



**SOCT**

SERIOUS ORGANISED CRIME TASKFORCE

**PROGRESS REPORT**

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# Foreword



**HUMZA YOUSAF MSP**

Cabinet Secretary for Justice, Chair SOC Taskforce

Serious organised crime affects us all and we all have a part to play in reducing the harm it causes.

I am delighted to introduce this Progress Report in implementing Scotland's Serious Organised Crime Strategy, which showcases some of the progress we are making towards achieving the Strategy's vision of a safer, fairer and more prosperous country, free from the harm caused by serious organised crime.

Since the publication of the last report, partners on the Serious Organised Crime Taskforce have undertaken a remarkable range of activity to ensure that organised criminals are detected and disrupted at every turn; that they are deterred from targeting our public, private and third sectors; and that people at risk of becoming involved in serious organised crime are diverted towards more positive destinations.

There is an increasing number of organisations represented on the Serious Organised Crime Taskforce and its subgroups, working together to achieve our shared aim: reduce the harm caused by serious organised crime. The result of this partnership approach, and the range

of interventions it facilitates, is that we are continuing to make strides towards reducing the harm caused by serious organised crime.

As a result of our programme of research, we now have a better understanding of what serious organised crime looks like in communities across Scotland. Our Communications Strategy is helping us to raise awareness of serious organised crime. We are educating more young people about the dangers of criminal activity, and helping to prevent them from becoming involved. We are helping businesses and the third and public sectors to recognise organised crime and maximise their resilience in tackling it. Our law enforcement partners continue to pursue the people and groups who inflict organised crime on our communities, as well as using every legislative option to stop these criminals in their tracks, and hit them where it hurts – in their pockets and their perceived standing within the community.

By working together, we can help to ensure that our communities are resilient to serious organised crime and the harm it causes. I hope that this report shows what we have already accomplished to achieve that, and points the way to a safer, fairer, and more prosperous future for Scotland.

# What does serious organised crime look like in Scotland?

Serious organised crime (SOC) is defined in Scotland's Serious Organised Crime Strategy as crime which:

- involves more than one person;
- is organised, meaning that it involves control, planning and use of specialist resources;
- causes, or has the potential to cause, significant harm; and
- involves benefit to the individuals concerned, particularly financial gain.

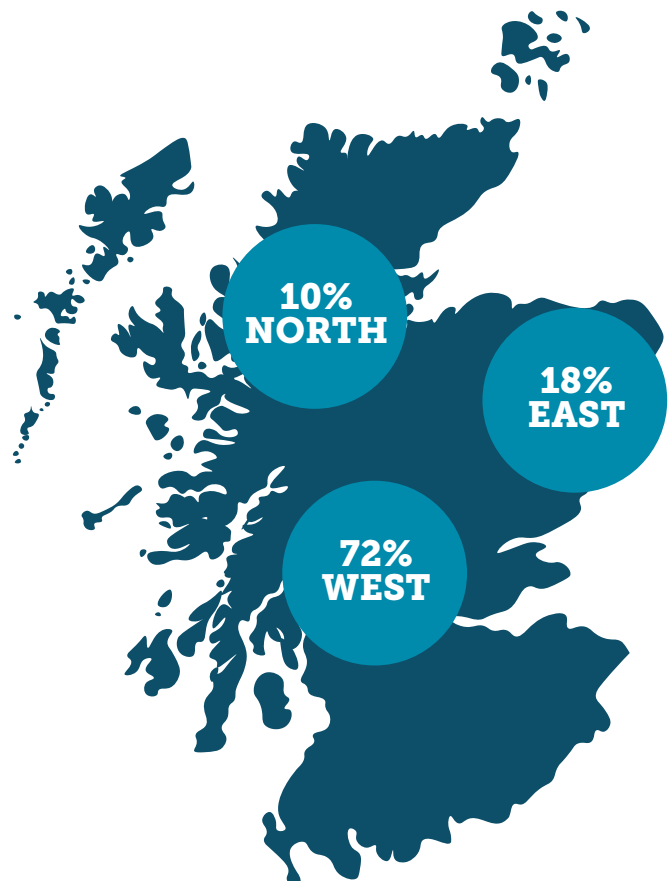
This broad definition means that SOC presents in many forms, including drugs supply, human trafficking, the sale of counterfeit goods, cybercrime financial crime including fraud and more.

