capability to deal with economic crimes, including those carried out by organised criminals.
- Child Exploitation and Online Protection Centre (CEOP) – recognising the significant contribution made by CEOP, ensuring that our efforts to protect and safeguard children from the serious criminality of child exploitation and abuse are maintained and strengthened where child exploitation and abuse links to other forms of serious organised criminality.

1.9 Each Command will be led by a senior experienced individual and will manage its own priorities and risks.

1.10 The NCA will have a core capability of its own people (drawn largely from its precursors but working to a distinctively different approach). Through its tasking and coordination function, the NCA will also set the agenda for tackling serious and organised crime across the law enforcement capabilities of police forces, UK Border Agency, HM Revenue & Customs and a number of other law enforcement agencies. This will augment its own resources exponentially and result in a significant, coherent and collaborative national response.

1.11 The combination of a single intelligence picture and associated analysis; the tasking and coordination function; the specialist operational support; and the specialist commands will result in a dramatic improvement in our effectiveness in tackling serious and organised criminality.

The National Crime Agency: the individual commands will work as part of a single organisation, creating a substantial combination of expertise, capabilities and intelligence.



2 THE NEED FOR THE NCA

CUTTING CRIME

2.1 As we made clear in ‘A New Approach to Fighting Crime’ (Home Office 2011), cutting crime is at the heart of our plans to reform policing. For too long, the police have been distracted from this simple objective by targets, paperwork and red-tape. The rise in bureaucracy has led police officers to be form fillers not crime fighters. Central targets have led the police to focus on central Government demands not the needs of local people. We will free the police from central interference so that they can get on with what they do best – cutting crime. We will put power back into the hands of local communities with the election of Police and Crime Commissioners, who will deliver on local priorities for cutting crime.

2.2 Whilst local communities and the police are best placed to cut crime at a local level, there remains an important role for central Government to ensure that national and international level crime and threats are responded to in a properly coordinated way. The importance of ensuring an effective and joined-up approach to threats which move swiftly from the international to the local will be reinforced by the emphasis placed on serious and organised crime in the Strategic Policing Requirement.

2.3 Currently being legislated for, the Strategic Policing Requirement will set out the national threats (such as organised crime) which local forces, often working in collaboration, need to tackle across their force boundaries. This will be an important lever for ensuring that the policing capabilities, capacity and interoperability required to support the NCA (at force and collaborative levels) are maintained and developed. Police and Crime Commissioners will be central to its delivery, reflecting the Strategic Policing Requirement in their local planning and resource decisions, and holding their Chief Officers to account for having regard to it.

NATIONAL THREATS

2.4 We have made significant progress in ensuring that the police have the resources and structures to address terrorism but despite the foundation of the Serious Organised Crime Agency, the national response to serious and organised crime remains patchy. Organised criminality affects everybody, often damaging society at a very local level. With a significant increase in the level of organised crime currently a high (‘Tier 2’) risk in the National Security Strategy, it currently costs the UK £20-£40 billion a year, threatens our national security and manifests itself in daily criminality.

2.5 As stated in ‘Policing in the 21st Century’ (Home Office 2010), there are assessed to be around 38,000 organised criminals impacting on the UK, involving around 6,000 criminal groups. Organised criminals are highly adaptive, exploiting every available opportunity, system and technology to invent new or varied forms of crime. Normally working with others, they have the capacity and capability to commit serious crime on a continuing basis.

2.6 Successful organised crime groups often consist of a core of key individuals, around which there is a cluster of subordinates and an extended network of disposable associates. Organised criminals often make use of ‘specialists’ who provide services such as transportation, money laundering, debt enforcement, security guidance, or the provision of false documentation. Prison hinders the ability of organised criminals to operate, but does not prevent it altogether. Some organised criminals continue to manage and direct organised crime groups, commission violent offences and intimidate witnesses from prison. For some, a custodial sentence is a risk worth taking. It may also provide opportunities to network with other criminals.

2.7 The crimes committed include elements of planning, control, coordination, structure and group decision making. They can also include theft, robbery, kidnap, money laundering, trafficking, fraud, forgery and violence. Criminals within organised crime groups often operate across boundaries – both in terms of crime type and geography.

2.8 Threats from serious and organised criminality include:

- the movement of illicit goods, especially but not solely controlled drugs. All heroin and cocaine in the UK is supplied by organised criminality and contributes to over 1,800 drug-related deaths annually among addicts (in England and Wales);
- illegal migration and the illegal movement of people across UK borders. Organised criminals are involved to a significant scale in people smuggling and human trafficking. Organised immigration crime is also an enabler of other types of organised crime, providing a ready workforce to work in criminal sectors, such as DVD counterfeiting, cannabis cultivation and prostitution;
- people who seek to harm children, frequently organised and working in groups, particularly online where grooming tactics can be used to perpetrate serious harm to children in the real world. Offender networks are invariably international in their composition, comprising a membership brought together by a shared deviant interest in children and often a commonality of language. Children are trafficked into and throughout the UK from all over the world and exploited for many different purposes including sexual exploitation, forced labour, benefit fraud and criminal enterprise (such as the cultivation of cannabis and street crime);
- abuse of cyber technology, both to facilitate traditional crimes, and to commit those crimes where cyberspace is integral to the crime, such as mass online fraud or online data theft. This includes hacking to obtain personal data and creating a virtual marketplace for illicit and near licit commodities (such as cutting agents used in illegal drugs). Cyber-criminals can target victims anonymously, almost instantaneously and on an unprecedented scale;
- individuals travelling across borders to plan and commit criminal activity including those who threaten the national security of the UK by engaging in, or supporting, terrorist activity;
- fraud and economic crime which can be used to fund and enable other serious and organised criminality but also, of themselves, have a significant impact on the UK's reputation and economy and which therefore require a national response;
- organised acquisitive crime, such as armed robbery, road freight crime and organised vehicle theft. Some organised crime groups are known to have made millions of pounds from road freight crime.

