

Title: The Drug Dealing Telecommunications Restriction Orders Regulations 2017	Post Implementation Review
PIR No: HO PIR 0003	Date: 06/12/2022
Original IA No: HO 0280	Type of regulation: Domestic
Lead department or agency: The Home Office	Type of review: Statutory
Other departments or agencies: None	Date measure came into force: 06/12/2017
Contact for enquiries: ddtroreview@homeoffice.gov.uk	Recommendation: Keep
	RPC Opinion: N/A

1. What were the policy objectives of the measure?

1. Disruption of county lines: To enable the police to disrupt county lines operations by shutting down 'deal (phone) lines' if the police are unable to take physical possession of the handset or SIM card. The expectation was that this would reduce a county line group's ability to deal drugs and hamper county lines operation.

2. Reduce drug dealing, violent crime and exploitation: Successful disruption of county lines operations would have significant societal benefits, helping to reduce violent crime and protect vulnerable children and adults targeted and criminally exploited by county lines groups.

2. What evidence has informed the PIR?

Multiple quantitative and qualitative sources have informed the PIR, these include:

- Courts data on the number of Drug Dealing Telecommunications Restriction Orders (DDTRO) that went through courts in England and Wales (from His Majesty's Courts and Tribunal Service, HMCTS)
- Survey responses from police forces.
- Survey responses from telephone companies.
- Focus group / closed consultation between Home Office and representatives from a number of police forces.

3. To what extent have the policy objectives been achieved?

1. Disruption of county lines: There is limited evidence that DDTROs cause disruption to county lines activity. Used on its own without wider tactics, this disruption is minimal as organised crime groups are able to recover quickly. DDTROs potentially create a larger disruption when used with other tactics.

2. Reduce drug dealing, violent crime and exploitation: It is unlikely that on their own DDTROs achieved this wider objective. Although DDTROs may have larger disruptions when used alongside other police tactics, it is not clear whether this has led to a reduction in drug dealing, violent crime or exploitation.

In achieving the expected targets for the number of DDTROs implemented, the policy has been successful. The legislation has led to, on average, 121 DDTROs implemented each year between 2020 and 2022 which is greater than the expectation.

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: Minister's name
Chris Philp

Tim Laken
Chief Economist

Date: 22/11/2022

Further information sheet

Please provide additional evidence in subsequent sheets, as required.

4. What were the original assumptions?

There were expected to be between 24 and 34 Court orders applied for by the National Crime Agency (NCA) in year 1, and the police applications were expected to be 120 per year (2 in NI) between years 2 to 10. The number of handsets / numbers and SIM cards referred for disconnection was expected to be 200 every other month in E&W and 2 every other month for NI.

Court application fee was estimated to be £9,000 to £12,000 for year 1 and £43,000 per year for years 2 to 10. Police and NCA staff cost was estimated to be £11,000 to £15,000 in year 1, and about £54,000 per year in years 2 to 10 (£1,000 per year for PSNI). Communication providers staff cost was estimated to be £22,000 per year. HMCTS costs were estimated at £100,000 for year 1 and £400,000 per year for years 2 to 10 (in NI expected to be £3,000 per year).

Expected benefits were: groups move away from county lines drug dealing; violence and exploitation are reduced; and drug dealing becomes more disorganised and easier to police.

5. Were there any unintended consequences or PSED impacts?

The Review did not find strong evidence of unintended consequences of DDTROs. Possible reported negative impacts include: the use of DDTROs may be missed opportunities to arrest offenders, seize phones and examine evidence; DDTROs may encourage dealers to switch to social media platforms / apps to advertise drugs; and the closure of 'drug dealing lines' may lead to drug users completing deals in person, not by phone, leading to an increased risk of anti-social behaviour and violence.

The 2017 Impact Assessment (IA) identified a risk that some incorrectly identified handsets might be turned off. Little evidence of this has been found in the consultation.

There is information on the demographics of individuals involved in county lines which shows that young, black males are disproportionately represented in the cohort. As such, this group may be impacted disproportionately by DDTROs.

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

The 2017 IA for these regulations found no net financial impact on business, as staff costs to communication providers can be reimbursed by the NCA / police, but in actuality this reimbursement was paid by the Home Office. Any change to the regulations, including revoking the regulations, should not lead to any cost savings to business, and therefore no opportunities to reduce the burden on businesses.

7. Are there any impacts on small businesses, trade, wider economy/society?

The mobile network operators impacted by this policy are all large businesses, therefore we have found no evidence that medium, small or micro businesses have been affected.

