



Justice and Home Affairs Committee

Corrected oral evidence: Tackling shoplifting

Tuesday 3 September 2024

10.35 am

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Members present: Lord Foster of Bath (The Chair); Lord Bach; Baroness Buscombe; Lord Dubs; Lord Henley; Baroness Hughes of Stretford; Lord McInnes of Kilwinning; Baroness Meacher; Baroness Prashar; Lord Sandhurst; Lord Tope.

Evidence Session No. 2

Heard in Public

Questions 21 – 33

Witnesses

I: Professor Emmeline Taylor, Professor of Criminology, School of Policy and Global Affairs, City, University of London; Paul Gerrard, Campaigns, Public Affairs and Board Secretariat Director, The Co-op Group.

USE OF THE TRANSCRIPT

1. This is a corrected transcript of evidence taken in public and webcast on www.parliamentlive.tv.

Examination of witnesses

Professor Emmeline Taylor and Paul Gerrard.

- Q21 **The Chair:** Welcome to this meeting of the Justice and Home Affairs Committee, continuing our investigation into shoplifting. We are delighted to have before us our first couple of witnesses today. I would be grateful if they could introduce themselves and the organisations for which they work.

Professor Emmeline Taylor: I am professor of criminology at City, University of London.

Paul Gerrard: I am campaigns, public affairs and board secretariat director at the Co-op Group.

- Q22 **The Chair:** Professor Taylor, over the last few weeks we have seen a huge amount of media coverage about shoplifting. We know that the level of recorded incidents of it does not represent the true picture, because a lot of it goes unrecorded. Nevertheless, there has been a huge surge in the amount of recorded incidents of shoplifting, and there is growing concern among the public that the police are unable to deal with, and perhaps not even interested in dealing with, this issue. Can you explain your thoughts about how we got to this situation and what is going on?

Professor Emmeline Taylor: You are quite right that police-recorded incidents of shop theft are at their highest-ever level since comparable records began over 20 years ago. In the last 12 months, they have recorded approximately 440,000 incidents of shop theft. It is fair to say that that is a drop in the ocean compared to what the retail sector is experiencing. Illustrating that, the British Retail Consortium estimates that there are almost 17 million incidents of shop theft, which suggests that less than 3% of shop thefts are currently being reported. This creates various issues for policing.

The question of how we got here is obviously a big one. Shop theft is a useful way to assess the health of a nation, because the underlying root causes of it are typically social factors: they might be poverty, homelessness, mental health issues, or drug addiction, which we know is a huge driver of shop theft. We know that, over a decade, austerity measures have withdrawn vital services required by individuals who might be suffering one or several of those factors.

Fast forward to the pandemic: it amplified these issues, so the perfect storm has been created. That is why we are now seeing what I describe as a tsunami of shop theft across the UK.

- Q23 **The Chair:** We will pick up on some of that in subsequent questions. Of course, we are interested to hear what you have to say about your argument, Mr Gerrard, that only 3% of shop theft—shoplifting—is recorded. Interestingly, Professor Taylor, you used the term “shop theft”, whereas our inquiry is into “shoplifting”. What is your understanding of the difference between shoplifting and shop theft?

Professor Emmeline Taylor: It is important to look at the vernacular used around this particular crime type. “Theft” is defined in the Theft Act 1968 as the dishonest appropriation of property belonging to another with the intention to permanently deprive the other of it. Shoplifting is a form of theft covered by that law, but there are some differences in how it is prosecuted and sentenced. I particularly draw attention to the Anti-social Behaviour, Crime and Policing Act 2014, which essentially downgraded what is now known as “low-value shoplifting” - theft from a shop of goods valued under £200. That is where a key difference is.

“Shoplifting” is used by the Home Office and the police when they record crime to differentiate it from other types of theft and where it might occur. But the word is unhelpful—it still holds connotations of being trivial, petty and somehow victimless—so I prefer the term “theft from a shop”. More broadly, that sits under the category of retail crime, which covers theft, burglary robbery, violence and abuse, including hate motivated incidents, vandalism, criminal damage, and anti-social behaviour that we are increasingly seeing this in the retail space.

The Chair: To be clear, if I go into a shop and steal a tin of beans, and someone else goes into a high-tech store and steals a computer, you are saying that those two crimes would be treated differently?

Professor Emmeline Taylor: Yes, if the value of the computer was more than £200.

The Chair: Is there any difference in the figures that suggests that the police are more interested in, and take more action on, the second case—the shop theft of a higher-value thing—than lower-value things?