Most forms of SOC have one thing in common – they share the goal of generating illicit profit for criminal groups, at the expense of society as a whole. In Scotland, SOC is responsible for causing substantial economic and social harm to individuals, businesses, and communities. The aim of the SOC Strategy is to reduce the harm caused by SOC in Scotland. This progress report details the work being taken forward by the SOC Taskforce and its partners to achieve that aim.

- At the end of March 2019, there were a total of 112 Serious Organised Crime Groups (SOCGs) recorded as operating in Scotland, made up of around 2,400 individuals.

- 72% of SOCGs are located in the West of Scotland, 18% in the East and 10% in the North.
- 69% of SOCGs are involved in drug crime; heroin is the most popular commodity, followed by cocaine, cannabis, amphetamine and tranquilisers.
- 72% of SOCGs are involved in the use of seemingly legitimate businesses. The most common business types are licensed premises, taxis, restaurants, shops, garage repairs and vehicle maintenance, and property development.

As at September 2019, there were 205 SOC nominals incarcerated within 15 prison estates in Scotland. These individuals are linked to 68 separate crime groups. Further detailed information can be found in the appendix to this report.

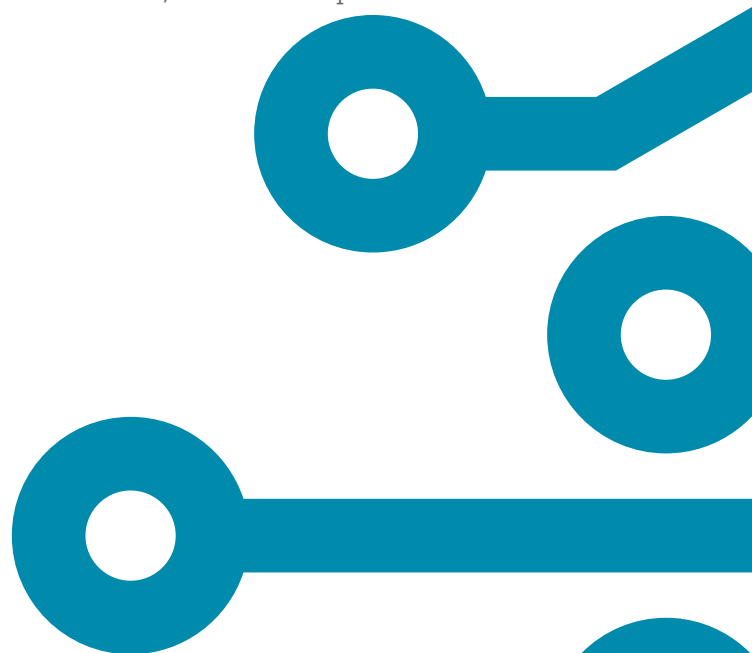


# What we're doing to reduce the harm caused by serious organised crime



Achieving the vision and aim of the SOC Strategy requires the sustained efforts of Taskforce partners, and organisations, people and communities working together across the country. As well as the Strategy's four strands of Divert, Deter, Detect, and Disrupt, there is an ongoing programme of communications work to raise awareness of the dangers posed by SOC and highlight the work of the Serious Organised Crime Taskforce, and a commitment to carrying out research to improve our understanding of SOC in Scotland.