EXISTING RESPONSE

2.9 Overall, no single body has a view of the national and cross police force threats from serious and organised criminality or a picture of how the operational assets to counter those threats are being deployed.

2.10 No national body has a sufficiently strong focus on operational crime-fighting. No single body has the authority or the levers to drive an effective national response, resolving different priorities and determining how best to deploy resources.

2.11 In an effort to respond to these gaps, alongside the Serious Organised Crime Agency and the Child Exploitation and Online Protection Centre, a number of other national functions and specialist organisations have emerged and have a role in tackling forms of organised crime (all with varying responsibilities for policy, prevention, investigation, for example).

2.12 With multiple approaches, fragmentation has developed producing inconsistencies in methodology, prioritisation and use of resources. Separate reporting lines, funding streams and governance structures, within and across agencies, have made sharing priorities, resources and intelligence difficult.

2.13 We know there is a real overlap between economic and organised crime which makes the tools and capabilities for tackling fraud an essential part of our armoury for tackling organised crime. Some of the most serious cases of fraud, bribery or corruption do not have that link, but their investigation will still benefit from the range of tools and techniques available across the NCA.

2.14 Barriers, real and perceived, have impeded effective collaboration. A reliance on informal agreements to collaborate and no power or ability to direct agencies to tackle organised crime has created the potential for gaps in coverage, inconsistency in performance, a duplication of effort and a lack of interoperability between assets.

2.15 Two recent reports from Her Majesty's Inspectorate of Constabulary (HMIC) have been critical of the response to organised crime. 'Getting Organised' (2008) concluded that "the national response overall is blighted by a lack of strategic direction, inadequate covert capacity and underinvestment in intelligence gathering, analysis and proactive capability". In 'Getting Together – A better deal for the public through joint working' (2009), HMIC highlighted significant differences in investment and capability between forces and clusters of forces in tackling organised crime and areas where there had been a reluctance to agree priorities or coordinate resources.

2.16 Many of those who work to protect the UK against the threats of serious and organised criminality including at our borders in the UK, or overseas, are some of the most committed and able in our frontline services. But there is clearly much more that can be done through a more focused and coordinated response.

3 THE VISION FOR THE NCA

3.1 Our vision for the NCA is to fight and cut serious and organised criminality. Operating in collaboration, not in isolation, our ambition is that:

- The NCA will fight crime. The NCA will tackle serious and complex crime and bring organised criminals to account, in partnership with local and international forces.
- As an internationally recognised agency, the NCA will confront the serious and organised criminality that threatens the safety and security of the UK and its economic wellbeing, conducting multi-agency operations to achieve maximum disruption.
- Accountable to the Home Secretary and underpinned by the Strategic Policing Requirement, the NCA will reinforce the golden thread of policing. The NCA will work with Police and Crime Commissioners, chief constables, devolved administrations and others, genuinely connecting activity from the local to the international – in country, at the border and overseas.
- The NCA will collect and analyse its own and others' intelligence, building and using a comprehensive strategic and tactical picture of serious and organised criminality.
- The NCA will harness the latest technology to ensure that, subject to robust safeguards, its intelligence gathering and analytical capabilities match the threat posed by criminals who seek constantly to evade detection.
- The NCA will prioritise action and for the first time, will undertake tasking and coordination across the totality of the operational law enforcement effort against criminality requiring a national response.
- The NCA will have the specialist operational capabilities that add most value to those in police forces and other law enforcement partners (including those on cyber crime, economic crime, human and drug trafficking and child exploitation), collectively enhancing the fight against serious and organised criminality.
- The leadership and culture of the NCA will reflect its crime-fighting nature. The head of the NCA will be a senior chief constable and the NCA will be open, collaborative and non-bureaucratic. From the outset, a key objective will be to demonstrate its impact publicly including to local communities.

4 THE SCOPE AND FUNCTIONALITY OF THE NCA

SCOPE

4.1 The focus of the NCA will be on fighting organised criminality, on strengthening border security, and on tackling other serious and complex crimes, including economic crime, cyber crime and child exploitation. The NCA may lead the national response to other criminality and house other functions provided that funding is available and:

- the criminality has the potential for significant harm; crosses a number of geographical areas; and/or requires specialist capability that would be too costly or inefficient if held in every force;
- the functions or activity required fit the operational, crime-fighting focus of the Agency and it is more efficient and effective in operational and financial terms for the function to be provided nationally.

4.2 Counter-terrorism policing already has effective national structures. The Government is considering how to ensure these strengths are maintained and enhanced alongside the rest of its new approach to fighting crime. However, no wholesale review of the current counter-terrorism policing structures will be undertaken until after the 2012 London Olympic and Paralympic Games and the establishment of the NCA.

RESOURCES

4.3 The NCA will have a core capability of its own people (drawn largely from its precursors but working to a distinctively different approach). Through its tasking and coordination function, the NCA will also set the agenda for tackling serious and organised crime drawing on the significant human and other resources deployable across the entire law enforcement landscape. These will include its own specialist capabilities and assets such as the UK Border Agency's ships, aircraft surveillance capacity and drug and people detection technology.

