



The Scottish Parliament
Pàrlamaid na h-Alba

3 November 2016

James Wolffe QC, Lord Advocate
and
Michael Matheson MSP, Cabinet Secretary for Justice
St. Andrew's House,
Regent Road,
Edinburgh, EH1 3DG

Dear Lord Advocate and Cabinet Secretary

Motorcycle Theft and Dangerous and Anti-Social Joyriding in Edinburgh

The undersigned and I, together on a cross-party basis, would like to bring the above matter to your attention as a matter of priority. As you may be aware from media reports last month, instances of this sort of criminal behaviour have risen sharply in recent months (in terms of thefts, nuisance and dangerous joyriding) and many of our constituents are greatly concerned. We have received complaints from local people, local businesses, local organisations and the motorcycle community.

The perpetrators are, in the majority, teenage youths. They steal high performance motorcycles for thrill, riding them in public places and often along pavements. They do so with little apparent regard to the safety of local people or themselves. Indeed, there have been reports of perpetrators deliberately targeting domestic pets and scaring local people, including elderly people and families with children. The youths also post pictures of themselves conducting this criminal behaviour on social media, in a boastful manner.

Police Scotland and Edinburgh City Council safety teams have taken significant and targeted action to tackle this issue, both previously (e.g. the Edinburgh City Council led *#StrongerNorth* initiative) and recently (Police Scotland's ongoing *Operation Soteria*). There was also a recent roundtable in the Scottish Parliament on 22 September 2016 (hosted by Neil Findlay MSP and attended by MSPs, Police Scotland, the motorcycle community and *VisitScotland* (motorcycles belonging to tourists have been targeted, particularly in Leith and South Edinburgh)); and a community stakeholder meeting took place at Drylaw Police Station on 12 October 2016. This meeting was hosted by Alex Cole-Hamilton MSP, Police Scotland and myself, with local Councillors, community organisations and youth initiatives (e.g. The Spartans Community Football Academy) in attendance. There is also a lodged Scottish Parliament petition on this matter, *PE01618: Combatting Motorcycle Theft*.

Ben Macpherson

MSP for Edinburgh Northern and Leith

Room M4.07, The Scottish Parliament, Edinburgh, Scotland, EH99 1SP

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The local and city police consistently assure elected members that they are doing all that they can to combat the menace of anti-social motorcycle use, as well as the associated theft of such vehicles. Using various tactics and CCTV, many arrests have been made. Elected representatives and the community are very grateful for all the action Police Scotland is taking on this matter and has taken previously. It has made a significant difference. However, often the same individuals end up back in the community committing similar offences.

Because of this pattern of recurrence, there is a perception amongst some of our constituents that the Court system isn't providing suitable deterrence. Some in the community are becoming increasingly exasperated, cynical and disheartened by the perceived lack of judicial action against those who perpetrate this crime. Several constituents have also expressed that the boastful social media posts by the youths in question, and other audacious behaviour from them, demonstrates that the perpetrators do not believe that there are serious judicial consequences to their actions.

In North Edinburgh and beyond, the community, local groups and local elected representatives are working hard together to support the police and encourage residents to report incidents. Local youth services and other constructive initiatives and resources are also being deployed to positively discourage youngsters from getting involved in this behaviour.

Together with other elected representatives and local initiatives, we will continue to help the police to make arrests and to offer positive alternatives for local young people. However, communities in North Edinburgh and other communities we represent are very concerned about this dangerous criminal behaviour. As I know you are aware, a fourteen-year-old boy was tragically killed earlier this year in a road accident on a stolen motorcycle.

Therefore, we are writing to request that a timely investigation is undertaken as to whether more effective action can be taken on this matter. Can more be done when these crimes are reported to the Procurator Fiscal? Can more be done to address this criminal behaviour via the Courts or Children's Reporter? For example, and for example only, could *Criminal Antisocial Behaviour Orders (CrASBOs)* be utilised to a greater effect, or other exclusion orders under the Antisocial Behaviour etc. (Scotland) Act 2004? **We of course understand that it is for the Courts to decide each case on an individual basis, and without interference;** however, we would be grateful if you could examine whether more action could be taken on this matter? Perhaps representatives of the community in North Edinburgh could meet with the Lord Advocate to discuss the issues? If appropriate, we could help facilitate this.

Lastly, tackling this trend in North Edinburgh now could help mitigate against it spreading to other parts of Edinburgh or other parts of Scotland.

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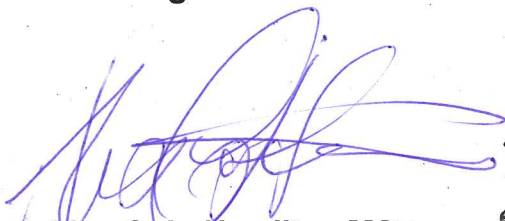
This letter has been copied to relevant persons at Police Scotland, to make them aware and in case you require more information on *Operation Soteria* and action taken. It has also been copied to other relevant elected members and to the motorcycle community.

In recent months this issue has been an absolute priority and frequent safety risk for many of the constituents we represent. Therefore, thank you in advance for considering this matter on behalf of our constituents and for giving it your attention. Your assistance is much appreciated.

Yours sincerely



Ben Macpherson MSP
Edinburgh Northern and Leith



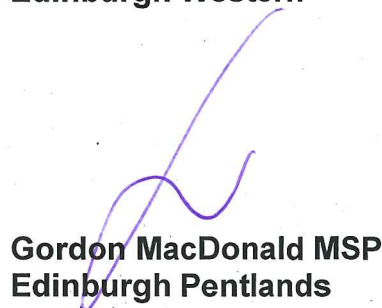
Alex Cole-Hamilton MSP
Edinburgh Western



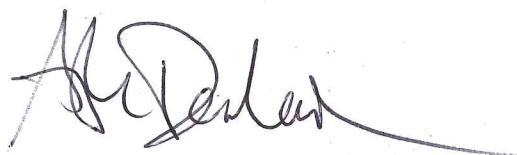
Daniel Johnson MSP
Edinburgh Southern



Neil Findlay MSP
Lothians Region



Gordon MacDonald MSP
Edinburgh Pentlands



Ash Denham MSP
Edinburgh Eastern

cc: Kenny MacDonald, Chief Superintendent, Divisional Commander, Edinburgh Division
Richard Horan, Superintendent, Edinburgh Division (*Operation Soteria*)
James Jones, Chief Inspector, Local Area Commander, Northwest Edinburgh
Stephen Sutherland, Inspector, Northwest Edinburgh
Carl Grundy, Riders Club Edinburgh
Deidre Brock MP, Edinburgh North and Leith

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Michelle Thomson MP, Edinburgh West

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Cllr. Vicki Redpath, Forth Ward

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