

<b>Title:</b> Scrap Metal Dealers Act 2013 <b>PIR No:</b> HO-PIR 001 <b>Original IA/RPC No:</b> HO0086 <b>Lead department or agency:</b> The Home Office <b>Other departments or agencies:</b> N/A Click here to enter text.  Contact for enquiries: Anna Dawson – <a href="mailto:Anna.dawson@homeoffice.gov.uk">Anna.dawson@homeoffice.gov.uk</a>	<b>Post Implementation Review</b>
	<b>Date:</b> 14/01/2022
	<b>Type of regulation:</b> Domestic
	<b>Type of review:</b> Statutory
	<b>Date measure came into force:</b> 01/10/2013
	<b>Recommendation:</b> Keep
	<b>RPC Opinion:</b> Green

### 1. What were the policy objectives of the measure?

The Scrap Metal Dealers Act 2013 (2013 Act) was introduced to reduce metal theft by strengthening regulation of the scrap metal industry. The intention was to reduce the incidence of metal theft by making it more difficult for unscrupulous dealers to trade in stolen metal; and to better integrate with separate environmental regulations to ensure closer intelligence sharing and enforcement activity where possible.

### 2. What evidence has informed the PIR? (Maximum 5 lines)

For the Post Implementation Review (PIR) published in 2017, the Home Office consulted with and collected data from over 50 main sector stakeholders. These data were used to assess the effect of the legislation and determine whether it should be retained or repealed. This PIR incorporates data from the 2013 impact assessment (IA), police recorded crime statistics since 2013 and two previous studies that examined the impact of the 2013 Act.

### 3. To what extent have the policy objectives been achieved? (Maximum 5 lines)

The 2013 Act established a more robust, local authority administered regime for the scrap metal industry. This ensured more effective compliance activity by local authorities, stronger enforcement by police, more support for law abiding scrap metal dealers (SMD) and introduced powers to ensure unscrupulous dealers are dealt with effectively. There has been a significant reduction in metal theft offences since 2013, but it is difficult to assign causation fully to the 2013 Act because analysis of all other factors that may have influenced the changes, such as metal prices or export demand, would have been disproportionate.

Sign-off for Post Implementation Review: Minister and Chief Economist:

***I have read the PIR and I am satisfied that it represents a fair and proportionate assessment of the impact of the measure.***

Signed:



Tim Laken

Minister for Policing

Chief Economist

Date: 15/03/2022

Date: 14/01/2022

## Further information sheet

Please provide additional evidence in subsequent sheets, as required.

### **4. What were the original assumptions?**

The proposals would reduce metal theft and lead to savings to businesses and individuals. Less than 20 per cent of the yearly estimate of £220 million cost of metal theft would need to be saved to cover the costs of the policy. This £220 million is a conservative estimate, so benefits may be higher in practice. It is likely that 95 per cent of any crime reduction benefits fall to businesses. Business compliance was fully costed although slight uncertainty still exists.

### **5. Were there any unintended consequences?**

The 2013 Act requires literacy and numeracy competences which may pose a barrier for those with a relevant disability who complete an SMD' application. The licensing measures negatively impact on nomadic groups such as the Gypsy, Roma and Traveller communities, who need to purchase a licence for each local authority in which they operate. This may have caused additional one-off costs for SMDs or a break from the industry due to compliance difficulties.

### **6. Has the evidence identified any opportunities for reducing the burden on business?**

The 2013 Act has proved to be invaluable in reducing the burden of metal theft on businesses. A conservative analysis examining only two sectors (Telecoms and Utilities) suggests the 2013 Act is likely to have conferred a yearly benefit of £90.5 million through reduced metal theft incidents. This is approximately 40 per cent of the total pre-2013 Act costs. The Home Office will continue to keep the Act under review to identify further opportunities to reduce the burden of metal crime.

### **7. For EU measures, how does the UK's implementation compare with that in other EU member states in terms of costs to business?**

This is a UK specific law. It did not implement EU measures.

## Evidence Base

### A. The problem

Before 2013, metal theft in England and Wales was at an all-time high with crime most commonly directed at non-ferrous metals such as copper, lead and aluminium as a result of their high commodity value. It has been estimated that in the financial year 2010/11 there were between 80,000 and 100,000 police recorded metal offences, although this predated metal theft being officially recorded and are therefore based on estimates of how much of the existing 'other theft' category referred to metal theft.<sup>1</sup> The main sources of metal targeted were from transport and utility networks, churches, catalytic converters and road infrastructure such as street signs and drain hole covers.

Prior to the introduction of the Act in 2013, stolen metal was able to quickly enter and pass through a pyramid industrial structure in the scrap metal industry. It moved from dealer to dealer until it reached a small number of operators who were equipped to process and refine the metal for other purposes or export.

### B. Policy measures

The Scrap Metal Dealers Act 2013 (2013 Act) was introduced as a Private Member's Bill to help tackle increases in metal theft. It was designed to reverse an upward trend in levels of metal theft through better regulation of the metal recycling sector, making it more difficult to dispose of stolen metal. Changes introduced by the 2013 Act included:

- A revised regulatory regime for the scrap metal recycling and vehicle dismantling industries.
- A requirement for SMDs to obtain a scrap metal licence from their local authority.
- A requirement for SMDs to verify the identity of those selling scrap metal to them.
- Giving the police and local authorities the right to enter and inspect SMDs' premises.

In addition, the 2013 Act also reintroduced a measure first brought in during 2012 which makes it an offence for dealers to purchase scrap metal for cash. For full details of the 2013 Act see: <https://www.legislation.gov.uk/ukpga/2013/10/enacted>

### C. Method of assessment, consultation, evidence and data

The data used in this PIR is taken from the original consultation for the 2017 post-implementation review which assessed whether the 2013 Act and/or its measures should be retained or repealed; evidence from the original IA; data from police recorded crime statistics; as well as drawing on conclusions from two published studies that examine the impact of the 2013 Act on metal theft. The Home Office also requested the British Transport Police (BTP) to provide evidence detailing the impact of the 2013 Act on Scrap Metal Dealer Offences - see Annex 1 for the findings.

The assessment approach used in this PIR is:

1. Track changes in metal theft since the 2013 Act was introduced.
2. Set out the associated costs of the 2013 Act, as published in the original IA.<sup>2</sup>

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<sup>1</sup> [Impact Assessment - Tackling Metal Theft \(justice.gov.uk\)](https://www.justice.gov.uk/impact-assessment/tackling-metal-theft)

<sup>2</sup> [Scrap Metal Dealers Act 2013 - Impact Assessment \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2013/10/enacted)

3. Assess whether cost savings associated with reductions in metal theft were sufficient to cover the estimated costs of implementing the 2013 Act.

## D. Cost-benefit analysis and impacts

This section provides analysis and evidence to help assess the impact of the 2013 Act. It considers the impacts of the objectives of the 2013 Act which aimed to establish a more robust, local authority administered, regime for the scrap metal industry; and to help reduce the rising levels of metal theft.

### Background

The introduction of the 2013 Act aimed to build on previous measures to tackle metal theft including targeted police enforcement activity and banning cash payments for scrap metal. It introduced a robust licensing scheme aimed at ensuring more effective compliance activity by local authorities and stronger enforcement by police, to ensure there is a level playing field for law-abiding SMDs.