4.4 The total cost of the organisation will not exceed the aggregate of the Spending Review settlement for the precursors and the costs of the fully funded functions it is agreed should migrate into the NCA. For 2011/12, we have committed to providing c£3m for the national coordination of organised crime policing. We will use this to begin work on one of the key building blocks for the NCA: its coordination and intelligence centre.

4.5 The NCA will comprise officers from a range of backgrounds and specialisms, reflecting the varied nature of its work. We will ensure that NCA officers, as operational crime-fighters, are able to make full use of a wide range of law enforcement and investigative powers. Subject to training, NCA officers can be given the powers of a police constable, customs and immigration powers. This creates a strong set of powers and will mean that NCA officers are able to deploy techniques which are not available to the police.

CORE CAPABILITIES

4.6 The functions of the NCA will come together within a set of common operational processes. This will be developed by the Head of the NCA on appointment. The core capabilities of the NCA will include:

Intelligence, prioritisation and tasking

4.7 The NCA will build and maintain a comprehensive intelligence picture of the threats, harm and risks to the UK from organised criminals and will be responsible for ensuring that those criminals are subject to a prioritised level of operational response. Using existing national fraud intelligence analysis, it will achieve a greater understanding of the links between organised and economic crime.

4.8 In respect of intelligence on organised criminality and border security, the NCA will mirror the effect which the combined efforts of the Security Service, its law enforcement partners and the advent of the Joint Terrorism Assessment Centre have brought to the UK's response to the terrorist threat (though it will be different in also having its own enforcement capabilities to act against organised criminals). The Agency will house an intelligence coordination hub to support tactical operational activity, and an analytical function playing a more strategic role, comprising representatives of the key agencies with a responsibility for combating organised crime.

4.9 The NCA will harness the latest technology to ensure that, subject to robust safeguards, its intelligence gathering and analytical capabilities match the threat posed by criminals who seek constantly to evade detection.

4.10 The NCA's pre-eminence will be founded on its ability to:

- collect and analyse intelligence lawfully obtained by its own capabilities and by its security, intelligence, law enforcement and other partners;
- assess intelligence at a strategic level to provide an authoritative picture of the national crime threats to the UK, spot future trends and better inform planning decisions and policy-making;
- use that intelligence at a tactical level to coordinate, prioritise and ensure better targeting of operational activity against organised criminals.

4.11 Building on the current organised crime group mapping process, the NCA's intelligence centre will draw in information through its commands, police forces and partner agencies (including intelligence from overseas, that held in the UK about people coming into and leaving the country, opportunities for working with the National Offender Management Service) using appropriate information sharing and joint working protocols.

4.12 The resulting national intelligence picture on serious and organised crime will make available a consolidated and prioritised view of those causing harm to the UK – where they operate; what crimes they are involved in; who they are and who they work with; where they live; and the damage they cause to individuals, communities, businesses, the

economy and the environment. It will provide a prioritisation of harm and impact and will enable UK law enforcement to tackle organised criminals more effectively by attacking their vulnerabilities, exploiting their weaknesses and using all available techniques to disrupt their criminal activity, including through building evidential cases for prosecution.

4.13 The NCA cannot and should not deliver the national response in isolation. The NCA will have the authority to undertake tasking and coordination ensuring appropriate action is taken to put a stop to the activities of organised crime groups.

4.14 The NCA will set the overall operational agenda for tackling serious and complex crime and organised criminality. It will ensure that appropriate action is taken against criminals at the right level led by the right agency. It will step in to directly task where there are disputes about the nature of approach or ownership. The NCA will task and provide its own officers, where appropriate, harnessing all of its specialist capabilities and using the full range of investigative powers and disruption tools to tackle criminals and all their criminal activity.

4.15 The NCA will have strong and accountable relationships with the police and other law enforcement agencies (for example the UK Border Agency, HM Revenue & Customs), regulatory bodies and government departments (such as the Foreign and Commonwealth Office, the Department for Transport and its agencies, Department for Environment, Food and Rural Affairs, Department for Work and Pensions, the Office of Fair Trading and the Financial Services Authority). The NCA will respect the devolution of powers, recognising the primacy of those in whose territories it operates. In terms of its relationship with the police service in England and Wales, the NCA's work – including its tasking and coordination function – will be underpinned by the Strategic Policing Requirement.

4.16 "A model for organised crime might link the local responsibilities of a local Chief Constable with a regional capability under a national strategy and coordinator; someone who could have the authority to maintain strategic oversight of operations and operational deployments, deliver a command and control capability when needed, including the ability to move assets to the problem, and engage with other law enforcement agencies across the spectrum of organised criminality." Metropolitan Police Commissioner Sir Paul Stephenson 2010.

NCA tasking and coordination in operation against organised crime

In all cases:

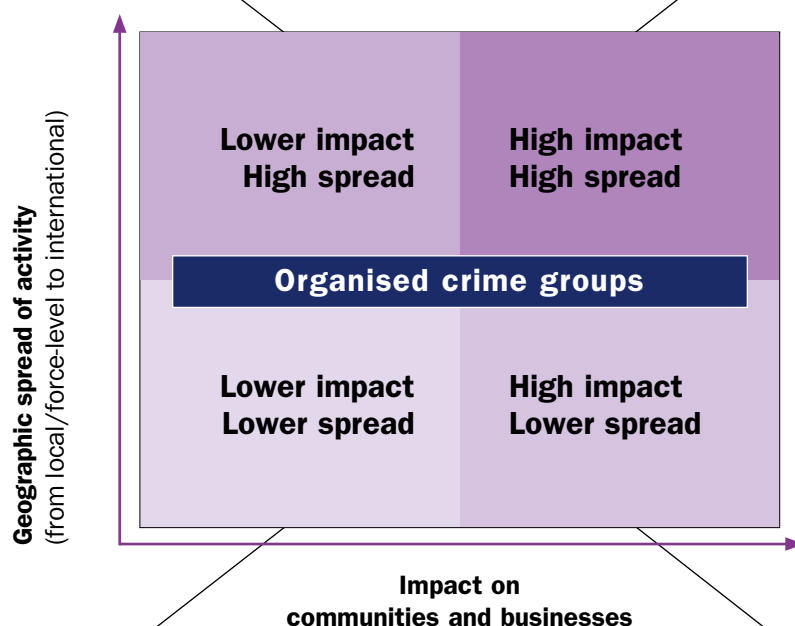
- NCA intelligence will inform the assessments of harm and geographical spread;
- the NCA will provide specialist support if required; and
- the NCA will step in to resolve issues of ownership and approach if needs be.

For example: a group of distraction burglars committing small numbers of offences in a force area, and then moving on to target a new area.

NCA's complete intelligence picture enables it to draw a connection between the offences and make sure that there is a coordinated response between all the relevant forces, regional teams and other agencies in order to tackle and dismantle the group.

For example: an organised crime group is causing serious harm across large parts of the country, with some of its group members living overseas.

The NCA would lead multi-agency action, developing a plan in agreement with all the police forces and agencies involved. All partners (including overseas law enforcement) would be clear on what to do, when and why. Action to take out the group would be tasked and coordinated effectively.



For example: a group operating in a single force area committing relatively low levels of harm.

The group would be owned and managed by a local force. The NCA's intelligence will ensure the force concerned has a fully developed picture about the Group and about potential "high volume" disruption opportunities – such as referring them to other agencies for action (e.g. DWP against benefit cheats).

For example, a significant group dominating a small geographic area but involved in drugs, guns, violence and intimidation.

The police would take ownership of dismantling the group, using a full intelligence picture provided by the NCA identifying vulnerabilities and weaknesses and calling on the NCA's specialist assets, if needed. If unable to reduce the harm caused by the group, the NCA would work with the police to consider alternative disruption tactics and specialist techniques.

Investigation and operations

4.17 Intelligence collection and analysis, prioritisation, tasking and coordination aside, the NCA will be resourced to undertake specialist investigations and operations.

4.18 The NCA will also take the national lead on innovative law enforcement approaches and techniques providing national support to law enforcement partners where they do not have the expertise locally. It will work with local forces and other law enforcement agencies, sharing specialist capabilities in the joint pursuit of serious and organised criminality. We will review existing specialist capabilities within SOCA and elsewhere, and in consultation with police and law enforcement partners, determine the capabilities most needed in the NCA.

4.19 Specialist capabilities existing in SOCA – such as the ability to undertake lawful interception of communications, providing specialist firearms, kidnap and extortion services – will continue. For England, Wales and Northern Ireland, the NCA will also be the home to civil recovery and tax investigation teams, ensuring that the assets gained through organised criminality are identified and action taken to seize them in all cases undertaken by the Agency.

4.20 The Child Exploitation and Online Protection Centre will continue to provide specialist support and intelligence on child exploitation to local policing teams and the Economic Crime Command will have its own specialist capabilities.

4.21 The NCA will additionally house the national cyber crime unit. Underpinning the work of the totality of the NCA, this unit will focus on the organised crime groups operating online that affect the UK and will work closely with international partners. It will have its own investigative capacity and will also help local forces develop their own capability to deal with this threat. There will continue to be close working between the Police Central e-crime Unit in the Metropolitan Police and SOCA's e-crime unit to develop the national response to cyber crime in advance of the creation of the NCA but with no change to structures prior to the Olympics.

4.22 The NCA will focus on improving opportunities and structures to facilitate the sustained disruption of the most serious criminals (including in prison and after release), using available tools to ensure the ongoing disruption of criminal networks, and disrupting criminals from running their crime businesses from prison and then resuming their activities when they are released.

4.23 The NCA will maintain a network of International Liaison Officers, be home to the national Interpol and Europol Bureaux and provide the primary point of contact on organised crime matters for international partners, alongside colleagues from other UK law enforcement agencies overseas.

4.24 The NCA will further develop those specialist niche capabilities and technical support which add most value in the combined fight against serious and organised crime. The police and other law enforcement agencies will have unprecedented access to these specialist capabilities as they continue to be at the forefront of the battle against the vast majority of organised criminals.

Prevention

4.25 The NCA will help the public and businesses protect themselves from the destructive nature of organised criminality. CEOP will continue to lead the way with their approaches to child protection and safeguarding work, harnessing partnerships with the private sector and charities to drive innovation. Across the NCA, the commands will build on the CEOP approach and will work with the public, communities, and the private sector so that they can be better equipped and prepared to safeguard themselves and their organisations from criminality. The Economic Crime Command, working closely with the City of London Police, will lead on public awareness and information on fraud in particular, using the expertise of the cyber crime unit and sharing approaches across the public and private sectors. A key element of this will be working with Police and Crime Commissioners so that they understand the emerging threats and are able to use this to inform and safeguard the communities in their area.

THE REACH OF THE NCA

4.26 The NCA will be an integral part of the golden thread of policing which runs from the local to the national and beyond. Like SOCA before it, the crime-fighting reach of the NCA will extend UK-wide and overseas, recognising and respecting the primacy of those in whose territories it operates.