Professor Emmeline Taylor: It is important to say that Section 176 of the Anti-social Behaviour, Crime and Policing Act 2014 was introduced with good intentions. The Sentencing Council identified that over 97% of shop theft incidents are of a value less than £200¹. The idea was that the police could deal with these incidents swiftly, and the intention that they could issue fixed penalty notices. But, unfortunately, in the way the law was utilised, it almost became a shorthand for whether the police would then take action. Many offenders I speak to in my work suggest that they have licence to steal as long as they do not surpass the £200 limit.

Q24 **The Chair:** If you want to write to us with more detail on those issues, I know the committee would find that helpful.

There is one other area of potential confusion. I am looking, for example, at a recent article in the *Times* newspaper on these issues. It spends a lot of time describing the successes of Operation Opal in finding examples of shop theft. The article describes

¹ The witness has advised that this figure is incorrect. She notes that research for the Sentencing Advisory Panel in 2006 showed that 90% of cases of shop theft involved property worth under £200. This figure was cited in the Home Office Guidance on *Implementing Section 176 of the Anti-social Behaviour, Crime and Policing Act 2014: Low-value shoplifting* (published June 2014).

how Opal is funded by Project Pegasus, which we have been particularly looking at. We are a little confused about the relationship between Opal and Operation Pegasus. I would be grateful if you could clarify that for us.

Professor Emmeline Taylor: Your confusion is understandable, because the article you referenced is incorrect, if that is what it says. Project Pegasus is a strand of Opal. There were initially five strands to Opal, all dealing with serious and organised acquisitive crime. The unit is the responsibility of the National Police Chiefs' Council—the NPCC—and Project Pegasus introduced a sixth strand of serious acquisitive crime: organised retail crime.

Project Pegasus sits under Opal—that is the structure—and, moving forward, it is easier to refer just to Opal rather than to Pegasus as a separate strand. It is evolving so that it is now fully subsumed within that structure. Project Pegasus is a collaboration between retailers and the police—it is co-funded. More than 15 retailers have now committed funds for it to be almost a trial for the first two years, to scope the degree of severity of organised criminal networks targeting the retail sector across the UK.

The Chair: I am sorry to go into the detail but, just so I am clear, if Opal is a project looking at organised crime and Pegasus, as you described it, is looking within that strand at shop theft, is Pegasus therefore looking only at the element of shop theft or shoplifting that relates to organised crime?

Professor Emmeline Taylor: I am not sure I fully understand the question. Pegasus has come about to look specifically at organised crime in the retail sector.

The Chair: But does that mean that the work of Pegasus does not look at the low-value crime of theft in shops?

Professor Emmeline Taylor: Apologies. I fully understand your question now. Operation Pegasus, and by extension Opal, has a very clear definition of “serious organised acquisitive crime”. A key factor in that definition is that it is a network of individuals who operate across two or more police forces. So they are looking for networks, mobility and that cross-jurisdictional activity.

The Chair: To be absolutely clear, Pegasus, with its co-funding and all the arrangements that we understand, does not have an interest in the low level—the theft of my tin of beans, for example.

Professor Emmeline Taylor: Arguably no, but I imagine that some actors in those networks may at times steal from a store to a value that is less than £200. That particular theft would form part of a series of crimes, but they would not look specifically at lower value. The key definition, I think, is around that multi-jurisdictional action.

The Chair: I know we want to pursue that in a bit more detail. I turn to Baroness Buscombe.

Q25 Baroness Buscombe: That is quite a depressing start. When I started my law studies 1,000 years ago, I was taught that we were all equal before the law, but clearly we are not. That is something that the public have become more and more aware of and taken advantage of; I hope you agree.

We are in a state now where, as the British attitudinal surveys of around 2016-17 said, people think that low-level crime in this country is absolutely fine as long as it is not of Philip Green proportions. I think that was the terminology.

I would like you to describe a bit more what we really mean by organised crime. You have already begun to do that very clearly, so thank you. What is the 80:20 rule, for example? What is the “lazy journalism” that you referenced recently on the BBC’s “Breakfast” show—I call it lazy journalism—where the assumption is that it is all about the cost of living. You referenced some of the social factors, but, actually, people are taking advantage in large degree of what they feel is a lawless situation in our villages, our towns and our cities. Then organised crime is saying, “Hey, this is ripe for us”.

Professor Emmeline Taylor: Absolutely. I agree with the synopsis that you have given.

I will first talk to the contribution about organised crime that we are seeing. I will briefly refer back to the definition that Operation Pegasus uses. A key bit is that it is a series of offences impacting on two or more police forces. However, we know that a large proportion of offenders operate in one police force area. We could refer to them as local prolific offenders—these are the individuals who shop workers will probably know by sight; they might even know them by name or know where they reside.