From 1 October 2013, all SMDs were required to have a licence to trade, verify the name and address of the supplier of scrap metal, and keep records of scrap metal received and disposed of. These measures, along with the ban on cash payments, which came into force on 3 December 2012, were designed to improve the traceability of stolen metal and help improve trading standards within the scrap metal industry.

### Main findings

The 2013 Act has been successful in providing a robust and comprehensive regulatory regime for the metal recycling sector. This has helped address the trade in stolen metal and reduce metal theft. Latest figures from the Environment Agency show there were approximately 8,700 licences as of March 2021 compared to previously estimated figures of 7,400 before the 2013 Act was introduced.

The main findings include:

- The 2013 Act would have needed to prevent, each year, 20 per cent of the 90,000 annual reported metal thefts prior to its enactment to provide value for money (VfM).
- Scrap metal theft fell significantly in the year the 2013 Act was introduced.
- The average annual number of reported metal thefts between 2013 and 2020 was 26,200, a reduction of 71 per cent from pre-enactment levels.
- Scrap metal theft has decreased significantly when compared to other property theft offences (see Figure 3 below).
- Thefts of metal such as copper, particularly from the railways which had a damaging impact on infrastructure, reduced significantly.
- A conservative estimate of the benefits of this reduction, assuming it only benefitted the telecoms and utilities industries, is that it provided a benefit of £90.5 million per year in 2013 prices.
- This translated to a present value of **£775 million** over 10 years, exceeding the 2013 Act's projected **net costs of £411 million**. If attributed to the 2013 Act, this gives it a **Net Present**

**Social Value (NPSV) of £364 million.** This is likely to be an under-estimate as the benefit calculation ignores other industries such as rail transport.

- There may be further benefits to society as a whole that have not been monetised – for example, an increased feeling of safety or greater level of community cohesion brought about by a reduction in metal theft.
- **Overall, the estimated costs of the policy are highly likely to have been covered by the cost savings from metal theft reduction caused by the 2013 Act.**

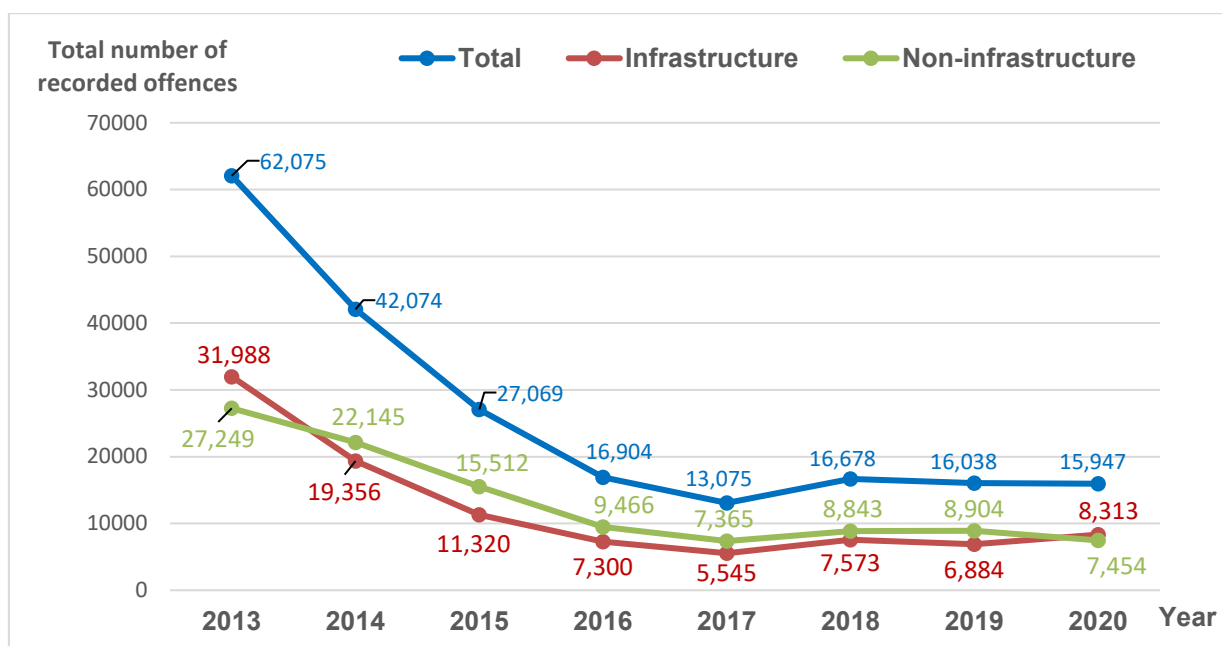
### Trends in scrap metal theft

All data for this analysis is from police recorded crime statistics. Statistics on metal theft are recorded as part of the main police recorded crime data, but this was only established in April 2012. This means it is not possible to present comparative analysis preceding the 2013 Act.

Most police forces in England and Wales also identify metal theft disaggregated further into either infrastructure or non-infrastructure related thefts. Infrastructure related thefts involve the removal of metal that has a direct impact on the functioning or structure of buildings or services. This includes the theft of live services, common examples including railway cabling, lead roofing from churches and historical buildings, and copper cabling from power supplies.

It should be noted that not all police forces supply a breakdown of infrastructure and non-infrastructure metal thefts, so disaggregated data will not always add up to the total. As is the case for all police recorded crime, trends in recorded metal theft can be influenced by changes and improvements in police forces' crime recording practices as well as operational priorities. For example, Greater Manchester Police (GMP) have been unable to supply data for year ending March 2020 whilst Cleveland Police did not record the breakdown of metal theft offences for 2013.<sup>3</sup>

**Figure 1, Police recorded metal theft offences in England and Wales, Y/E Mar 2013 to Y/E Mar 2020.**



Source: [Y/E Mar 2020 ONS Property Crime Tables, Table 24.](#)

<sup>3</sup> The other significant issues affecting this dataset are that North Wales did not record any metal theft data in 2013 while Devon and Cornwall only recorded total metal thefts without categorisation into infrastructure-linked and non-infrastructure links across the entire period.

Figure 1 shows the number of metal theft offences recorded in England and Wales over the years 2013 to 2020.<sup>4</sup> A sharp decline lasting until 2017 is immediately apparent, and, despite a slight resurgence in 2018 followed by a levelling-off in 2019 and 2020. The total number of offences fell significantly across the whole period, from 62,075 offences in 2013 to 15,947 offences in 2020, a 74.3 per cent reduction. This is still evident when broken down into the available infrastructure and non-infrastructure offences, both of which have fallen significantly, from 31,988 to 8,313 (74.0%) and 27,249 to 7,454 (72.6%), respectively, over the same period.