Evidence Base

A. Background

1. A Drug Dealing Telecommunications Restriction Order (DDTRO) is an order which can be made by a court to require a communications provider to close down particular phone lines (or take whatever action the order specifies) to prevent or restrict the use of communication devices in connection with drug dealing offences.
2. The objective underpinning these regulations is to reduce crime by shutting down phone lines and disabling mobile handsets used for county lines drug dealing, thereby hampering the county lines operation. This provides an additional capability, enabling law enforcement to apply for a court order to compel Mobile Network Operators (MNOs) to remotely deactivate mobile phones. Without a DDTRO, the courts would not have a legal basis to request that MNOs disconnect mobile phone lines used in county lines drug dealing.
3. Organised crime and associated county lines drug dealing represent a significant threat to the well-being and security of society. County lines criminality relies on the recruitment, coercion and systematic criminal exploitation of the most vulnerable members of communities. When this policy was developed, tackling the issue of county lines had been identified as one of the six priorities within the Government's approach to Ending Gang Violence and Exploitation, published in January 2016¹.
4. Evidence gathered by the National Crime Agency (NCA) identified that the county lines model was resulting in the exploitation of in excess of 200 young and vulnerable person within a six-month period. The NCA also identified that non-contract mobile phones were central to the county line method of drug supply, enabling customer communication, supply and logistics. Disruption of the 'deal line' was identified as a critical means of tackling county lines and reducing the associated exploitation.
5. Deal line handsets were typically held well away from local street level drug dealing activity, normally a 'pay as you go' line with limited personal data associated, and were often passed between group members. As such, it was hard for the police to gain possession of the deal line handset and achieve prosecutions against an individual for the activity on the line.
6. It was decided that a new legislative tool was needed to disrupt mobile phones used by county lines groups to supply illegal drugs. There was precedent for this type of legislation provided by section 80 of the Serious Crime Act, 2015 (SCA 2015) and the accompanying secondary legislation: The Telecommunication Restriction Orders (Custodial Institutions) (England and Wales) Regulations 2016 (TRO 2016). The Telecommunications Restriction Order (TRO) conferred on the County Court powers to compel communication providers to prevent or restrict the use of communications devices (including mobile phones) in custodial institutions.
7. Secondary legislation in the form of the Drug Dealing Telecommunications Restriction Orders Regulations 2017 (DDTRO 2017) was made under Section 80A of the SCA 2015, coming into effect on 6 December 2017.

B. Rationale

¹ The Home Office (2016) *Have you got what it takes? Ending gang violence and exploitation*, January, London. See: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/511604/2016_Candidate_Guidance_Ending_Gang_Violence_v2.pdf

8. Communication via mobile phones is a vital facilitator of county lines drug dealing. The 'deal line' enables dealers to communicate with their customers, allowing them to advertise their products and arrange transactions. These 24-hour deal lines are known to facilitate hundreds of drug deals a day. By shutting down a deal line, dealers are cut off from their customer base and may be forced to change their tactics.
9. In many cases, the police are able to link an individual to a county lines deal line and will use this evidence to pursue a criminal prosecution. However, there are a significant number of anonymous phone lines, known to be used for dealing drugs. In such cases, the DDTRO provides an operational tool to law enforcement, allowing remote disconnection.
10. The DDTRO was introduced to provide an additional tool for law enforcement to be used alongside existing tactics and to support disruption of county lines particularly in cases when, due to the anonymity of the deal line, police are unable to identify and charge the group member who possesses the handset.

C. Policy objectives

11. At the point it was developed, the primary objective of the DDTRO was to disrupt county lines groups' drug dealing operations. This supported wider objectives around reducing violent crime, drug-related homicide, drug deaths and the exploitation of children and vulnerable adults.
12. The expectation, in introducing this policy, was that, by remotely closing down deal lines, this would quickly and effectively disrupt the groups' ability to deal drugs, stopping the drug supply enabled by the county lines model and rendering the model ineffective.
13. This, in turn, would reduce the incentive to exploit children and vulnerable people, delivering benefits to society by reducing the harm caused by this exploitative model of drug dealing.

D. Policy option implemented

14. Two options were considered: **Option 1:** (Do-nothing) and, **Option 2:** Introduce regulations which give effect to Section 80A of the SCA 2015: Prevention or restriction of use of communication devices for drug dealing.
15. **Option 2** created a new power through secondary legislation to help tackle the issue of county lines drug dealing. Had the Government not introduced this legislation, there would have been no power to compel communication providers to disconnect mobile phone lines used to deal drugs as part of county line operations.

E. Summary of the analytical assessment at the time

General assumptions and data

16. The following general assumptions were used in the original IA:
 - The appraisal period of the IA was over 10 years. This evaluation looks back at the previous five years since the legislation came into force.

- The impact assessment (IA) price base year (PBY) is 2017, and the PBY for the evaluation is 2022. The present value base year (PVBY) is 2022.
- This evaluation is compliant with the Green and Magenta Books²³.
- The discount rate used was 3.5 per cent.
- No benefits could be monetised.