Many of these individuals have reached a scale of activity and established pre-arranged networks of buyers or fences for the stolen goods they steal that can only be described as organised, yet they operate in only one police force area. So there is a difficulty there in the attention that is being given to these different strata of organised criminals.

It is very difficult to confidently assess the relative contribution of organised crime; I would go back to how I started, talking about the chronic underreporting that we have in this country. It means that we do not have visibility on who exactly is committing these offences. There have been some estimates, however. The Centre for Social Justice estimates that 70% of prolific local organised criminals are stealing to fund a drug addiction. So we have some figures there.

Some of the difficulty goes back to the definitional issues. If I may, I will elaborate with a quick illustration of an individual—a drug-affected prolific offender operating in Manchester. He is homeless. He is being housed by a local woman who provides him with accommodation and somewhere for him to safely administer his drugs of choice. Each morning, she issues him with a shopping list of goods to steal that day. He takes them back to her property. She contacts her established network of

buyers, which she found through an online marketplace initially. They, in turn, give her shopping lists for her to pass on.

Just to show the scale and severity of this, a typical daily drug addiction bill for somebody is around £300. When you steal property and sell it on, you typically get a third of that. So they need to steal approximately £900 a day and have an established network of buyers to shift that and translate those goods into money to purchase drugs. This can only be described as organised, yet it is not meeting those definitional thresholds. Those are the figures that we are looking at. It equates to almost half a million pounds a year, and that is just one individual operating in Manchester.

Baroness Buscombe: Paul, would you like to contribute to this part of the discussion?

Paul Gerrard: Certainly. In the Co-op, we run 2,500 stores across the country and supply another 5,000 independent stores. In our own 2,500 stores, we have seen crime go up by 44% over the past year to 18 months. Within that, we have seen a rise of 35% in violence and abuse. In our stores, that level of crime is 1,000 incidents every day. That is the highest level we have ever seen. Levels of abuse are at the highest level we have ever seen. Violence has dipped slightly in 2024, but it is still at a very high level.

Emmeline paints a really important point there. There have always been people who have stolen to make ends meet. That has always happened and it continues to happen. You could argue that it might happen more in a cost of living crisis, fine, but that is not what is driving the 44% increase. What is driving the 44% increase is people who are stealing to order in huge volumes. People are coming into our store with wheelie bins and builders bags to steal the entire confectionery section, the entire spirits section, the entire meat section.

The point about these people—Emmeline has painted the picture perfectly—is that they are stealing to order. If one of my colleagues gets in the way, they will not say, “Oh, sorry”, and walk out. There will be a threat, there will be a violent threat. There might be a knife. There might be a syringe. Colleagues have been attacked with a medieval mace. Colleagues have lost an eye. Colleagues have miscarried. What comes with what Emmeline described is a level of violence, abuse and threat that nobody in retail—and I have colleagues who have been in retail for 40 years—has ever seen before.

I just want to paint one last picture of this. We have had to move colleagues from their home, because they have been followed from the store to their home and threatened at their home. These are people running a store that, during the pandemic, was the only place people could go. When we were all told to stay at home and keep safe, my colleagues were in those stores making sure that people could buy food and water. They are being followed home at times and threatened at home. What Emmeline described is absolutely right.

I talk to my colleagues about this on a weekly basis, and the stories they tell. I am a former law enforcement officer—I worked in Her Majesty's Customs and Excise for 20 years and was a law enforcement officer for 10 years—so this is not an unfamiliar world to me, but the idea that my colleagues are facing this is just remarkable.

The Chair: Mr Gerrard, let us take the example of one of your colleagues working in one of the stores and going through the experience that you have just described. What does the Co-op do about it?

Paul Gerrard: Our view is that keeping colleagues safe is our first priority and it is our responsibility. It depends on what happens. Every day, hundreds of my colleagues will be abused and threatened. We spend money to keep colleagues safe in the store; we spend four times the sector average to keep colleagues safe in the store. If an incident happens, we take a number of measures. The colleague will be looked after; they will get counselling and have time off if they need it. We will increase the security of that store, if needed, or we will close the store. We will do whatever we need to do to keep colleagues safe, because stock can be replaced; colleagues cannot.

The Chair: I am grateful for that. The figures are alarming, if you are saying that 400 colleagues a day are abused at some level.

Paul Gerrard: Hundreds of colleagues.

The Chair: That is really concerning. The interesting thing is that nothing in your answer to my question on what the Co-op does made any reference to reporting this to the police.

Paul Gerrard: We will report all serious levels of crime.

The Chair: I just want to be clear. What definition of “serious” is there here? A colleague is threatened—

Paul Gerrard: If a colleague is threatened, that will invariably be reported to the police. There is an interesting question, and I am sure the committee will come to this, about the relationship between the reporting of crime to the police and the police response.