**Table 1, Police recorded metal theft rates per 10,000 people and percentage change (%) in England and Wales by region, Y/E Mar 2013 to Y/E Mar 2020.**

Metal theft crime rates per 10,000 people							Change (%)		
	2013			2020			2020 on 2013		
Area	Inf	N-Inf	Total	Inf	N-Inf	Total	Inf	N-Inf	Total
<b>E&amp;W</b>	<b>5.7</b>	<b>4.8</b>	<b>11.0</b>	<b>1.4</b>	<b>1.3</b>	<b>2.7</b>	<b>-75.3</b>	<b>-73.9</b>	<b>-75.5</b>
North East	8.1	6.1	19.7	2.4	3.1	5.5	-71.0	-49.1	-72.1
North West	6.0	5.7	11.7	0.5	0.8	1.3	-91.7	-86.7	-89.2
Yorkshire and the Humber	9.6	8.0	17.6	1.6	1.6	3.2	-82.9	-80.3	-81.7
East Midlands	8.0	6.0	14.0	1.9	2.2	4.1	-75.9	-63.9	-70.7
West Midlands	7.5	3.0	10.5	1.6	1.6	3.1	-79.0	-48.8	-70.3
East	4.5	4.5	9.0	2.1	1.8	3.9	-52.3	-61.0	-56.7
London	2.5	1.8	4.2	0.1	0.1	0.2	-96.7	-95.4	-96.2
South East	4.5	5.0	9.5	1.9	1.2	3.1	-58.6	-75.0	-67.2
South West	4.4	3.8	11.0	1.1	0.8	2.2	-75.5	-78.4	-79.6
Wales	3.9	5.2	9.1	0.4	0.9	1.3	-89.0	-83.5	-85.9

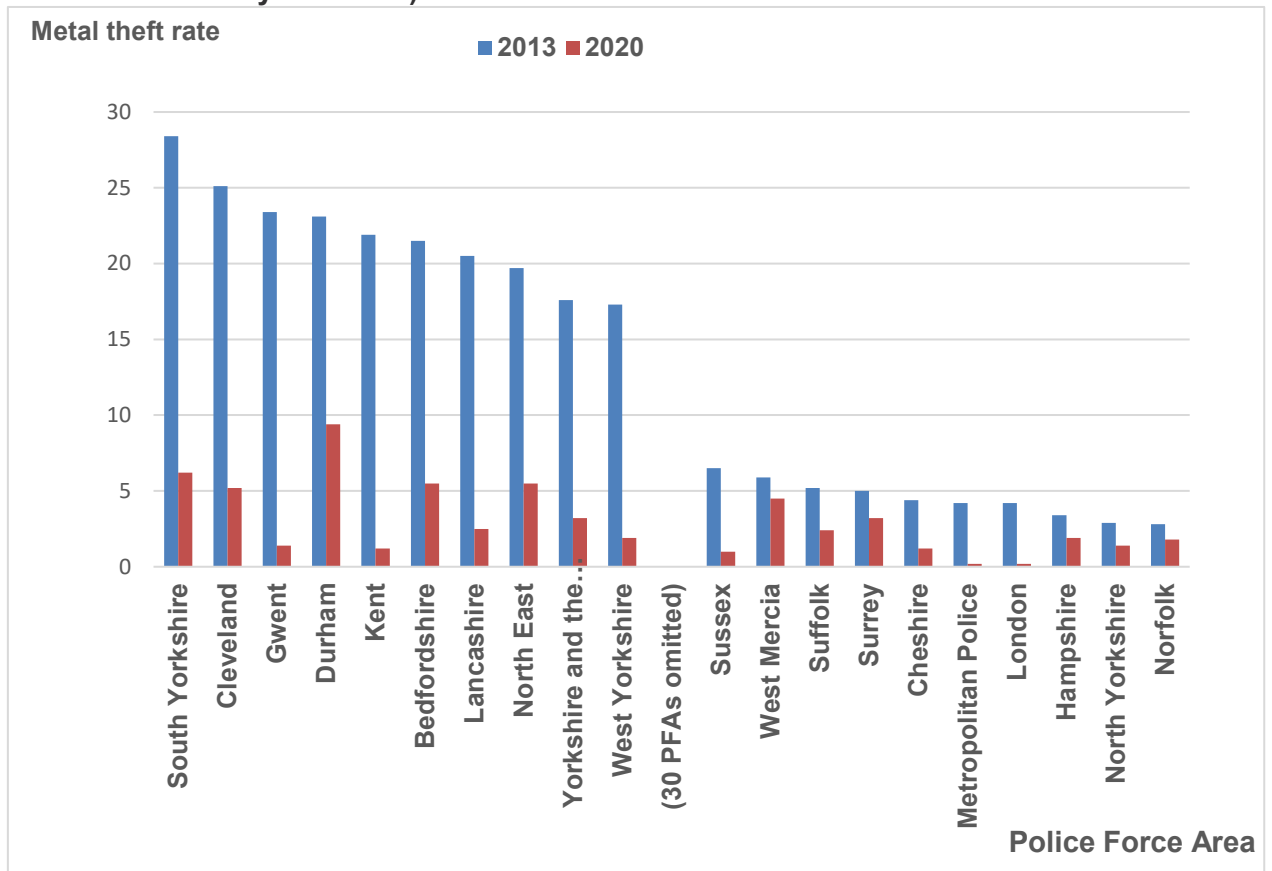
Source: [Y/E Mar 2020 ONS Property Crime Tables, Table 23.](#)

Notes: E&W = England and Wales, Inf = Infrastructure and N-Inf = Non-infrastructure.

In per-head terms this decrease was even more notable, with the crime rate in England and Wales falling from approximately 11.0 total metal theft offences per 10,000 people in 2013 to just 2.7 per 10,000 in 2020, a decrease of 75.5 per cent (based on underlying unrounded figures). Table 1 presents a breakdown of these trends, in both infrastructure-related and non-infrastructure-related offences, at the regional level:.. The decline was observed across the entirety of England and Wales, albeit with particularly large decreases in London and the North West. Figure 2 presents a detailed breakdown, by police force area, which also supports this.

<sup>4</sup> Comparable data is not available for Scotland. Metal theft does not have its own classification and country-level data does not include the information that would be needed to determine whether an incident involved metal theft.

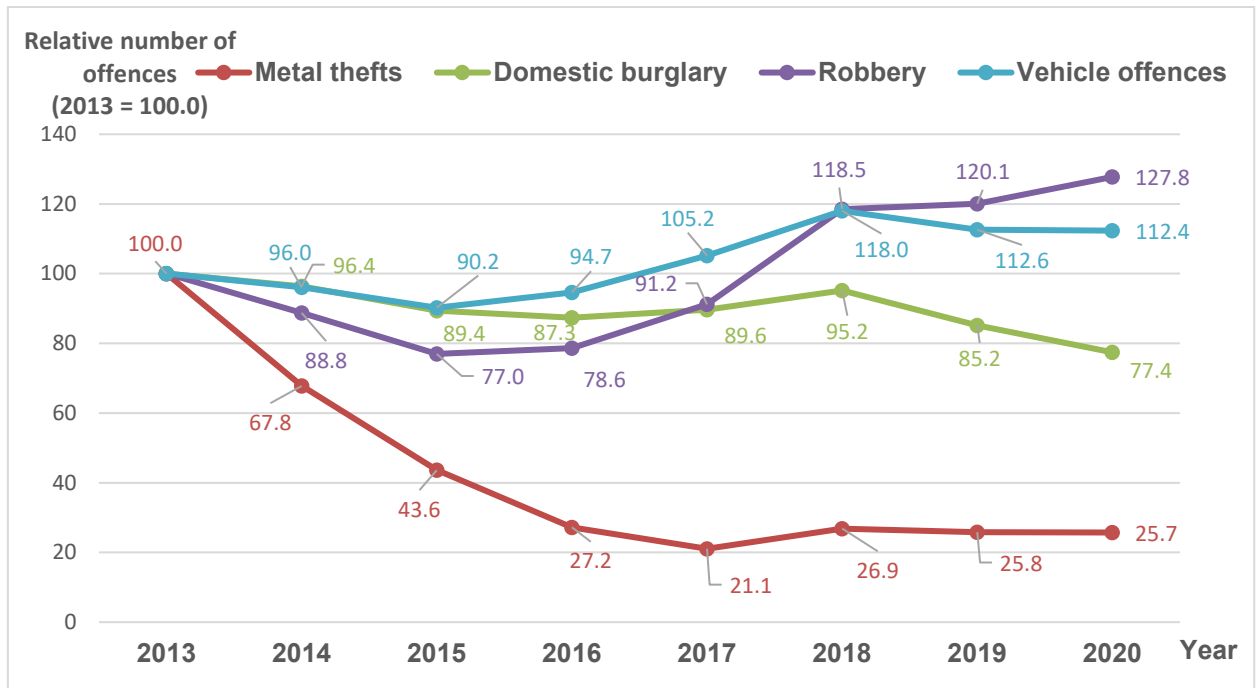
**Figure 2: Metal theft per 1,000 population by PFA, 2013 and 2020 (restricted to top 10 and bottom 10 PFAs by 2013 rate).**