Assumptions

Volumes:

- Number of court orders applied for by the NCA in year 1 was expected to be between 24 and 34.
 - Number of court orders applied for by police forces in E&W annually between years 2 and 10 was expected to be 120.
 - Number of court orders applied for by Police Service of Northern Ireland (PSNI) annually between years 2 and 10 was expected to be 2.
 - Number of handsets/numbers and SIM cards referred for disconnection was expected to be 200 every other month in E&W, plus 2 every other month for NI.
17. There was an assumption that, in the first year, the number of DDTROs from PSNI are covered by the NCA.

Evidence

18. The introduction of DDTROs was informed by the view of law enforcement stakeholders that a DDTRO would be useful because it would enable a line to be targeted directly.
19. The NCA's annual assessment on county lines (County Lines, Gang Violence, Exploitation and Drug Supply, 2016)⁴ was supportive of enabling tactics which allow non-contract 'burner' phones to be disrupted. It stated:

"Non-contract mobile phones remain central to county line market domination, customer communication, supply tactics and logistics. It is common for the holder of the 'deal line' to operate with anonymity and distance from the market. We assess that disrupting this criminal tactic would have a significant impact upon gang related class A drug supply and associated exploitation."

20. Before the introduction of DDTROs, the police had no powers to close down phone lines known to be used for dealing drugs.
21. The 2017 IA for these regulations found no net financial impact on business, as staff costs to communication providers can be reimbursed by the NCA / police⁵, but in actuality this reimbursement was paid by the Home Office.

Analysis

22. The analysis of **Option 2: introducing secondary legislation** is compared to the baseline **Option 1**.

² [The Green Book \(2022\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government/the-green-book-2020), <https://www.gov.uk/government/publications/the-green-book-appraisal-and-evaluation-in-central-government/the-green-book-2020>

³ [The Magenta Book - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/the-magenta-book), <https://www.gov.uk/government/publications/the-magenta-book>

⁴ [file \(nationalcrimeagency.gov.uk\)](https://www.nationalcrimeagency.gov.uk/file/nationalcrimeagency.gov.uk)

⁵ [The Drug Dealing Telecommunications Restriction Orders Regulations 2017 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukia/2017/168/pdfs/ukia_20170168_en.pdf), https://www.legislation.gov.uk/ukia/2017/168/pdfs/ukia_20170168_en.pdf

23. The appraisal examines the costs of court order application fees, law enforcement staff time, and costs to communication providers of disconnecting handsets / numbers and SIMs. It did not calculate a monetised benefit of preventing groups using mobile phones to sell drugs, as it was difficult to predict how many violent crimes will be prevented. Breakeven analysis was undertaken and found that 40 woundings would need to be prevented per year to offset the cost of the regulations.

Costs

- Estimated court application fee cost was expected to be between £9,000 and £12,000 for year 1 and £43,000 per year for years 2 to 10 (this is a transfer from the NCA, police, and PSNI to the courts).
- Estimated police and NCA staff cost was expected to be between £11,000 and £15,000 in year 1 and around £54,000 per year for years 2 to 10, while the estimated PSNI staff costs were expected to be £1,000 per year.
- Estimated staff cost to communication providers was expected to be £22,000 per year (although this is a recoverable cost so there should be no net cost to business; the cost falls to the NCA and police to cover).
- Estimated HMCTS costs were expected to be £100,000 for year 1 and £400,000 per year for years 2 to 10, while the estimated court cost in NI was expected to be £3,000 per year.

Benefits (non-monetised) of using DDTROs

24. Police responses to the consultation highlighted that DDTROs can provide several benefits:
- The DDTROs can be useful as an alternative tactic to disrupt a drug line in certain circumstances, for example, to prevent a valuable drugs line phone number being repeatedly ported between handsets.
 - Using a DDTRO to close down a phone line can disrupt the drug dealer's ability to communicate with their customer base and can cut off their income supply for a period of time.
 - A DDTRO can be used alongside other tactics to create a larger disruption.
 - The use of DDTROs can send a message to drug dealers that drug dealing will not be tolerated and that they cannot operate with impunity.
 - The DDTRO process becomes more streamlined and requires less resource over time and the more frequently they are used.
 - DDTROs have reduced the profits of Organised Crime Groups (OCGs).

Any other (small business, trade, wider etc)

25. As the communication providers referred to in the IA were large businesses, medium, small, and micro-businesses were not expected to be affected by this power.
26. The DDTROs have not had a great impact upon larger companies, because the costs have been recoverable from the Home Office.