We need to be clear, and Emily referred to this, that police data in this area is pretty poor. We made a freedom of information request last year of all the police forces. That told us that when they reported a crime—violence, abuse, large-scale theft—the police in Q1 2023 did not turn up on 70% of occasions. Let me give you an example. One of my colleagues, not very far from this place, was suffering an armed robbery: three masked men came in and jumped behind the kiosk with knives. She reported it to the police. The last time she reported it, she was told by the police, “Look, are they still in the store?”. “No”. “In that case, don’t ring again. Just ring 101”. 101 is the non-emergency number for an armed robbery.

So we absolutely do report. I think things have changed, and we may come on to that. The point is that if the police are not turning up, the confidence that my colleagues have to report incidents to the police diminishes, and their willingness to do so diminishes.

I will leave you with one last comment, if I may, and then I will be quiet. We deploy undercover guards who are highly trained through our security contractor. They operate undercover and will apprehend individuals in store who are attacking colleagues or doing large-scale theft. They will then detain them, make a citizen's arrest and call the police. Until October last year, even though we had the individual in our custody, the police did not turn up to complete their arrest in 80% of occasions. That means that we let the individual go.

Things have changed. I hope I can say that. I think you heard from Chief Constable Blakeman, who has made a real difference in this space. But I guess the question is: do we report it? Yes, we do. Have colleagues for a long time felt confident that it will do any good? No.

The Chair: Clearly, that is very disturbing. You have given the example of being advised to ring 101 for an armed robbery and so on, which we are all horrified about; I am pleased to hear you say that there have been some improvements subsequently. However, you say that in 80% of cases where you have apprehended someone the police are not turning up, which is extraordinarily disturbing. If there are more examples like that, it would be very helpful to the committee to have them. We would be very grateful.

Q26 Lord Henley: Professor Taylor, can we go back to the retail crime action plan? Can you explain the key findings and recommendations of your recent research, including the research commissioned by the Co-op about how retail crime is affecting businesses?

Professor Emmeline Taylor: I will speak mostly in reference to a report that I published in January entitled *Stealing with Impunity*, which outlines what I argue has effectively been the decriminalisation of shop theft in recent years. I will also draw upon other research and reports that I have produced and submitted to the committee.

Paul has already spoken to some of the impacts. There are two main impacts. The first and foremost effect upon businesses absolutely has to be the impact on staff welfare—their physical welfare and their mental health. In 2019, I launched a report, entitled *It's Not Part of the Job*, which documented escalating violence, verbal abuse and hate-motivated crimes directed at shop workers in the UK. When I launched that report in the House of Commons, I talked of how shocked I was at the level of violence that was being experienced, but also its relatively hidden nature, because it was hidden behind this vernacular of shoplifting, as we have described already. Some of these attacks are physical and severe, and in some cases can have fatal consequences.

The report also revealed the cumulative harm of experiencing aggression, threats and being witness to high levels of crime—for example, somebody coming in and repeatedly stealing with impunity and seemingly with very little consequences. So I documented the panic attacks, the anxiety, even the post-traumatic stress disorder that some staff were experiencing simply by trying to serve their communities in some of these hardest-hit stores.

The main trigger for those violent attacks is somebody stealing but there are other flashpoints in selling regulated or licensed products. Alcohol can be a key trigger; if somebody is already inebriated, it is illegal to serve them with additional alcohol, or to deny sales to underage individuals. Sometimes, sadly, there appears to be no trigger at all, and shop workers are just bearing the brunt of the social issues that I have already outlined. The BRC, the British Retail Consortium, estimates that there are 1,300 incidents a day against shop workers currently. It is quite shocking.

The second main impact on businesses, aside from the challenge to operating safely, is the difficulty in some locations to operate profitably. Nearly £2 billion was lost to customer theft last year, almost double the previous year. This is an issue that is escalating in severity. Add to that the costs of crime prevention and security, and some businesses are simply no longer viable. So we are seeing some stores permanently close. That in itself is of concern. We know that the high street is already struggling, but we are also seeing the emergence of food deserts in some more remote locations. A food desert is defined as where members of a community cannot access fresh food, medicines and toiletries at an affordable price within a reasonable distance.

We also know, as an extension of that, that boarded-up shops go on to attract anti-social behaviour and create a downward spiral for those communities.

Those are the main issues that I have identified that affect businesses. Of course, there are other more peripheral impacts. The report that I mentioned, *Stealing with Impunity*, published earlier this year, laid out a 10-point action plan. It has 10 key recommendations that span legislative changes, recommendations for policing and recommendations for the courts and sentencing. I will pull out some of those rather than go through all 10.