Source: Police Recorded Crime, [Y/E Mar 2020 ONS Property Crime Tables, Table 23](#). Underlying numbers (including omitted PFAs) presented in Annex 3.

Figure 2 shows the distribution of recorded metal theft rates by police force area (PFA) in 2013 and 2020, sorted from highest to lowest 2013 rate. This demonstrates that all PFAs saw substantial, if uneven, falls in metal theft rates between the two years.

**Figure 3: Police recorded property crime offences in England and Wales by type, Y/E Mar 2013 to Y/E Mar 2020.**



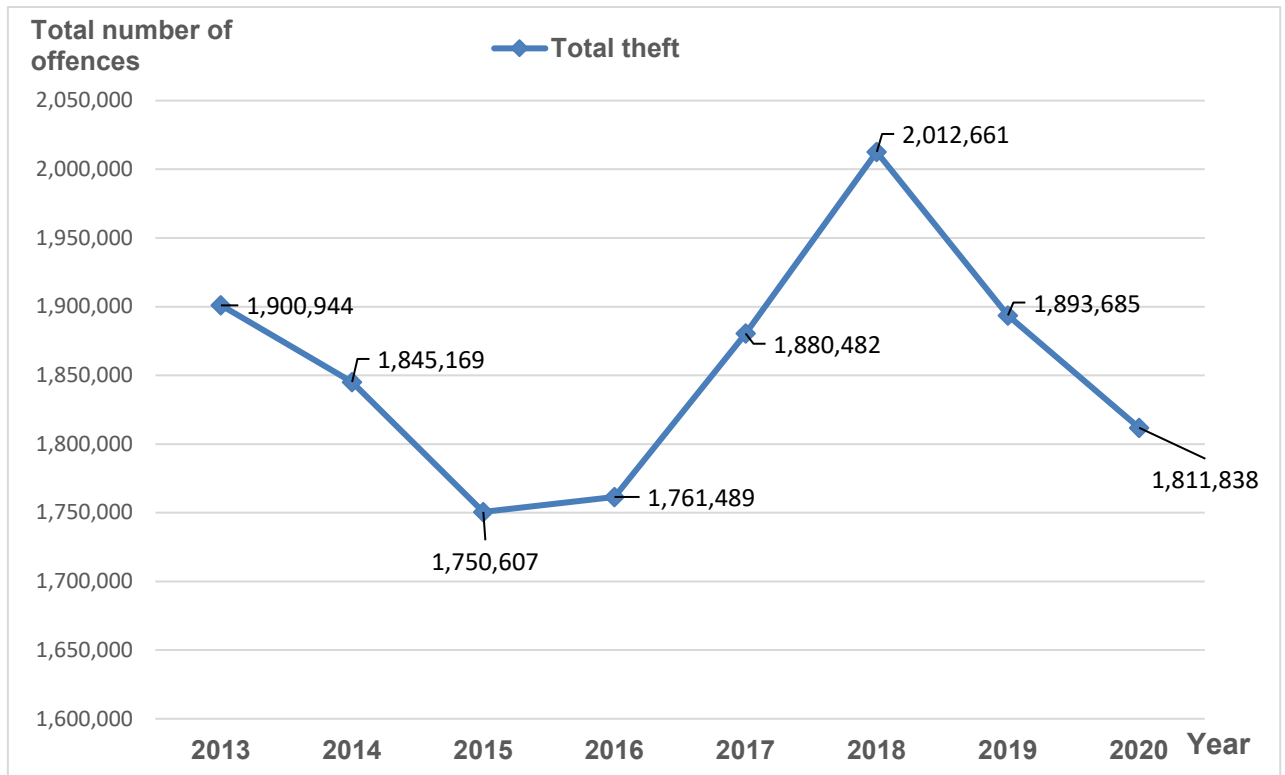
Source: [Y/E Mar 2020 ONS Property Crime Tables, Table 24; Crime in England and Wales: Appendix Tables](#), Table A4  
Notes:

1. Indices are interpreted as a percentage of an initial value. Here, the initial value for each crime type is the number of incidents recorded in Y/E Mar 2013: to use metal thefts as an example, these fell to 67.8 per cent of Y/E Mar 2013 levels by the next year, then 43.6 per cent of 2013 levels the year after that.
2. In Y/E Mar 2013 there were 62,075 recorded metal thefts, 459,795 recorded burglaries, 65,155 recorded robberies, and 387,359 recorded vehicle offences.
3. The approximate number for each subsequent year is given by multiplying this by that year's index number then dividing the result by 100. For example: the number of metal thefts in 2015 was approximately 62,075 multiplied by 43.6 divided by 100, or 27,065.

Figure 3 shows the trend in metal theft compared with the trend for other property crimes across 2013 to 2020, converted into indices to make comparison easier. Both robbery and vehicle offences increased from 2015 whilst burglary offences fell from 2013. This analysis is used to highlight the large decrease in metal theft against the backdrop of different trends for other theft offences. The analysis suggests the decrease in metal theft was not simply part of a wider downward trend in crime for unrelated reasons – such as changes in economic conditions, social trends; rather there is reasonable confidence metal theft was uniquely affected, although it should be noted it does not rule out the possibility that other factors may have had an influence, which would require regression analysis. As further evidence to support this, trends in total theft offences are presented in Figure 4.