4.27 The NCA will represent the UK's interests internationally, working with international law enforcement partners and UK partners, such as the UK Border Agency, Foreign and Commonwealth Office and the Department for International Development, to prevent the importation of serious and organised crime and criminals into this country. It will work with international partners to tackle and disrupt criminals, such as cyber criminals, who target the UK from overseas. It will provide the central UK contact for European and International law enforcement partners.

4.28 The NCA will respect the devolution of powers to the Assemblies in Wales and Northern Ireland and the Parliament in Scotland. The nature of the relationships with the devolved administrations will vary from command to command. However, in broad terms, the Agency will have the authority and power to work with the lead operational agencies in Scotland and Northern Ireland. In practice, this means working in partnership with the lead agencies and forces (including the Scottish Crime and Drug Enforcement Agency, the Scottish police forces and the Police Service of Northern Ireland), sharing and coordinating information and threat assessments to build a UK-wide picture on organised crime.

4.29 In England and Wales, the NCA will work in partnership with police forces, in concert with chief constables and Police and Crime Commissioners, underpinned by the Strategic Policing Requirement. The NCA will also work in partnership with other law enforcement agencies, regulatory bodies and Government Departments.

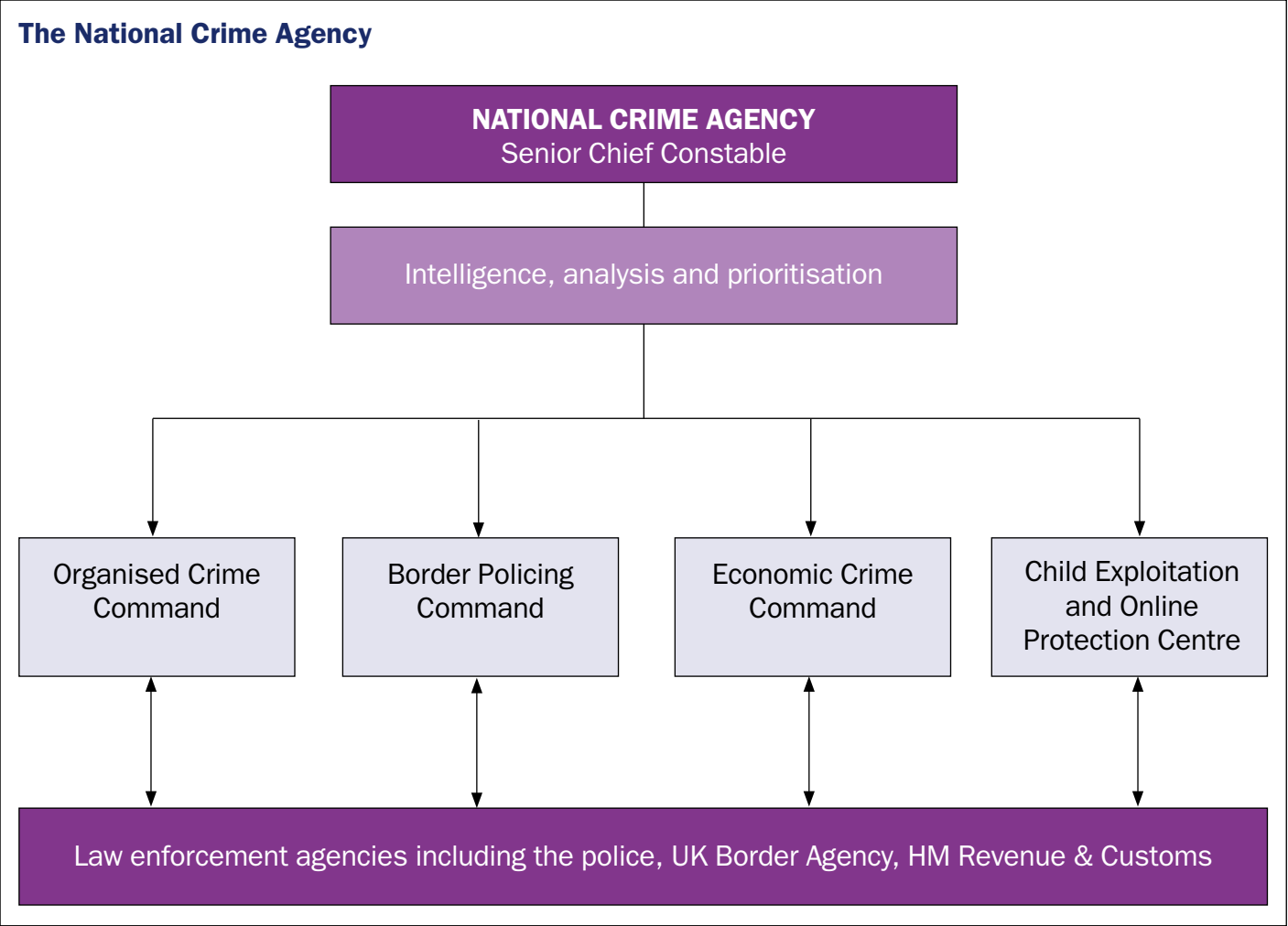
5 THE COMMAND STRUCTURE OF THE NCA

5.1 The NCA will be structured to ensure flexibility and rapid responsiveness to shifts in the national threat picture. Its broad structure will include crime-fighting Commands for Organised Crime, Border Policing, Economic Crime and the Child Exploitation and Online Protection Centre, underpinned by the centralised intelligence, prioritisation, tasking and cyber crime teams. Threats may shift and change requiring a different national response. The NCA's internal structures and governance will be designed to respond flexibly in these circumstances.