In terms of legislation, I have already spoken to Section 176 of the Anti-social Behaviour, Crime and Policing Act 2014. I believe that that needs to be repealed, and I was delighted to see that that was committed to in the King's Speech earlier this year. Second was the introduction of a standalone offence of assaulting a shop worker who is performing their duty serving the community. Again, that has been committed to by the current Government.

In terms of the stolen goods markets, which I have referenced before, we spend a huge amount of time focusing on the individual who commits a theft but far less thinking about where those billions of pounds of goods are actually ending up. We know that some of this is criminal exploitation. The scenario that I painted earlier of the woman essentially employing a vulnerable, drug addicted offender to steal on

her behalf would, I believe, count as criminal exploitation. So we need more regulation of e-commerce online marketplaces. People can operate fairly invisibly on those using fake names and addresses. We need to encourage the e-commerce sites to take better action. There are ready examples from other countries—a reference here to USA and its INFORM Consumers Act, where action has been taken to disrupt those established stolen goods markets.

In addition, we need to look to the retail crime action plan. It is certainly a step in the right direction, but when you drill down into it it is very difficult to measure police forces' success or the way they are operating within that action plan. There have been some audits, but they are time-consuming because of the way these crimes are recorded. It is sometimes very difficult to measure performance. We have talked about whether the police attend a violent attack on a shop worker. Currently, it is almost impossible for the police to identify at a later date from their records that that attack took place on retail premises, so I make recommendations on how we can bring that visibility to the fore in order to then monitor the KPIs under the retail crime action plan.

I will draw your attention to one more recommendation. I am aware that it is quite a drawn-out one. On police recorded crime, if retailers reported all those estimated 17 million incidents it would quadruple police recorded crime overnight. I do not believe that that is necessarily the right answer. We can look to another high-volume crime type—fraud—and how that has been dealt with. The National Fraud Intelligence Bureau was established back in 2006, and similar structures could be put in place for the reporting and triaging of retail crimes by replicating it and creating a national retail crime intelligence bureau.

Q27 Lord Henley: You talk about a new offence of assaulting a shop worker. Why would that make a difference when assaulting a shop worker is an offence anyway?

Professor Emmeline Taylor: That is absolutely right. Some law can sometimes be symbolic. It would send a clear message to shop workers that they should have the confidence to report. We know that underreporting is such an issue. It also removes the façade of shoplifting, because it would then be its own stand-alone offence. It would not only encourage victims to come forward but send a clear message to perpetrators that this behaviour will not be tolerated.

The Chair: I am grateful to Lord Henley for that follow-up question but, frankly, it seems certainly to me—I wonder whether you would agree—that there is very little point in this symbolism, as you rightly described it. It will hardly give confidence to a shop worker to come forward if, in 80% of the cases where somebody has actually been apprehended in a shop—so the definition of where it took place is clear—and there are witnesses to what has happened, the police do not even turn up.

Paul Gerrard: There are a couple of points here. We should come back to the 80% figure, because it has significantly improved since the retail crime action plan. Whether the law makes a difference is a really good question. I gave evidence to the Scottish Parliament four years ago. Scotland has had a stand-alone offence since

2022. As a result, the response rate in Scotland to crimes of violence against shop workers is six times the response rate here. In Scotland, 60% of reported incidents of violence against a shop worker result in arrest. In England and Wales, it is less than 10%. So it works.

The Chair: That is very helpful.

- Q28 **Lord Sandhurst:** I have a short question for the professor. Theft coupled with violence or the threat of violence is robbery, and if it is robbery, the sentence is very severe. I cannot remember it now, but it is high—

Professor Emmeline Taylor: Yes, absolutely.

Lord Sandhurst: —and if the police charged with robbery every time there is the threat of violence, it might have quite an impact. You do not need special offences for shop workers: it is robbery.

Professor Emmeline Taylor: You are absolutely right. At times there is confusion around whether a crime is a theft, a burglary or a robbery. It is sometimes about how the call handler hears it: “Where are you?”; “I am in the Co-op”; “Oh, it’s a shoplifting incident”, and then immediately, going back to the connotations of shop theft, “Oh, it’s somebody stealing tins of beans”. You are absolutely right; it would be robbery.

- Q29 **Baroness Prashar:** My question is about partnerships. You are probably aware that long-standing partnerships involving retailers and others have been established to combat retail crime. What types of partnership have been most successful, and what has made them so successful?

Paul Gerrard: If I take that first, and then, I am sure, Emily can add to it. I said that our view in the Co-op is that the responsibility to keep shops and shop workers safe is for the business. That is the first priority and the first responsibility. The reality is that businesses cannot fix this on their own and nor can the police, which is why partnerships are so important.