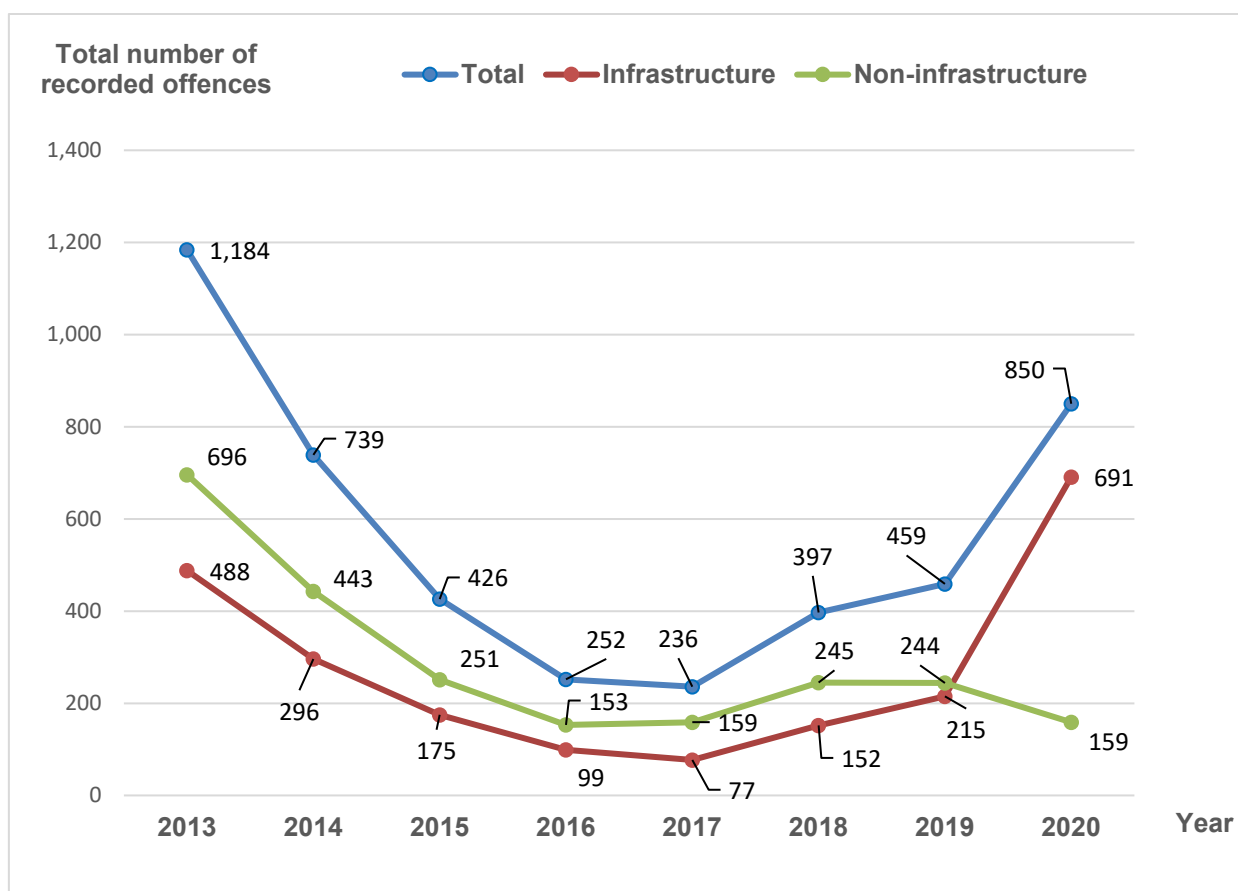
**Figure 4: Police recorded total theft offences in England and Wales, Y/E Mar 2013 to Y/E Mar 2020**



Source: [Crime in England and Wales: Appendix Tables, Table A4](#)

Figure 4 shows that while total theft offences did fall from 2013 to 2015, as did metal theft, total offences increased considerably from 2016 to reach a new peak by 2018. If metal theft were simply falling in line with a more general downward trend in theft-related crime in this period, then it too would have likely increased at this point rather than remaining at its reduced level.

**Figure 5: Metal theft offences recorded in England and Wales by the British Transport Police (BTP), Y/E Mar 2013 to Y/E Mar 2020.**



Source: [ONS Property Crime Tables, Table 2](#)

One important outlier amongst these trends is, as shown by Figure 5, the level of infrastructure metal theft recorded by the BTP, after an initial decrease through to 2017, rebounded to exceed 2013 levels by 2020. As other police forces experienced a more consistent drop (as shown in Figure 2) in recorded offences, this means the BTP-reported metal thefts have come to account for a larger proportion of the national total, rising from 1.9 per cent in 2013 to 5.3 per cent in 2020. Among infrastructure-related metal thefts, the BTP accounted for 8.3 per cent of the national total in 2020, up from 1.5 per cent in 2013. Caution should be noted when interpreting these figures as fluctuations in trends can reflect different recording practices or could be an indication of increased police activity in these crime types. The BTP continues to prioritise metal theft to prevent and reduce delays on the rail network, for example, the theft of live cable can cause severe disruption to train services. However, there is not much additional information on fluctuations in activity across police forces, and the overall picture remains one of a lasting fall in all types of metal theft.

Limited data from the BTP where these offences were recorded if there was a named suspect (presented in Annex 1) also demonstrates a reduction in levels of SMD offences as measured by occurrences of Y02 (SMD offences) and Y05 (Purchase Scrap Metal for cash) crimes across all parts of the UK including Scotland following the introduction of the 2013 Act. However, it should be noted that a very large spike in these offences occurred just before implementation, likely in a rush by criminals to sell off goods before it became more difficult, and so the comparison may be somewhat less reliable than the others presented in this section.

Law enforcement agencies have anecdotally reported a change in criminal behaviour in recent years, whereby thieves tend to steal larger quantities of metal per offence. The Home Office does

not collect figures to show the quantity or value of the metal stolen and therefore the increase in volumes has not been captured in this assessment.

Overall, these findings confirm that metal theft reduced significantly over the period 2013-20; however, it is difficult to assert that this reduction was directly caused by the 2013 Act due to the absence of more sophisticated statistical modelling which would examine other factors, for example, changes in metal prices or export demand.

Published empirical findings do find evidence to support the hypothesis that the 2013 Act is likely to have had a significant impact:

['An evaluation of government/law enforcement interventions aimed at reducing metal theft' \(2015\)](#) covers the 2009-2013 period, prior to the 2013 Act's implementation, but including two previous major initiatives against metal theft, both similar to the 2013 Act in their focus on regulating SMDs, in 2012. The first of these was Operation Tornado, a requirement placed on SMDs to request ID from any seller and retain it for a year, rolled out in stages between January and September 2012; the second, a ban on cash payments in scrap metal dealings in December 2012. The executive summary includes that:

- *The analysis found that metal thefts recorded by the Energy Networks Association and by British Transport Police fell to levels far lower during 2012 and 2013 than would be expected from the drop in metal prices alone.*
- *This implies that the interventions launched during that period, Operation Tornado and cashless trading at scrap metal dealers did contribute to a substantial reduction in the number of offences.*
- *Analysis showed a large, statistically significant effect for the interventions even when controlling for metal prices and other factors driving acquisitive crime.*

With the study concluding that:

*“Modelling suggests that the interventions themselves can be credited with a fall of around 30 per cent, with the rest being attributable to falling prices and other downward pressures on acquisitive crime.”*

['Prices, Policing, and Policy: The Dynamics of Crime Booms and Busts' \(2018\)](#) covers the 2013 Act itself alongside Operation Tornado. It first uses a difference-in-differences approach to evaluate Operation Tornado. It similarly takes advantage of its staggered rollout to conclude the initiative reduced metal theft. It then uses a second difference-in-differences approach to compare the economic activity of SMDs to that of businesses filling a similar role: pawnshops, and other firms involved with collecting non-hazardous waste other than metal. The result is that SMD's economic activity fell as a result of the 2013 Act. The study concludes:

*“Our estimates document that metal crime is highly responsive to metal price dynamics.*

*“However, the policing response of the BTP in England and Wales reduced metal crime by an estimated 35 percent. The ensuing introduction of the Scrap Metal Dealers Act (2013) caused a fall in the turnover of scrap metal dealers operating in England and Wales of around 17 percent between 2014 and 2015... In conclusion, the evidence reported in the paper shows that prices, policing and policy all played a significant role in shaping the boom and bust of metal crime. Its initial rapid rise into a crime boom was driven by big rises in commodity prices, and then police intervention and government policy quelled the rise, bringing about a crime bust.”*

Put together, there is a strong case that the 2013 Act is responsible for a significant portion of the decrease in metal theft observed since its introduction. It is now possible to look at the benefit of

this reduction and the costs of implementation to determine whether this was sufficient to create a net social benefit.