F. Evaluation/review of impacts

27. Due to the lack of evidence and data around the outcomes and benefits around DDTROs, it has not been possible to conduct a full economic assessment⁶.
28. Based on HMCTS data, there have been at least **360 DDTROs implemented** in the last five years. This data has allowed a comparison against the assumptions (section E.1) which were calculated in the IA⁷. Between the years 2020 and 2022 there were, on average, 121 DDTROs implemented each year from the police in England and Wales. However, over the 5-year period the average was over 70 DDTROs a year recorded. It may be the case that during the first two years, there was a period of adjustment, in which police forces and courts took time to understand and utilise the legislation effectively and as such there was a time lag in achieving the expected number of annual DDTROs.
29. However, there has been some disparity between police forces and regions with levels of DDTROs. Police Scotland have only recorded one DDTRO between 2017 to 2022, in 2018, with PSNI not recording any DDTROs in this period. West Midlands police had significantly higher numbers of DDTROs implemented. They explained further benefits as the DDTRO process became much more streamlined as it was repeated.
30. From the telephone companies that responded to the survey questions, it was found that 527 mobile phones / phone lines were disconnected between 2017 and 2022. The assumptions in the IA estimated that around 200 phones will be closed every other month⁸. The number of phones disconnected is significantly below (91% below per year) the expectation. This underestimation could be in part due to lower DDTROs being executed than expected. However, it is largely due to a much lower than expected number of phone devices/SIM cards being disconnected per DDTRO. The expectation in the IA was that approximately 5-6 phone devices/SIM cards would be disconnected per DDTRO, whereas in the last 5 years, the number of phone devices/SIM cards disconnected per DDTRO has been between 1-2.
31. To assess the extent to which the anticipated benefits of DDTROs have been realised, Home Office colleagues consulted the National County Lines Coordination Centre (NCLCC) and police forces selected to provide a geographic spread and to include forces with both high and low usage of DDTROs (Essex Police, the Metropolitan Police Service, West Midlands Police, South Wales Police, Thames Valley Police, Police Scotland and the PSNI).

Consultation Survey

32. Consultation surveys were sent out to 15 bodies which consisted of phone companies, government agencies and police forces, these included: O2 / Virgin Media / Telefonica, Vodafone, Three, BT, Sky, Metropolitan Police Service, South Wales Police, West Midlands Police, Essex Police, Thames Valley Police, Police Scotland, Scottish courts and tribunal service, HMCTS / Ministry of Justice (MoJ), NCA and NCLCC⁹.
33. Three organisations did not respond or did not have data, this included: NCA, Sky and Thames Valley Police, and the response rate was 80 per cent.
34. All the surveys questioned the volumes of DDTROs implemented or phones/SIMs disconnected to determine the actual volumes of DDTROs in the last five years.
35. The survey to police forces also focussed on the impact of the Orders. This was broken down into four areas:
 - How **useful** do you think DDTROs are for tackling drug dealing and county lines?
 - What are the **benefits or advantages** of using a DDTRO?

⁶ Court data in years 2017-19 were not used due to reliability issues.

⁷ [The Drug Dealing Telecommunications Restriction Orders Regulations 2017 \(legislation.gov.uk\), https://www.legislation.gov.uk/ukia/2017/168/pdfs/ukia_20170168_en.pdf](https://www.legislation.gov.uk/ukia/2017/168/pdfs/ukia_20170168_en.pdf)

⁸ [The Drug Dealing Telecommunications Restriction Orders Regulations 2017 \(legislation.gov.uk\), https://www.legislation.gov.uk/ukia/2017/168/pdfs/ukia_20170168_en.pdf](https://www.legislation.gov.uk/ukia/2017/168/pdfs/ukia_20170168_en.pdf)

⁹ More information on the consultation survey is in Annex 1.

- What are the **problems or drawbacks** associated with the use of DDTROs?
- Are there other **alternative measures** that achieve similar goals to DDTROs?

Impact of DDTROs on disruption of county lines gang activity

36. The overall finding of the consultation was that, if used in isolation, the impact of DDTROs on disruption of county lines group activity is minimal and short-term. Respondents to the consultation noted that:
- County lines groups are able to change their telephone numbers and handsets so the line will only remain closed quickly and easily recover after a short period of time following a DDTRO.
 - Line closure may have a short-term psychological effect on the dealer and on the users, but this does not lead to long-term disruption of county lines networks.
 - However, when used alongside other policing tactics, DDTROs have contributed to longer-term disruptions.

Impact of DDTROs on moving gangs away from county lines drug dealing

37. The consultation found that there is no evidence that DDTROs, as a standalone tactic, cause groups to move away from county lines drug dealing.

Impact of DDTROs on violence and/or exploitation

38. It has not been possible to calculate the impact DDTROs had upon violence and modern slavery which are two consequences from county lines. Over the last five years, hospital admissions for sharp object assault have not increased but remained at similar levels.
39. Respondents to the consultation reported that they had seen no evidence, or only limited evidence, of DDTROs reducing violence and/or exploitation when used as a standalone tactic.

Impact of DDTROs on making drug supply more disorganised and easier to police

40. The main finding of the consultation was that there is no evidence that DDTROs make drug supply more disorganised and easier to police in general. Respondents noted that dealers are well organised and able to adapt quickly to closure of a phone line.