We have talked about Operation Pegasus for organised crime groups. The Co-op is one of the funders of Pegasus. In addition, we have 13 different partnerships across the UK with different police forces in different regions. We see from those that working together, where the Co-op can share intelligence and information with the police on both reported and non-reported incidents, allows the police to target these individuals—the repeat offenders that Emmeline described—because they are not just targeting shops; they will be involved in other activity that the police are interested in.

We first started this about four years ago, with Operation Synergy in Nottinghamshire, where we provided all our risk information and reported information to the police in packages. They worked through it, identified hotspots and pursued those individuals. That was the basis of the 13 partnerships we now have. We work with the NBCS—the National Business Crime Solution—and the

Safer Business Network. I believe the next panel includes the director of that organisation.

Over the last 12 to 18 months, we have seen the police's willingness to engage in those partnerships shift significantly since the retail crime action plan in particular and the work that Chief Constable Blakeman has done. If we look at our partnerships over the first seven months of this year, we see a 200% increase in the number of offenders that the police have managed and a 250% increase in prison sentences. I can provide all this information to the committee.

We now see that partnerships work because the police are more interested. That 80% figure is horrific. Since October 2023, when we detain someone in our stores and ring for police support, the police now turn up in 65% of times. It was a 20% turnout and 80% not, but now it is 65%. When the police want to be involved and tackle the issues, and so do businesses, you get the kind of partnerships that the Co-op has.

The one other callout I would make is that where Business Crime Reduction Partnerships work really well—so, thinking of Leeds or Southampton, with West Yorkshire Police and Hampshire Constabulary—people are involved in helping the police to understand our data and help us to package it for them. That is where you get fantastic outcomes, with offenders targeted and managed. What comes out of that could be prison sentences, but it could be rehab or restorative justice. A range of measures can be taken, but the police have to turn up. They are now turning up and working with us in those partnerships.

You are absolutely right: partnerships are how you tackle this, and how you give confidence to the retail sector to report crime.

The Chair: Thank you for agreeing to write this up in more detail.

Professor Emmeline Taylor: I chair the national standards board for the Business Crime Reduction Partnerships, and I believe they hold great promise for providing local intelligence gathering, a deterrence capacity on our high streets, and a rapid response where they see vandalism, anti-social behaviour, street drinking. The real strength in these partnerships is that they prevent crime in the first place and, where they see it, they can prevent it from escalating.

The national standards board has done a huge amount of work over the last two years to develop the national standards and create a really robust accreditation scheme. However, it is still voluntary for the BCRPs to go through that accreditation. I would like to see more commitment from PCCs—police and crime commissioners—to drive this accreditation for the BCRPs operating within their vicinities.

I would like to see them elevated and having more support. Many operate on a shoestring despite the huge amount of activity that they perform on behalf of the retail sector, the police and the security sector.

Baroness Prashar: I just want to reiterate that if you can let us have the information that we suggested but also give us a bit more information on the things you would like to see to get the partnerships improving—the things you were listing towards the end, Professor Taylor, were very helpful—that would be extremely helpful.

The Chair: Those recommendations can be included in our report in due course.

Q30 **Lord Tope:** Can you explain how Pegasus is different from the other partnerships, and in what way it provides any added value? If I could link on to that, it is very nearly a year exactly since it was launched. How is it doing?

Paul Gerrard: The key difference with Pegasus is that the 13 partnerships we have—in fact, we launched one with the Met last week and we have one in Kent coming up—are specific to a geography. It could be Hampshire, or it could be Leeds city centre for West Yorkshire. Pegasus looks at criminal organisations that operate across force boundaries and across geographies, which is necessary. That alone will not tackle the issue, though. It will tackle a part of it but, as Professor Taylor outlined, there are local, single-force groups and individuals. So operating across forces is the important part.

How is it going? We were in an update meeting on Friday. We are pretty pleased with how it is going. There are, I think, 15 retailers, with one of them funding it. I do not want to go into too much detail at this point, for reasons you can understand, but we have a number of cases with them, all operating over more than 10 force boundaries and involving dozens of offenders and offences for tens of thousands of pounds. They are progressing those and we are confident that they are going to get somewhere.

If they did not do that work, I am not sure who would be tackling those. The difference is their ability to tackle people who work across boundaries. We are a national business. We do not operate on force boundaries. So we need somewhere where they can help us across a national patch.