### **Costs of metal theft and value for money**

[The 2013 impact assessment](#) estimated the costs of the 2013 Act to consist of £2.3 million in transition costs (of which £1.6m fell to business) alongside £48.4 million per year (£31.1m to business, primarily through costs of compliance). Using a standard 3.5 per cent discount rate over 10 years, the 2013 Act's costs were estimated to have a present value (PV) of **£419 million**, of which £8 million were transfers.<sup>5</sup> . This made **the 2013 Act's projected net cost £411 million**.

At the time of the 2013 Act's introduction, [the most recent Home Office estimates of the costs of metal theft](#) were that it cost society £220 million in 2011 alone, approximately 95 per cent of which fell to businesses. This was supported by a 2011 Deloitte study, of self-reported part cost information from a small number of sectors, estimating a £220 to £260 million cost per year, suggesting that £220 million was the low estimate. This implied that any reduction in metal theft could have substantial benefits.

Upated to 2013 prices, this £220 million was approximately equivalent to £228 million at the time of the 2013 Act's enactment. The 2013 IA accordingly stated that, assuming total costs are directly proportional to the number of metal thefts, to cover the costs of the policy *'Approximately 20 per cent of the £220 million cost of metal theft would need to be saved in order to cover the costs of the policy, with an estimated 95 per cent of any crime reduction benefits likely to fall to businesses.'* With approximately 90,000 recorded incidents of metal theft in 2011, suggesting an average cost per recorded theft (in 2013 prices) of approximately £2,530, preventing 19,000 per year for 10 years would have provided benefits with a present value equal to the £411 million net cost.

From Y/E Mar 2013 to Y/E Mar 2020, following the 2013 Act's passage, the average recorded scrap metal theft was 26,200, a decrease of over 70 per cent from the 2011 figures. This translates to a considerable reduction in costs to society, and particularly to business. The telecoms and utilities industries, those for which costs are most likely to be proportional to incidents, bore about £129 million of the estimated £228 million cost of metal theft in 2011. A 70 per cent reduction in incidents implies a yearly benefit of approximately £90.5 million to these alone, with an estimate of **£775 million (PV) over 10 years**.

This is a conservative estimate of the likely benefits, as it assumes other affected industries (such as rail transport) receive no overall benefit from a reduction in incidents. There may also be wider indirect benefits to customers beyond affected businesses, such as an improvement in well-being from a general reduction in crime through increased feelings of safety or greater level of community cohesion. This is difficult to quantify, but likely to be significant.

The fall to this level took place primarily in the first three years post-implementation, alongside a drop in other property crime types, but on top of declining more rapidly, metal theft incidents have since remained relatively stable at this new low despite rebounds in the other crime types.

If the benefits are accordingly attributed to the 2013 Act, it will have had a **net present social value (NPSV) of £364 million**. This is likely to be an under-estimate.

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<sup>5</sup> Transfers are costs that are exactly counterbalanced by a benefit to another party. In this case, the primary transfer was made up of dealers having to pay license fees to local authorities – this cost to these dealers was completely negated by the local authorities receiving that money as a benefit. No net economic cost was imposed. By contrast, costs such as the cost of compliance are treated as economic costs due to their representing the use of time and resources that would not have been needed in the absence of the 2013 Act.

Empirical work referenced above indicates the 2013 Act did have a substantial impact on the scrap metal industry, as well as confirming the potential for such targeted regulatory action to reduce metal theft.

As a result, a comparison of trends in various similar crime types to those in metal thefts suggests the 2013 Act is very likely to have produced a positive return, although calculating an exact monetary benefit is difficult.

### **Evidence from consultation**

[A 2017 government review of the Scrap Metal Act](#) included the results of contact with parties deemed to be interested to ask their views on whether the 2013 Act had succeeded in reducing theft and whether it should be retained. The large majority of those who responded said the 2013 Act should be retained. Only three respondents said the 2013 Act should be repealed. In particular, it was raised that to some extent, opportunistic metal theft had been replaced with fewer but more organised and serious operations, with examples including the theft of entire church roofs at once. This suggests that despite metal theft of infrastructure stabilising at a lower level, the quantity and value of metal theft may still be high. Other important themes raised included the need for the legislation to be accompanied by more effective and consistent enforcement with suggestions made for strengthening the legislation.

### **Next Steps**

The 2013 Act appears to continue to be a powerful tool against metal crime, which can have a negative impact on victims and the wider community. The Government and the Home Office will continue to work with stakeholders including the BTP and the Local Government Association (LGA) to identify where there is more to be done in this area, such as supporting industry-led guidance on good practice. The Home Office are also working with the police and industry through the National Police Chiefs Council (NPCC) Metal Theft Steering Group to collaborate to produce a strong evidence-based policy to improve the response and consider what else can be done to tackle this crime, including further analysis of metal theft data trends. In 2020 the Home Office provided funding to set up the National Infrastructure Crime Reduction Partnership (NICRP) to increase national co-ordination in enforcement action to tackle metal theft. The NICRP enables police and industry partners (including rail, telecommunications and utilities) to work in partnership to target offenders and implement crime prevention measures to protect infrastructure. In October 2020 and April 2021, the BTP and the NICRP co-ordinated multi-agency national weeks of action to tackle metal theft and provide training to police officers and partner agencies. This helped to raise awareness of requirements of the 2013 Act among police and partner agencies, as well as a number of scrap metal dealers who were visited during the week of action. The week of action in April 2021 focused on catalytic converter theft, and over 1000 stolen catalytic converters were recovered and more than 50 people were arrested. BTP plans to hold further weeks of action to build on this success.

## **E. Assessment of effectiveness**

The overall findings of this analysis are that the 2013 Act continues to be a powerful tool against metal crime and therefore the policy objectives set by the Government, defined in section 1 have been met.

## **F. Recommendations**

The analysis has confirmed the 2013 Act should be retained. This is because the introduction of the 2013 Act has successfully helped reduce the volume of metal crime.

To support the successful implementation of the 2013 Act, the Government and the Home Office will continue to work with stakeholders to identify what more can be done, which includes working with the police and industry through the NPCC Metal Theft Steering Group, to produce a strong evidence-based policy to improve the response and consider what more can be done to tackle this crime.

## Annexes

**Annex 1: British Transport Police, Scrap Metal Dealers analytical insight.**

**Annex 2: Public Sector Equality Duty Test**

**Annex 3: Trends in scrap metal offence rates by police force area**

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### Annex 1: British Transport Police, Scrap Metal Dealers analytical insight.