Analysis

41. The costs were broken down into and total costs are found in Table 1:
- Court application fees (paid for by police forces).
 - Police staffing costs.
 - HMCTS court costs.
 - Cost to shut down phone lines/SIM cards by mobile network companies (this is paid for by the Home Office).
42. Courts (HMCTS) data was used to find the number of DDTROs applied for through the courts since 2017 which totalled 364. This number was multiplied by the price of a non-monetary court application which is £332 per application to find the total court application fee costs¹⁰.

For example:

¹⁰ [Fees in the Civil and Family Courts – main fees \(EX50\) - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/fees-in-the-civil-and-family-courts-main-fees-ex50),
<https://www.gov.uk/government/publications/fees-in-the-civil-and-family-courts-main-fees-ex50>

Year 1: £332 x 0 = £0

Year 2: £332 x 0 = £0

Year 3: £332 x 79 = £26,200 (rounded)

Year 4: £332 x 173 = £53,400

Year 5: £332 x 122 = £40,500

43. Each year is then inflated to find the present day price (2022 base year) and are all added up to find the total cost. Equations of the other costs are in annex 2.
44. To find police staffing costs, the consultation survey asked police how long an officer spends on each DDTRO. This was found to be approximately 6.5 hours. The Home Office staff costing model was used to find the cost per sergeant, which was £41.54 an hour, this number was multiplied by the number of DDTROs each year and time taken for the DDTRO and summed to find total cost, in 2020/21 prices¹¹.
45. The survey of the mobile network operators (MNOs) found that the cost of shutting down a phone device was £9 and disconnecting a SIM card was also £9. From surveys with these phone companies, the number of phone devices and SIM cards disconnected was established. The total number of phone devices / SIM cards was multiplied by £9 in order to calculate cost of disconnecting SIM cards or phones.
46. The number of DDTROs from court data was multiplied by the estimated cost of court time per DDTRO which was calculated in the 2017 IA. This cost was multiplied by the actual number of DDTROs calculated in the HMCTS courts data to estimate the court costs.
47. All costs were calculated per year and adjusted by inflation to show prices in 2022 price year.

¹¹ Home Office internal modelling, 2022

Expected vs actual outcomes

48. Table 1 presents a summary of the expected and actual outcomes.

Table 1, Expected and actual outcomes, 2022.

Expected	Actual
<p>The net present social value (NPSV) of DDTROs was expected to be around -£3.8 million over 10 years. No benefits were monetised</p>	<p>The NPSV of DDTROs was estimated to be -£1.6 million over the previous five years¹². It was not possible to monetise any benefits.</p>
<p>Cost Breakdown: Total cost £4.3 million (PV) over 10 years. Estimated court application fee cost was expected to be around £0.38 million (PV) for the 10-year period and around £0.18 million (PV) for the 5-year period. The total estimated police and NCA staff cost was expected to be around £0.51 million (PV) for the 10-year period, with costs of around £0.24 million (PV) in the first five years. Estimated staff cost to communication providers was expected to be £22,000 per year (although this is a recoverable cost so there should be no net cost to business; the cost falls to police to cover). This would be £0.22 million (PV) over 10 years and around £0.1 million (PV) in the first five years. Estimated HMCTS costs were expected to be £3.7 million (PV) in the 10-year period and £30,000 in total for Northern Ireland.</p>	<p>Cost Breakdown Total costs are £1.6 million (PV) over 5 years. The cost of court fees for the first five years were around £120,000 (PV), average of £24,000 per year, which was paid by police forces to the courts. This cost is lower than expected, mostly due to a lower-than-expected number of DDTROs implemented. Total police staffing cost for the first five years was around £0.1 million (PV). The lower costs are largely due to a lower than estimated number of phone lines being closed for each DDTROs implemented. Due to only two DDTROs recorded from PSNI over five years, the total cost for staffing was around £550. Due to a much lower than expected number of handsets / SIM cards being disconnected, the total cost to businesses was around £5,000. Phone companies are able to receive funds from the Home Office to recover costs. HMCTS costs were estimated to be around £1.1 million (PV) over the last five years.</p>
<p>Volumes: Number of court orders applied for by the NCA in year 1 was expected to be between 24 and 34. Number of court orders applied for by police forces in E&W between years 2 and 10 was expected to be 120 per year. Number of court orders applied for by PSNI annually between years 2 and 10 was expected to be 2. Number of handsets/numbers and SIM cards referred for disconnection was expected to be 200 every other month in E&W, plus 2 every other month for NI.</p>	<p>There were no DDTROs recorded by courts, police forces nor phone companies in the first year. This may be due to a lag following the introduction of the legislation and the knowledge and application of it. Between 2020 and 2022, there were on average, 121 DDTROs implemented. This is similar to the average 120 estimated in the IA but this is only during years 3 to 5. In total, there has been at least 360 court applications for DDTROs in the last five years. The major phone companies recorded 527 disconnected handsets / numbers between 2020 to 2022. This is significantly fewer (91% below expectation) than the estimated 1200</p>

¹² The IA calculated costs over 10 years, whereas this review looked at the costs over the first five years that this legislation has been implemented.