Professor Emmeline Taylor: Picking up on how it is progressing, I also sit on the steering committee for Project Pegasus. It has been four months since it first began taking referrals from the retail sector of expected organised criminal groups targeting individual retailers. It is in the public domain. It recently produced some figures on the early activity, and it has identified more than 150 individuals who are linked to organised retail crime and facilitated more than 23 arrests of what they define as high-harm offenders.

This demonstrates that the scoping exercise they initially set out to do has clearly revealed that there are networks. Organised criminal gangs are targeting the retail sector across the UK. Picking up on the earlier point from Baroness Buscombe, this is seen as a soft option for some organised criminals who are playing on the presumption that this is purely the cost of living crisis. There is a very deliberate targeting of the UK retail sector. Some of these individuals are from outside the UK

and are targeting the retail sector here because it is perceived as relatively soft and lucrative.

- Q31 **The Chair:** Sticking with the various schemes and partnerships that we have been discussing, it would be useful if you could quickly tell us whether there are experiences internationally from which we can learn. If that is the case, would you be kind enough to write to us because we do not have time to go into them in detail? In a very quick response, is there stuff happening in other countries that we could learn from?

Professor Emmeline Taylor: Absolutely. It would go beyond the time that we have here to outline those.

One of the key things in relation to stolen goods, as I mentioned earlier, is the INFORM Consumers Act in the USA, which is showing great promise in disrupting those online marketplaces for stolen goods. We can also look to Scotland and Australia, which have introduced a stand-alone offence for attacking a shop worker while they are performing a duty. I would be happy to write to the committee with those various examples.

The Chair: That would be very good. One of the things that we are quite good at in this country, though, is facial recognition. Let us turn to that.

- Q32 **Lord Sandhurst:** I should declare that I chair the executive committee of the Society of Conservative Lawyers and practised at the Bar for 45 years.

What role, if any, does facial recognition camera work play at the moment? What role could it usefully play in tackling shoplifting? Obviously, it has a retrospective effect, but I wonder whether it might also have a pre-emptive effect in identifying that there is a gang in the area. Over to you. Perhaps Mr Gerrard can go first.

Paul Gerrard: From our own experience—obviously, Emmeline has a much broader experience—we do not use facial recognition in a real-time sense. If someone walks in and it clicks for identification, we do not use it. There are some businesses that do, but we do not.

We do use facial recognition when we report crime. We will provide an evidence pack, and that will include CCTV imagery, bodycam imagery or whatever it may be; that is all provided to the police. Our understanding is that some police forces will take that imagery and automatically check it against the police national database and the police national computer system. I know that south Wales does that really well. We did a trial with the Met but, as I understand it, it is not common practice in police forces to automatically check the images against the police national database. I think it should be. We have seen in south Wales that it really helps, and we saw in what we did with Sussex and other places that it really helps.

Lord Sandhurst: In what respect does it help in south Wales? What is the difference?

Paul Gerrard: They will take the evidence pack and any imagery and run it automatically, and they identify people. Guess what? When they identify people, yes, they know who that individual in the Co-op was, but they also work out that the police are interested in them for other reasons. So it really helps.

I want to make one last point before Emmeline comes in. We do not use live facial recognition at the minute, and we have no plans to do so, because we cannot really see what helpful intervention it would drive. If it says to you, “That is somebody who’s going to shoplift”, we know that if a colleague goes to intervene, what will happen is at best abuse but more likely will be violence. So we do not see what helpful intervention it drives. The only database that really will do this for you is the police national database, not a locally created one. So I am not sure what database it is being checked against.

Lastly, if you log into the police national database, you could be on that for any number of reasons, none of which have anything to do with being in a shop. Therefore, I think that there are ethical reasons that we would want to think through.

Professor Emmeline Taylor: Paul has alluded to this, but it is really important to be clear about the different types of facial recognition and how it is used. It is not a homogenous category. There are different suppliers who have different algorithms, and it is applied in different ways. You have live facial recognition cameras that are focused on a specific area, and as people pass through that area their images are streamed directly to the system and compared to a watchlist. That could be the police national database. The former Policing Minister suggested extending that to the passport database, which is not without controversy and must be publicly debated. But that is how live facial recognition works, and that has been the most controversial use of it by the police and other sectors.

You then have retrospective facial recognition. It is used after the event as part of a criminal investigation, and images are typically supplied from CCTV, mobile phones, dashcams, doorbells, et cetera. Those images are then compared against images of people taken on arrest to identify a suspect—again, this watchlist of individuals.

A third category is termed “facial intelligence”. This is where you might not have a watchlist or an individual has yet to be identified as suspicious or as having committed a criminal activity. That is useful; it can pick up repeat visits. Thinking about the retail sector, if an individual is visiting multiple Boots stores all around the country but has never been convicted, it could flag that this is an unusual type of behaviour not typical of everyday consumers. It is also useful if somebody were to be planning an attack and to pick up on any reconnaissance activity. So there are those three different types.