## Analytics and insight

### Scrap Metal Dealers



BTP crime codes **Y02 (Scrap Metal Dealer offences)** and **Y05 (Purchase Scrap Metal for cash)** have been used for the purpose of this analysis. These are non-notifiable crimes which means that after the introduction of Niche Records Management System (NicheRMS) in 2016, these offences have only been recorded onto the system if there is a named suspect. Therefore, the analysis is focussed on data recorded before this time period to allow a direct comparison to be made.

**The Scrap Metal Dealers Act** came into force on 28<sup>th</sup> February 2013. As offence volumes for this are quite low, a comparison of two years prior (28/02/2011 to 17/02/2013) and two years after (28/02/2013 to 27/02/2015) introduction was used.

**Table A1.1, BTP crime codes Y02 and Y05 volumes and change (%), 2020.**

<b>BTP Crime Code Y02 and Y05 Pre-Legislation (28/02/2011 to 27/02/2013) compared to post legislation (28/02/2013 to 27/02/2015) by division</b>			
<b>BTP Division</b>	<b>Pre-Legislation Y02 and Y05</b>	<b>Post-Legislation Y02 and Y05</b>	<b>Change, volume</b>
B-Division: London, the South East and Anglia	11	4	-7
C-Division: Western, Wales, Midland and Northern England	32	9	-23
D-Division: Scotland	52	11	-41
Undefined	1	0	-1
<b>Total</b>	<b>96</b>	<b>24</b>	<b>-72</b>

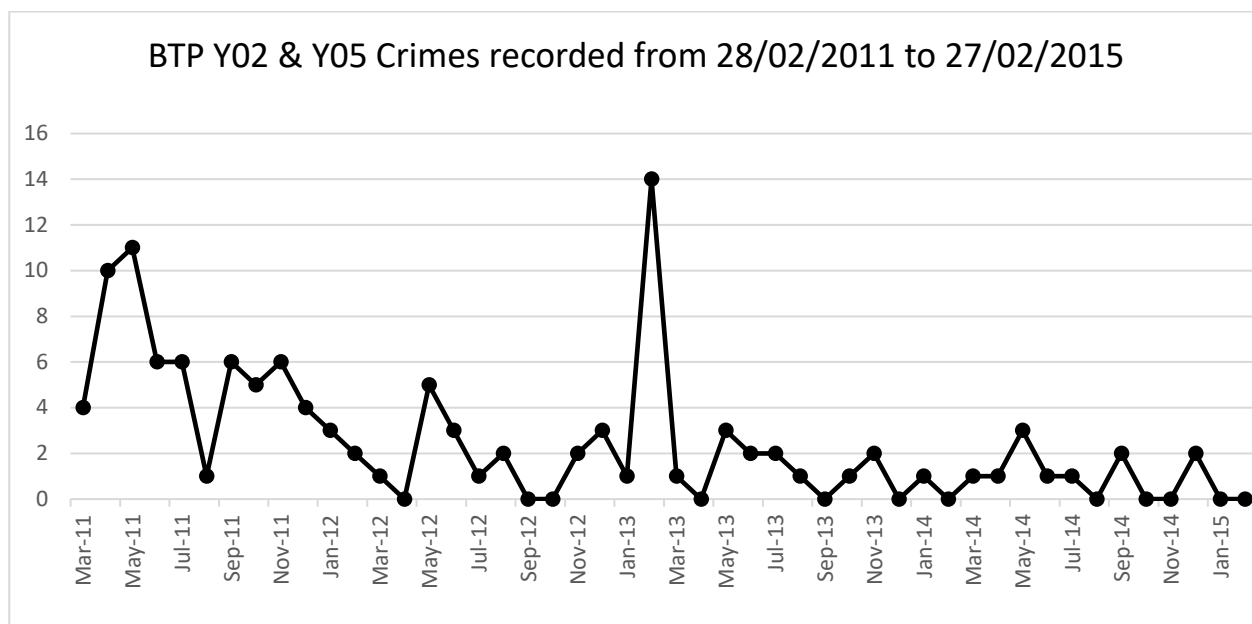
Source: British Transport Police, Analytics and Insight, 2020.

Note: More details on the BTP divisions can be found here: [https://www.btp.police.uk/about\\_us/our\\_structure.aspx](https://www.btp.police.uk/about_us/our_structure.aspx).

Table A1.1 shows there has been a considerable reduction **(-72 offences,)** in the number of Scrap Metal Dealer offences recorded after the legislation was introduced in February 2013. The decreases can also be seen across all divisions particularly within **D division (-41 offences,)** and **C division (-23 offences,**

D division accounted for the highest number of Scrap Metal Dealer offences with **54 per cent (52 offences)** before the legislation was introduced., Post-legislation, D division still saw the largest number of recorded Y02 and Y05 offences **(11 offences;)**, but there was still a considerable drop of 41 offences.

**Figure A1.1, BTP crime codes Y02 and Y05 monthly recorded crime, February 2011-15.**



Source: British Transport Police, Analytics and Insight, 2020.

Figure A1.1 illustrates four years' worth of SMD offences recorded by BTP. There is an overall decrease of Y02 and Y05 offences from May 2011 to January 2013. However, just before the introduction of Scrap Metal Dealer Act in February 2013, the highest number of crimes were recorded (**14 crimes**) in that month. After the legislation was enforced the numbers continued to decline. The spike may be a result of metal dealers attempting to sell off their goods prior to Scrap Metal Act enforcement.

For the 23-month period (Mar-2011 to Jan-2013) prior to the introduction of the 2013 Act the average number of Y02 and Y05 offences was **3.57** compared to an average of **1.57** for the 23-month period (Mar-2013 to Jan-2015) following the introduction of the 2013 Act<sup>6</sup>.

For the 9-month periods (March to December) for the years 2011, 2012, 2013 and 2014, the total number of Y02 and Y05 crimes fell from **59** to **17** (both pre-2013 Act) to **12** then to **11** (both post-2013 Act) respectively.

<sup>6</sup> This analysis excludes February 2013, the month of introduction of the 2013 Act, where there may have been a 'fire sale' of stolen metal in an effort to avoid the measures in the 2013 Act.



## Annex 2: Public Sector Equality Duty Test

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p><b>Statutory Equalities Duties</b></p> <p>The public sector equality duty (PSED) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations in the course of developing policies and delivering services.</p> <p>In regard to the 2013 Act, it has an unintentional negative impact on those who fall under the protected characteristics of race and disability. This is due to the fact the 2013 Act requires literacy and numeracy competence in order to carry out all the requirements of the 2013 Act and therefore may pose a barrier for those protected under disability. Those under the protected characteristic of race may also be negatively impacted by the licensing process, specifically those groups with a nomadic culture as the 2013 Act requires SMDs to purchase a licence for each borough or locality they work in. It also required bank accounts and addresses which will have a further negative impact on those groups.</p> <p>To mitigate these impacts, local councils are encouraged, as the licensing body, to communicate all requirements in accessible ways as well as providing sufficient support to applicants. Local authorities have a PSED to have the flexibility to use their powers to put measures in place so the requirements under the 2013 Act are carried out in a fair way.</p> <p>With the correct mitigating action, the Government is confident that the level of negative impact can be reduced, and the Home Office will continue to work with stakeholders who raised their concerns over impacts to protected characteristics as well as others including licensing bodies to monitor the impact of the 2013 Act.</p> <p><b>The SRO has agreed these findings.</b></p>	<p><b>Yes</b></p>

### Annex 3: Trends in scrap metal offence rates by police force area

Table A3.1: Police recorded metal theft offences rates per 10,000 people and percentage (%) change, England and Wales, Y/E Mar 2013 to Y/E Mar 2020. Used for Table 1 and Figure 2.