Value for money

49. One of the vital criteria for assessing whether the policy as implemented provided value for money (VfM) is 'did it meet the strategic and policy objectives?'. The strategic objective is to 'reduce crime' and the policy objectives were:
- To disrupt to reduce the ability of gangs to deal drugs dealing
 - To reduce serious violence
 - To severely disrupt gangs to help vulnerable children and adults that are criminally exploited
50. The consultation with stakeholders showed that, if used in isolation, the impact of DDTROs on disruption of county lines group activity is minimal and short-term. However, when used alongside other tactics, DDTROs can aid longer-lasting disruptions which reduce drug dealing activity from gangs. The strategic and policy objectives were to disrupt county line drug dealing and to reduce serious violence and exploitation. Based on the available information, it is unlikely that this legislation alone has achieved these goals and therefore, there is insufficient evidence to say it provides good value for money.
51. The National Audit Office (NAO) sets out the 3Es test (Economy, Efficiency and Effectiveness)¹³. Each of these are discussed in turn:
- **Economy:** This legislation alone cannot be argued as the most economic use of money when used alone, as gangs are able to recover quickly following implementation of a DDRTRO. However, when used alongside other police tactics, the policy becomes more cost effective by increasing the potential create more significant disruption on county lines activity.
 - **Efficiency:** Police forces have raised concerns, and noted potential for improvement, around the time it takes for the DDTRO application and court order to be implemented (sometimes between 4-6 weeks). However, the police do also claim that the process has improved over time and become more streamlined requiring less resource for the same outcome.
 - **Effectiveness:** Considering the policy and strategic objectives, it is likely that this policy is not as effective as desired. Although alongside other operational tactics DDTROs can be disruptive, there is no evidence to suggest that there has been a direct reduction in serious violence, drug dealing or exploitation from this piece of legislation alone.

Summary of the evaluation

52. This evaluation was informed by court data alongside evidence from the consultations with police forces, mobile network operators, courts and other stakeholders. It can be concluded that DDTROs used as a standalone tactic are not a useful tool for disrupting county lines drug dealing, as organised crime groups are able to recover quickly. However, this method has shown to have a larger disruption when used in conjunction with other police tactics.
53. Volumes of DDTROs achieved expected targets only between the years 2020-2022 and have had some disruptive effect on lines operations over 360 times in the period. However, the number of phone lines / SIM cards disconnected per DDTRO is much lower than expected and thus fewer dealing lines have been affected than anticipated.
54. Overall, taken alone, this legislation cannot be assessed as providing value for money, however in combination with other tactics it does provide a useful tactic in some instances. There is no evidence that the main objectives of the legislation (to make drug dealing from county lines more disorganised) has been realised. However, there are some benefits to the legislation, as it adds to

¹³ National Audit Office, Successful commissioning toolkit: assessing value for money. See: <https://www.nao.org.uk/successful-commissioning/general-principles/value-for-money/assessing-value-for-money/>

the many other useful tools for the police to use together in order to disrupt and reduce drug dealing from county lines.

G. Risks, unintended consequences, PSED impacts and mitigating actions

55. There are likely to be analytical risks related to this review as it is based on limited evidence. HMCTS could not identify any data relating to DDTROs before 2020 that was sufficiently robust and as such, this review does not incorporate any courts data between 2017 and 2019.
56. It has not been possible to monetise any of the potential benefits associated with DDTROs and as such the NPSV may be under-estimated. However, benefits were not monetised in the DDTRO IA, and this remains static comparative analysis, comparing the expectation to the outturn.
57. There may be broader socio-economic risks associated with DDTROs, which includes the possibility of gangs moving to social media or using other methods to avoid disruptions from DDTROs. This would prevent the use of the legislation.
58. In order to mitigate these economic impacts, the Home Office will continue to work with police forces in order to understand best practice and methods of combating county lines drug dealing as an evolving threat.
59. The Home Office do not have data on the groups directly impacted by DDTROs, however it is known that individuals impacted by county lines, whether as offenders or as victims, are mostly young males. Data also shows that black people are significantly over-represented within the county lines cohort¹⁴. This means that the DDTRO is likely to have a disproportionate impact on young, black men.
60. As the DDTRO is used largely in cases where the identity of the line holder is unknown, this reduces the risk of discrimination, however we recognise that wider societal factors lead to young, black men being over-represented in the county lines cohort. Beyond the DDTRO policy, the Home Office seeks to help mitigate these factors through preventative and safeguarding policies to protect young people from involvement in county lines and divert them from county lines activity.