5.2 Though each of the commands will have a strong and distinctive core mission, they will not work in silos. The commands will work as part of a single

organisation. The combination of expertise, capabilities and intelligence of the NCA will be substantial. The NCA will also make efficient use of shared services in delivery of its corporate functions such as human resources and will be light and unbureaucratic.

5.3 The NCA Head will be responsible for all operational activity undertaken by the NCA and accountable to the Home Secretary. The heads of the various NCA commands will report to the Head of the NCA, who will be responsible for their performance. The Head of the NCA will have the authority to deploy resources between commands and mount joint operations flexibly, taking full account of the individual command priorities.



THE ORGANISED CRIME COMMAND

5.4 The Organised Crime Command will bring a powerful and unified national response to organised crime. It will build on the best of SOCA's current capacity, capability, powers and reach (both domestic and international). Driven by intelligence and analysis, it will have the overview of the national and cross-force threats from organised crime. It will deploy its resources and powers with maximum flexibility and effect on the threat from organised crime, working seamlessly with the other commands of the NCA in a unified response.

5.5 It will ensure that all organised crime groups are subject to a prioritised level of operational response, based on a clear national picture of the threats, harms and risks posed by those groups. In line with the NCA's tasking and coordination function, the Command will ensure activity is properly coordinated across all relevant law enforcement agencies with initial ownership of new and emerging criminal groups being resolved rapidly.

5.6 The Command will ensure that differences of opinion about relative priorities between agencies are addressed. It will provide operational support to other agencies, police forces and regional policing units. It will direct its own assets adding to those of others in response to unanticipated threats. It will lead wide-ranging operations, coordinating resources from a range of forces or national agencies, combining the unique skills and capabilities of the NCA with the local, regional and national law enforcement experts.

5.7 The Organised Crime Command will have at its disposal:

- a strong basis in law enabling officers to have the three-fold powers of a police officer and customs and immigration powers;
- the strong international network built up by SOCA, which will allow the command to tackle organised crime upstream;
- the NCA-wide resources including the wide range of specialist operational and investigative skills; and
- a powerful intelligence and analytical capability, supported by 21st century technology.

THE BORDER POLICING COMMAND

5.8 The Border Policing Command will strengthen national security and crack down on the trafficking of people, weapons, drugs and wildlife. Driven by a single, coherent border security strategy, based on a specific multi-agency assessment of border-related threats, the new Command will cover threats arising from cross-border criminal activity in the widest sense: overseas, at the physical border and in-country. The strategy will cover the National Security Strategy priorities that exist at the border and will be agreed by partners from across government. It will contribute to the overall package of improvements flowing from actions in the Strategic Defence and Security Review. This includes the introduction of new technologies, the strengthening of visa application checks, the identification of organised criminals entering or leaving the UK through the e-Borders system and pre-departure checks.

5.9 The Border Policing Command will take the lead in making the border more secure. It will ensure, for the first time, that all the law enforcement agencies operating in and around the UK border are clear how their activities contribute to wider border security interests and will drive them to work together.

5.10 Working with foreign governments and better coordinating the activity of staff posted overseas to disrupt criminals, the Border Policing Command will aim to prevent threats reaching UK shores where possible. At the border, the command will build on the established and effective tasking and coordination arrangements currently in place between the Special Branch ports officers and their local force, the counter-terrorism network and the Security Service, Serious Organised Crime Agency, UK Border Agency, HM Revenue & Customs and so on. These arrangements will recognise the particular circumstances with the land border between Northern Ireland and the Republic of Ireland and the relationship between the Police Service of Northern Ireland and An Garda Síochána.

5.11 The Border Policing Command will work with agencies to put together multi-agency teams equipped with all the resources, powers and skills they need to tackle identified threats. The Border Policing Command will task and coordinate:

- the NCA's own operational officers and secondees;
- wider law enforcement assets including those of the UK Border Agency's border force officers and Criminal Investigators and UK Border Agency cutters, aircraft surveillance capacity, and a range of drug and people detection technology. It will work with others such as HM Revenue & Customs, the Foreign and Commonwealth Office, the Maritime and Coastguard Agency and the Department for Environment, Food and Rural Affairs and where appropriate, task Special Branch counter-terrorism (ports) officers. Those agencies with law enforcement and regulatory or general compliance, or trade facilitation, or tax responsibilities will be clear on how they contribute;
- specialist capabilities within other NCA Commands; and
- establish stronger relationships in and around the border with UK and overseas police forces, recognising the primacy of those in whose territories the activity takes place.

5.12 This improved capability will result in increases in arrests, convictions and disruption at all levels. The Border Policing Command will mean better, more joined-up enforcement activity. The shared intelligence picture will lead to a coherent assessment of the threats to border security, where the links are and the critical individuals to target. Facilitators and criminal networks will be more effectively targeted. Attempted drug imports will be investigated to catch the groups behind the smugglers. The Border Policing Command's ability to task and coordinate resources will ensure they are aligned to have the most impact. The command will coordinate UK Government assets overseas in order to deliver a single set of agreed aims and the best outcomes, working with local law enforcement agencies to stop criminals who are targeting the UK.

THE ECONOMIC CRIME COMMAND

5.13 There is a clear link between economic crime and organised crime groups, with organised criminality accounting for almost a quarter of the £38.4 billion that fraud alone costs the UK. A close bond between the different parts of the system for combating economic crime and the NCA is essential to:

- create a joined up approach to dealing with different offences committed by the same groups of criminals;
- enable specialist agencies to take on more and larger cases; and
- support them in using a broader range of enforcement techniques for those cases.