	Metal theft crime rates per 10,000 people						Change (%)		
	2013			2020			2020 on 2013		
	Inf	N-Inf	Total	Inf	N-Inf	Total	Inf	N-Inf	Total
<b>ENGLAND AND WALES</b>	5.7	4.8	11.0	1.4	1.3	2.7	-75.3	-73.9	-75.5
<b>ENGLAND</b>	5.7	4.7	10.9	1.3	1.2	2.6	-76.5	-73.2	-76.0
<b>North East</b>	8.1	6.1	19.7	2.4	3.1	5.5	-71.0	-49.1	-72.1
Cleveland	N/A	N/A	25.1	2.7	2.5	5.2	DNRD 2013		
Durham	13.8	9.3	23.1	4.0	5.4	9.4	-70.8	-42.4	-59.3
Northumbria	8.9	7.2	16.1	1.5	2.4	3.9	-82.9	-66.8	-75.7
<b>North West</b>	6.0	5.7	11.7	0.5	0.8	1.3	-91.7	-86.7	-89.2
Cheshire	1.8	2.6	4.4	0.3	0.9	1.2	-84.7	-64.5	-72.7
Cumbria	3.0	4.0	7.1	0.9	3.3	4.2	-71.4	-18.5	-41.0
GMP	6.5	5.8	12.3	N/A	N/A	N/A	DNRD 2020 (not reliable)		
Lancashire	11.3	9.2	20.5	1.1	1.3	2.5	-90.2	-85.4	-88.0
Merseyside	3.4	4.9	8.3	0.9	0.7	1.5	-74.3	-86.3	-81.4
<b>Yorkshire and the Humber</b>	9.6	8.0	17.6	1.6	1.6	3.2	-82.9	-80.3	-81.7
Humberside	8.9	6.4	15.3	1.8	1.9	3.6	-80.1	-70.8	-76.2
North Yorkshire	1.3	1.7	2.9	1.0	0.4	1.4	-23.1	-77.4	-53.8
South Yorkshire	14.5	13.9	28.4	3.7	2.5	6.2	-74.6	-82.2	-78.3
West Yorkshire	9.8	7.4	17.3	0.6	1.4	1.9	-94.1	-81.7	-88.8
<b>East Midlands</b>	8.0	6.0	14.0	1.9	2.2	4.1	-75.9	-63.9	-70.7
Derbyshire	5.1	8.1	13.1	0.4	1.3	1.7	-92.6	-83.4	-86.9
Leicestershire	15.3	1.6	16.9	6.1	3.2	9.3	-60.0	99.5	-45.0
Lincolnshire	6.2	10.8	17.0	1.5	3.0	4.5	-75.2	-72.6	-73.5
Northamptonshire	5.7	3.6	9.2	0.8	2.3	3.1	-85.2	-35.4	-66.0
Nottinghamshire	6.4	6.7	13.1	0.3	1.4	1.7	-95.2	-79.1	-86.9
<b>West Midlands</b>	7.5	3.0	10.5	1.6	1.6	3.1	-79.0	-48.8	-70.3
Staffordshire	7.0	4.2	11.2	2.6	0.8	3.4	-63.0	-80.3	-69.5
Warwickshire	6.8	3.3	10.1	2.3	2.1	4.4	-65.7	-36.3	-55.9
West Mercia	2.0	3.9	5.9	1.7	2.8	4.5	-15.6	-26.1	-22.5
West Midlands	10.2	2.2	12.4	1.0	1.2	2.1	-90.5	-46.3	-82.8
<b>East</b>	4.5	4.5	9.0	2.1	1.8	3.9	-52.3	-61.0	-56.7
Bedfordshire	8.3	13.2	21.5	3.8	1.8	5.5	-54.8	-86.6	-74.3
Cambridgeshire	2.1	5.8	7.9	0.7	3.1	3.7	-69.4	-47.2	-53.1
Essex	5.6	3.4	9.0	1.3	1.3	2.7	-76.7	-60.4	-70.6
Hertfordshire	6.1	4.0	10.0	5.6	2.0	7.6	-7.2	-50.5	-24.3
Norfolk	0.7	2.1	2.8	0.5	1.3	1.8	-31.7	-36.8	-35.5
Suffolk	3.0	2.2	5.2	0.8	1.6	2.4	-72.6	-27.6	-53.8
<b>London</b>	2.5	1.8	4.2	0.1	0.1	0.2	-96.7	-95.4	-96.2
City of London	6.6	10.5	17.1	2.1	4.1	6.2	-68.7	-60.9	-63.9
MPS	2.5	1.8	4.2	0.1	0.1	0.2	-96.8	-95.6	-96.3
<b>South East</b>	4.5	5.0	9.5	1.9	1.2	3.1	-58.6	-75.0	-67.2
Hampshire	0.9	2.5	3.4	0.7	1.2	1.9	-20.8	-49.8	-42.2
Kent	9.9	12.0	21.9	0.3	0.8	1.2	-96.7	-93.0	-94.7
Surrey	2.3	2.7	5.0	0.7	2.5	3.2	-69.0	-10.2	-36.8
Sussex	3.3	3.2	6.5	0.6	0.4	1.0	-82.7	-86.3	-84.5
Thames Valley	5.5	4.1	9.6	5.5	1.5	7.1	0.5	-62.9	-26.7
<b>South West</b>	4.4	3.8	11.0	1.1	0.8	2.2	-75.5	-78.4	-79.6
Avon and Somerset	6.1	6.1	12.3	1.5	1.0	2.5	-75.4	-83.2	-79.3
Devon and Cornwall	N/A	N/A	8.5	N/A	N/A	1.0	DNRD 2013 & 2020		
Dorset	6.9	4.2	11.1	2.9	1.2	4.1	-58.1	-71.6	-63.3
Gloucestershire	5.9	5.0	10.8	0.2	0.4	0.6	-97.1	-91.8	-94.6
Wiltshire	7.5	6.4	13.9	1.7	2.3	4.0	-77.8	-63.5	-71.2
<b>WALES</b>	3.9	5.2	9.1	0.4	0.9	1.3	-89.0	-83.5	-85.9
Dyfed-Powys	2.9	6.4	9.3	1.3	2.7	4.0	-55.6	-57.0	-56.6
Gwent	12.0	11.5	23.4	0.6	0.9	1.4	-95.4	-92.2	-93.8
North Wales	N/A	N/A	N/A	0.3	0.5	0.8	DNRD 2013		
South Wales	2.8	4.7	7.5	0.1	0.3	0.4	-95.7	-93.5	-94.3

Source: Police Recorded Crime, [Y/E Mar 2020 ONS Property Crime Tables](#), Table 23.

Notes: MPS = Metropolitan Police Service. DNRD == Did not record data