H. Recommendation (keep, amend, repeal)

61. The findings of this review are broadly in line with the findings of the 2020 His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) inspection of the police and NCA response to vulnerable people in 'county lines' drug related offending¹⁵. The HMICFRS report found that:
 - The DDTRO application process is difficult and time-consuming.
 - The DDTROs only cause short-term disruption due to the ease of obtaining a replacement mobile phone and number.
 - Drug dealers are increasingly likely to use social media to communicate with customers.
62. The HMICFRS report recommended the creation of a dedicated, central team to coordinate the use of DDTROs. This has been implemented: NCLCC have an orders team which is responsible for coordinating applications and providing support and advice to forces.
63. The consultation found that the use of DDTROs has changed and adapted in line with operational outcomes over the past five years. When DDTROs were initially conceived it was expected that

¹⁴ Ministry of Justice. Outcomes by Offence data tool, England and Wales, Criminal justice system statistics quarterly: December 2020. [Link](#).

¹⁵ HMICFRS. Both sides of the coin: An inspection of how the police and National Crime Agency consider vulnerable people who are both victims and offenders in 'county lines' drug offending. January 2020. [Link](#)

closing the phone line would significantly hamper the operation of county lines. Operational use of the DDTRO soon identified that, as a standalone tactic, the impact of the orders was limited and short-term. There is consensus within law enforcement partners consulted during the course of this review, that it is preferable, where possible, to focus on the seizure of phones and the arrest and charge of the individuals running the lines, providing longer-term, better 'value' disruption compared with securing a DDTRO. Disruption of phonelines can be achieved through alternative policing tactics which can be implemented more quickly and with less resource than required for a DDTRO. When DDTROs are used, they are now part of a wider suite of tactics, supporting intelligence gathering and tactical disruption.

64. During the course of the consultation suggestions were made for amendments to the DDTRO legislation. These included a suggestion for lowering the police sign off level for a DDTRO application from superintendent to inspector and a suggestion to develop an interim DDTRO to enable phone lines to be disconnected at short notice. The consultation did not indicate that either of these changes are essential for the continued use of DDTROs and the Home Office do not propose to amend the legislation at this point. However, the Government will consider these suggestions as part of work on tackling the use of telecommunications for county lines drug dealing.
65. The recommendation of this PIR is to **keep the Drug Dealing Telecommunications Restriction Orders (DDTROs)** and for the Home Office to:
 - a) Work with NCLCC to promote understanding of the best way to use of DDTROs alongside other policing tactics.
 - b) Include in this, any information for police which will allow them to prepare orders effectively so that they can be easily actioned by MNOs.
 - c) Work with law enforcement partners to explore how the application process could be simplified and/or expedited in order to ensure that, when DDTROs are needed, they can be made as quickly as possible.
66. A further review of these regulations will be carried out in future as mandated in the legislation.

Annex 1: Summary of consultation results and questions, 2022.

Summary of consultation results

67. Consultation surveys were sent out to 15 bodies which consisted of phone companies, government agencies and police forces, these included: O2 / Virgin Media /Telefonica, Vodafone, Three, BT, Sky, South Wales Police, West Midlands Police, Essex Police, Thames Valley Police, Police Scotland, Scottish courts and tribunal service, HMCTS/Ministry of Justice, NCA and NCLCC.
68. Three organisations did not respond or did not have data, this included: NCA, Sky and Thames Valley Police, as such the response rate was 80 per cent. Of the 15 surveys:
 - Around 33 per cent (5 of 15) of the surveys were sent to mobile operating network with 80 per cent (4 out of 5) of these companies responding.
 - Around 53 per cent (8 of 15) of the surveys were sent to law enforcement agencies (6 were police force and was NCLCC) with around 85 per cent responding (6 out of 7).
 - Around 13 per cent (2 of 15) of surveys were sent to courts with 100 per cent response rate¹⁶.

Businesses

- Survey responses in conjunction with stated employee numbers showed that all the MNOs consulted are large businesses. They were aware of no impacts of DDTROs on medium, small or micro-businesses.
- No significant unintended consequences of DDTROs to businesses.
- Options proposed for improving the DDTRO process for businesses of improve guidance and education, the use of a standardised form for the process and options for making the court process quicker.

Law Enforcement

- Benefits of DDTROs are their use in combination with other disruptive tactics and also in communicating law enforcement's awareness of individual drug dealer's activities.
- Taken alone, DDTROs have limited disruptive effect, although in combination with sentences can prevent others from taking over the specific deal line.
- There is no evidence that DDTROs have been effective in moving gangs away from county lines drug dealing or in reducing violence or exploitation.
- Drug supply has not become more disorganised and easier to police as a result of DDTROs.
- There were no reports of incorrect blacklisting or disconnections through DDTROs.
- A number of drawbacks or unintended consequences of DDTROs were identified. Responses focussed on the length of the process for what is a minor disruption and the lack of effectiveness of the DDTROs in preventing and stopping drug criminality.
- A number of recommendations for improving the DDTRO process were proposed. The majority of responses focussed on making the application process quicker through various means, including agreed timescales with Courts and improved guidance. There was also one proposal to have an analytical assessment of the end-to-end process of a DDTRO.