5.14 The Economic Crime Command will ensure a coherent approach to the use of resources focussed on economic crime across the full range of agencies deploying them. Driving closer working and more effective use of resources will address the current negative effects of having separate pools of specialist expertise pursuing highly complex areas of offending operating in a fragmented landscape.

5.15 Based on intelligence, the Economic Crime Command will draw on the NCA's overall authority to task, to ensure a consistent approach to how economic crime cases are prioritised and which agency takes them on. It will work closely with the National Fraud Intelligence Bureau in the City of London Police and with the centralised intelligence functions within the NCA.

5.16 In order to ensure the effective and efficient deployment of resources, the Economic Crime Command will maintain an overview of the capacity and capability of the specialist agencies which deal with different types of economic crime, including the City of London Police and the Serious Fraud Office and, of course, the NCA's own resource.

5.17 We will also look to ensure that the largest and most complex economic crime cases can draw upon the most advanced investigation techniques. With the Economic Crime Command providing an advisory function to cases meeting these criteria, agencies will be able to draw on the innovative tools and powers that are used successfully to tackle other forms of serious and organised crime.

5.18 In addition to its core purpose, the Economic Crime Command will also lead for the NCA as a whole on the civil recovery of criminal assets for England, Wales and Northern Ireland. It will have an important role in the prevention of economic crime, without cutting across the responsibilities of the Department for Work and Pensions and HM Revenue & Customs in the prevention of public sector fraud.

5.19 This range of activity and strategic focus will ensure the Economic Crime Command makes a real difference in driving the fight against economic crime by:

- improving the sharing and use of intelligence about economic crime;
- increasing the capacity and effectiveness of the law enforcement response; and
- increasing activity on prevention, including using intelligence and information to provide real time advice on how to help individuals and businesses protect themselves.

5.20 The foundations for successful tasking will be laid well before the establishment of the NCA and the Economic Crime Command through closer and more effective working between existing agencies and the creation of an Economic Crime Coordination Board. The first elements of the coordination board will be in place and operating by Autumn 2011. Membership will be comprised of key agencies from across the economic crime landscape.

5.21 The Economic Crime Coordination Board will have a strong role in driving better coordination of cases and alignment of resources across agencies. It will start the drawing together of intelligence to identify and close gaps, support closer working between different agencies, identify opportunities and the sharing of best practice. This will all enable a greater volume and complexity of economic crime cases to be tackled.

5.22 Ahead of the NCA becoming a statutory body, we will consider what more can be done to strengthen the fight against economic crime. Using the experience of the Economic Crime Coordination Board and the further detailed development of the NCA, we will give further consideration to the working of the Board and whether or not it would benefit from statutory powers, which do not interfere with the operational independence of the individual agencies. We will also review in due course what the appropriate relationship is between the Economic Crime Command and the Serious Fraud Office, Financial Services Authority and Office of Fair Trading.

THE CHILD EXPLOITATION AND ONLINE PROTECTION CENTRE (CEOP)

5.23 The Child Exploitation and Online Protection Centre (CEOP) has been a significant success story in UK policing. While most crimes against children are dealt with by local police forces, there are some areas where only a national approach can be effective. CEOP has proved this when leading international action to tackle paedophile networks across many countries. Recognising its vital national role in protecting children as it seeks to respond to the threat of serious criminality in the form of child exploitation and abuse, CEOP will form an integral part of the NCA.

5.24 In moving CEOP into the NCA, we will ensure that CEOP:

- retains its operational independence within the context of the NCA;
- has clear, delegated authority for its budget;
- governance continues to include external partners;
- retains its well-known brand;
- retains its mixed economy of staff, from a variety of disciplines; and
- continues its innovative partnerships with the public, private and third sector and has the ability to raise and hold funds from donors.

5.25 Retaining its UK-wide role, CEOP will be a separate command within the NCA, but will have the advantage of being able to work closely with other commands to ensure that children are protected. As an example, the close links they will have within the NCA to the Border Policing Command will allow CEOP to help identify missing children who are being taken out of the UK, or brought in, and ensure that the appropriate action is taken. They will also be able to prevent child sex offenders from the UK leaving to commit crimes overseas. Shared intelligence across the NCA will also highlight more easily where child exploitation and abuse links to other forms of serious organised criminality. Shared enforcement resources will enable more wide-ranging and effective operations. CEOP can also share its experience of international investigations with the Organised Crime Command, and also its experience of working with partners in industry and the charitable sector to help protect children.

6 THE ACCOUNTABILITY AND GOVERNANCE OF THE NCA

6.1 The NCA will be established in a way that ensures a continued strong operational crime-fighting focus. As a public body, the NCA will be clearly accountable to the Home Secretary. As part of UK law enforcement, the NCA will also have a clear relationship with the police and other law enforcement agencies and with Police and Crime Commissioners. The NCA's operational activities, including its performance in carrying out its national direct tasking and coordination role, and its support to the police and other agencies, will be subject to robust scrutiny. It will report publicly on its overall performance.

6.2 Key to its success will be the NCA's credibility with police forces and other law enforcement agencies. The head of the NCA will be a senior chief constable appointed by the Home Secretary. The individual will have a proven track record in driving down crime, improve the effectiveness of the UK's response, inspire the law enforcement community to take a new approach to tackling organised criminals and oversee a significant programme of cultural and organisational change. Having an individual leading the NCA who brings extensive experience of policing and who has a continuing professional relationship with other chief constables will help to cement a new, productive and collaborative relationship.