In the 2023 retail crime action plan, there was a challenge by the former Policing Minister for police to double their use of facial recognition checks against the PND, and his intention was to radically increase the database of comparable images by drawing upon other databases such as the passport one, as I mentioned.

It is really important in the context of this debate to think about the legislative framework around facial recognition. There is no question that AI-driven biometric surveillance can be intrusive to everyday members of the public and customers, but similarly there is no question that this could be an effective tool in identifying prolific repeat and organised criminals, but it must be done ethically in a privacy-first way. I should mention that, in 2023, the Data Protection and Digital Information Bill suggested removing the role of the Biometrics and Surveillance Camera Commissioner, a much-needed role at this time as we move into more surveillance and biometric capabilities in retail, and more broadly in society. My recommendation is that we need a code of practice on how facial recognition can and should be used in various sectors.

The Chair: That is very helpful.

- Q33 **Lord Bach:** This is slightly different and goes back to the police. You mentioned, Professor, the effect that austerity had on a number of those who commit these offences and how important an issue that was. Of course, austerity affected the police hugely, too. Two of us here have been Police and Crime Commissioners, actually. In the number of occasions when we had long meetings in which we debated the issues that we have been discussing this morning, we found there was just not the resource to do as much as the police wanted to.

So the expression that “the police do not want to”—not one used by either of you—is completely false, in my experience anyway. They do want to, and perhaps the slight easing in the last few years has made it easier for these schemes to work better than they would have done five, six, seven years ago. It is important to make that point that the police suffer from austerity, too, and faced a huge number of other issues during those years.

My question is: at a time when, I concede, public confidence in the police in this area is undoubtedly low, perhaps a bit unfairly but not entirely, do policing and business partnerships have public buy-in? Is it important that they should do so?

Paul Gerrard: Emmeline and I have done a lot of media on this over the past 18 months in different ways. Every time I have done so, the reaction from the public is horror at what I described, as indeed the committee has done. They are shocked at some of the data and they think that things should be done. Of course, most people will see this in shops. They will see there the kind of behaviour that Emmeline and I have described. I do not think there is any doubt that the public want the police and businesses to take action. When I describe some of the things that we and other retailers have done, the public say yes, and you should as well.

I guess there is a debate, and Emmeline alluded to it, about how intrusive that law enforcement needs to be. Ultimately, the Co-op is a convenience store; people come into our stores and spend four or five minutes, get four or five things and run out. These have to be places that people feel comfortable coming into. They need easy places to come into to do their shopping. If we get to the point of having shops that are built like fortresses, we start to lose the very essence of the high street. As Emmeline alluded to, high streets are at the heart of many communities. The

communities that are facing tough times are the ones with boarded-up shops. We—businesses and the police—need to find ways to protect those shops. My sense is that the public would want us to do that, because they value the role shops play in their communities.

Professor Emmeline Taylor: I echo Paul's views about fortress stores, as I have described them. You are absolutely right about the disinvestment in the police. They have been incredibly hard hit. They are overstretched and underresourced. We have a more junior force now, as senior officers have gone on to retire and not been replaced with talent at the same level.

That can really only be resolved through a royal commission or a commission looking into the police. I have recently published an edited collection of essays on the police that make similar recommendations, entitled *Policing the Permacrisis*, because the police have lurched from one crisis to another. However, the boundaries or parameters of policing have been redrawn. We are seeing that clearly with things such as "right care, right person". The police are becoming much more focused on what the role of the policing should be. They have to do more with less. That is not going to change. That is where technology will begin to play a greater role.

However, it is not just about numbers. There is also a change in the operational tactics of the policing. We have seen the removal of neighbourhood policing, for example. That is where Business Crime Reduction Partnerships and similar initiatives can fill that void by being the eyes and ears on the streets, in the communities—intelligence gathering, and really addressing issues before they blossom. That is where the public would have that buy-in, because they would be able to see individuals—"capable guardians" is what we call them in criminology—address these issues, which are of concern to everyday people.

The Chair: Thank you. I am afraid we will have to bring the session an end. I suspect we could stay here for hours listening to you and learning from both of you. A huge thank you for the work that you are both doing in this area. Thank you for the evidence that you have given us today. In particular, thank you for all the promises you have made to provide us with more information. It would be enormously helpful to have that as quickly as possible, because we have to draw this inquiry to a conclusion. In writing to us, if you have thoughts about what you hope this committee might be recommending to the current Government, the police and everybody else interested in it, we would be interested to read your suggested recommendations. Again, thank you very much indeed.