Consultation survey questions sent to police forces

¹⁶ Figures do not add up to 100% due to rounding.

1. How many DDTROs applications were made by your police force since 2017 (broken down by year)?
2. At which level of court (magistrates / Crown Court) and where (geographically) was each order heard (if held)? If easier, you can send over a separate spreadsheet file containing this information.
3. On average, how much court time, would you say, was spent on each order (if held)? Your best estimate is fine.
4. On average, how many phone line closures came from each court order? If you cannot provide an average, please could you provide a range with upper and lower bounds?
5. On average, how many minutes or hours would you estimate on officer spends working on one DDTRO application? Please think about the amount of time they would need to spend gathering the information, filling in the necessary paperwork, and liaising with any external bodies.
6. What are the benefits of using DDTROs?
7. How disruptive would you say DDTROs have been to county lines gang activity? Please refer to any evidence that supports your answer. If anecdotal, please note this in your response.
8. Would you say that DDTROs have been effective in moving gangs away from County Lines drug dealing? Please refer to any evidence that supports your answer. If anecdotal, please note this in your response.
9. Would you say that the use of DDTROs has reduced violence and/or exploitation? Please refer to any evidence that supports your answer. If anecdotal, please note this in your response.
10. Would you say that drug supply has become more disorganised and easier to police as a result of DDTROs? Please refer to any evidence that supports your answer. If anecdotal, please note this in your response.
11. Were there any reports of incorrect blacklisting or disconnections through DDTROs? If so, how many separate instances have been reported?
12. Are you aware of any drawbacks or unintended consequences of using DDTROs?
13. How can we improve the DDTRO legislation or DDTRO process?

Consultation survey for Mobile Network Operators

1. How many phone lines did your company blacklist and disconnect each year as a result of DDTROs?
2. For each order made, was the actual cost £9 to blacklist and £9 to disconnect SIM? If not, please give actual costs.
3. Were there any additional costs that were not foreseen?
4. What was the total cost to your business broken down by year?
5. Did your MNO apply to recover the costs from law enforcement? What proportion of the costs if not all?
6. Have there been any instances of incorrect blacklisting or disconnections through DDTROs? If so, how many separate instances have there been?
7. Is your MNO a medium, small, or micro-business (having fewer than 250 employees and a turnover of under £50 million)?
8. Are you aware of any impact from DDTROs on medium, small, or micro-businesses?
9. Are there any drawbacks or unintended consequences of DDTROs for your MNO?

10. How can we improve the DDTRO process for your MNO?

Consultation survey for Courts

1. At which level of court (magistrates / Crown Court) and where (geographically) was each order heard (if held)? If easier, you can send over a separate spreadsheet file containing this information.
2. On average, how much court time, would you say, was spent on each order (if held)? Your best estimate is fine.
3. On average, how many phone line closures came from each court order? If you cannot provide an average, please could you provide a range with upper and lower bounds?
4. Are there any drawbacks or unintended consequences of using DDTROs for the courts?
5. How can we improve the DDTRO process for courts?

Annex 2: DDTRO actual costs calculations:

- **Police staffing costs.**

Police hours spent per DDTRO = 6.5

Sergeant hourly wage (2020/21) = £41.54

Total DDTROs = in the time period = 364

$6.5 \times £41.45 \times 364 = £100,000$ (Rounded)

- **HMCTS court costs.**

Cost of court time per DDTRO = around £3000

Number of DDTROs = 364

$364 \times £3000 = £1,100,000$ (rounded)

- **Cost to shut down phone lines/SIM cards by mobile network companies (this is paid for by the Home Office).**

Cost of shutting a phone line = £9

Cost of closing a sim card = £9

Total sim cards/phone devices closed by mobile network operators = 527

$£9 \times 527 = £5,000$ (rounded)

Specific Impact Test Checklist

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p data-bbox="106 286 491 322">Statutory Equalities Duties</p> <p data-bbox="106 338 1286 613">The Home Office does not have data on the protected characteristic of the individuals directly impacted by DDTROs. However, data on the demographics of individuals impacted by county lines, whether as offenders or as victims, indicates that the majority of these individuals are young males¹⁷. Data also shows that black people are significantly over-represented within the county lines cohort.¹⁸ This means that the DDTRO legislation is likely to have a disproportionate impact on young, black men.</p> <p data-bbox="106 665 1193 739">The SRO has agreed these summary findings from the Equality Impact Assessment.</p>	<p data-bbox="1350 504 1412 539">Yes</p>

Any test not applied can be deleted except **the Equality Statement**, where the policy lead must provide a paragraph of summary information on this.

The Home Office requires the **Specific Impact Test on the Equality Statement** to have a summary paragraph, stating the main points. **You cannot delete this and it MUST be completed.**

¹⁷ [County Lines exploitation: applying All Our Health - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

¹⁸ Rescue and Response County Lines Project Strategic Assessment 2019