6.3 The NCA will contribute to the delivery of various cross-Whitehall strategies. Ministers from other departments also have responsibility for contributing to the response against organised crime and border security, including the Attorney General's Office, the Department for Environment, Food and Rural Affairs, the Department for International Development, the Foreign and Commonwealth Office, HM Revenue & Customs, the Ministry of Defence and the Ministry of Justice.

6.4 From the outset, the NCA will have a very strong, externally focused and un-bureaucratic approach to managing and reporting on its performance. The NCA's annual objectives will take account of the priorities set in overarching strategies (including in time the Organised Crime Strategy and a Border Security Strategy), national threat assessments, the NCA's resources and capabilities. They will also reflect the importance the Government attaches to taking white collar crime as seriously as other crime.

6.5 The NCA will publish an annual plan and will report publicly on its progress in meeting the commitments set out in that plan. The NCA will be responsible for publishing an authoritative annual assessment of the threat to the UK from organised crime and an authoritative assessment of threats to border security. Details of its performance and contribution to reducing that threat will be made public.

6.6 We are clear that the NCA must be an organisation that:

- has an open and transparent relationship with its key operational partners, especially in terms of its tasking and coordination role;
- is outward-facing in terms of the information available to the public and to the private sector about organised crime threats and methods to help close down opportunities for criminals to exploit vulnerabilities; and
- has a genuine culture of openness about how it allocates its resources, manages its risks and reports on its performance.

7 NEXT STEPS

TRANSITION AND FUNDING

7.1 This vision will be turned into an operational reality, with costs and benefits fully articulated, through legislation and in partnership with the police, the Serious Organised Crime Agency, UK Border Agency, the Child Exploitation and Online Protection Centre, and other law enforcement and related agencies and partners.

7.2 The NCA build will learn the lessons from other machinery of government changes. With the objectives of minimising disruption and securing the best value for money, the NCA will seek to use or adapt existing systems rather than designing new ones. Any procurement proposals for the NCA will be subject to very close scrutiny and challenge and will only proceed where they are clearly essential and unavoidable. The NCA will inherit a range of systems and assets from its precursor agencies, including the SOCA 2010 ICT renewal programme.

7.3 All opportunities to make efficiencies will be fully exploited: for instance, by ensuring resources are prioritised effectively, through the rationalisation of estates and through the use of shared services, providing such moves are sensible and can be supported by the agency's operating model.

7.4 The NCA will come fully into being in 2013, with some key elements of its functions operational sooner. Full implementation plans are being developed. Key first steps include:

- the appointment of a senior Chief Constable as the NCA head and the key role he/she will have in the design and build of the NCA;
- the creation of the organised crime coordination function – the precursor to the central intelligence capability in the NCA;
- a comprehensive cross-agency assessment of the threat of organised crime to border security, a draft of the first collective and coherent Border Security Strategy with some coordinated operations taking place on the basis of agreed priorities;
- working with SOCA to ensure that those capabilities and functions destined for the NCA are re-shaped as necessary to fit the new operating model; and
- working with the National Policing Improvement Agency and Association of Chief Police Officers on the transition arrangements for those capabilities and functions which will enhance and contribute to the crime fighting capabilities of the NCA.

Home Office Structural Reform Plan

Establish a shadow NCA to ensure a smooth transition	Jan 2011 – Apr 2012
Introduce legislation to establish the NCA and phase out the NPJA	Spring 2012
Introduce further operational changes to make the NCA fully operational, incorporating the Border Policing Command	Spring 2012 – Dec 2013

7.5 The Home Office Structural Reform Plan sets out a clear programme timetable for the key milestones needed to establish the NCA.

7.6 In order to achieve the commitment for the NCA to be fully operational by December 2013, legislation on the NCA will need to be introduced by spring 2012. The Serious Organised Crime Agency and the National Policing Improvement Agency were both set up by statute (the Serious Organised Crime and Police Act 2005, the Police and Justice Act 2006 respectively) and legislation will also be required to disband these organisations.

7.7 The total cost of the organisation will not exceed the aggregate of the Spending Review settlement for the precursors and the costs of the fully funded functions it is agreed should migrate into the NCA. Transition and running costs will be kept to the absolute minimum necessary to enable the new agency to function; the transition programme will be managed with a rigorous focus on achieving best value.

CONSULTATION

7.8 This plan takes account of the responses to our consultation 'Policing in the 21st Century', and those resulting from our continuing engagement with operational partners. As the detail of the NCA is further developed, we will take account of the report of the recently announced Home Affairs Select Committee inquiry into the New Landscape of Policing and also the process of legislative scrutiny.



Published by TSO (The Stationery Office) and available from:

Online

www.tsoshop.co.uk

Mail, telephone, fax and email

TSO
PO Box 29, Norwich NR3 1GN
Telephone orders/general enquiries: 0870 600 5522
Order through the Parliamentary Hotline Lo-Call 0845 7 023474
Fax orders: 0870 600 5533
Email: customer.services@tso.co.uk
Textphone: 0870 240 3701

The Parliamentary Bookshop

12 Bridge Street, Parliament Square,
London SW1A 2JX
Telephone orders/general enquiries: 020 7219 3890
Fax orders: 020 7219 3866
Email: bookshop@parliament.uk
Internet: <http://www.bookshop.parliament.uk>

TSO@Blackwell and other accredited agents

Customers can also order publications from:

TSO Ireland
16 Arthur Street, Belfast BT1 4GD
Telephone orders/general enquiries: 028 9023 8451
Fax orders: 028 9023 5401

ISBN 978-0-10-180972-6