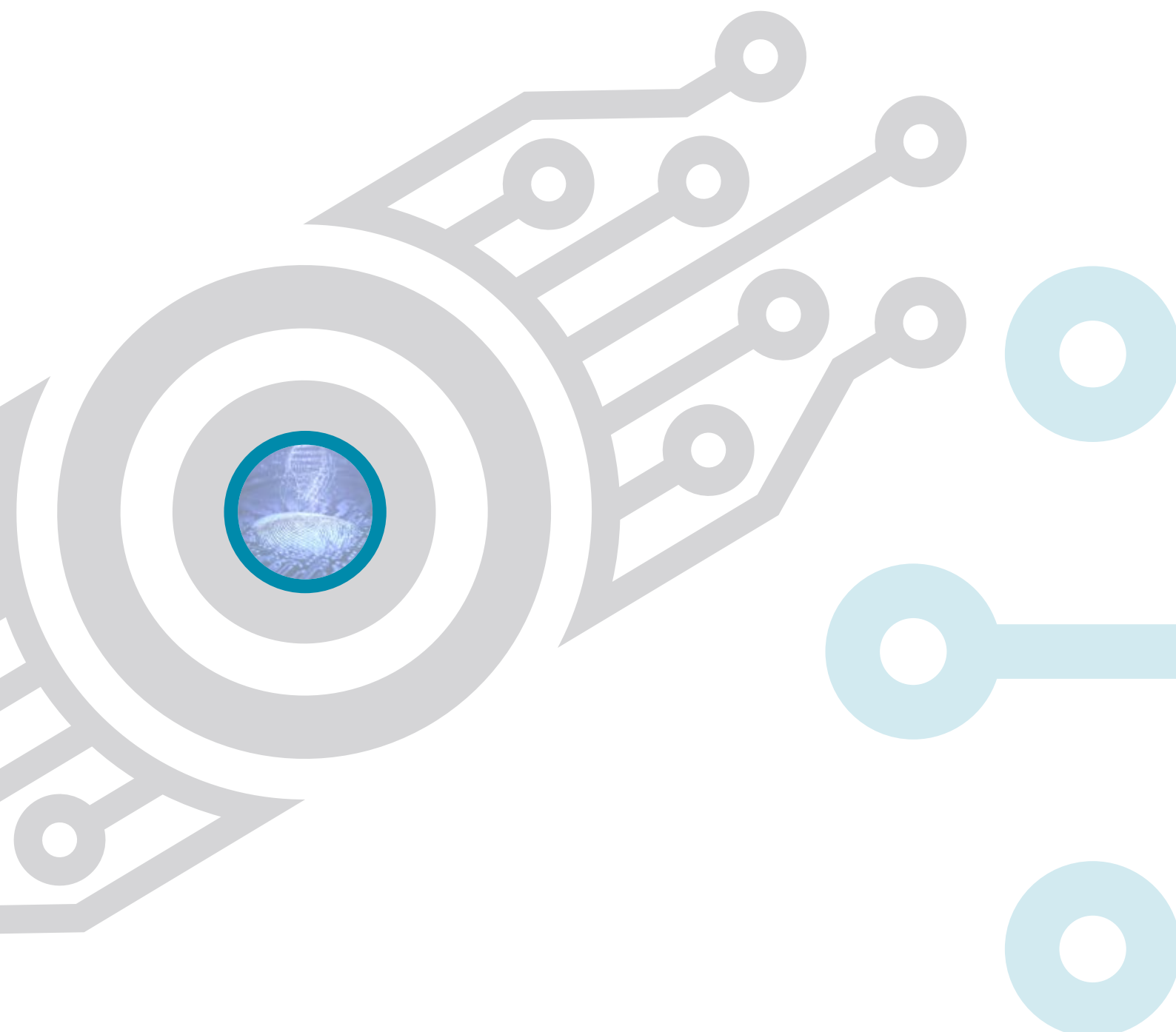
This progress report details some of the advances made by the Serious Organised Crime Taskforce and its partners across communications, research, and the Divert, Deter Detect and Disrupt strands. This section explains what the Serious Organised Crime Taskforce is, and how it operates.



# The Serious Organised Crime Taskforce

Reducing the harm caused by serious organised crime is everybody's business. The Serious Organised Crime Taskforce, chaired by the Cabinet Secretary for Justice, is at the forefront of this work, driving activity across the four strands of Divert, Deter, Detect and Disrupt. A range of public, private and third sector organisations are represented on the Serious Organised Crime Taskforce, and

the membership is able to be augmented to take account of new priorities, such as the growing threat of cybercrime.



# The Scottish Crime Campus

The Scottish Crime Campus is a key resource for supporting the work of the Serious Organised Crime Taskforce. The Scottish Crime Campus, which opened in 2014, brings together officers and staff from more than 20 organisations into one location, providing state of the art facilities that enable greater collaboration between partners to effectively reduce the threat, risk and harm to Scotland's communities from serious

organised crime and terrorism. Located in North Lanarkshire, the Scottish Crime Campus provides increased analytical and information-sharing capacity, and fosters a partnership approach that means priorities for taking action against SOC can be identified and agreed more quickly across a range of relevant agencies.



# The Scottish Multi Agency Strategic Threat Assessment

The key document produced by partners located at The Scottish Crime Campus is the Scottish Multi-Agency Strategic Threat Assessment (SMASTA). The Scottish Multi Agency Strategic Threat Assessment, first developed in 2014, is an annual report that presents a comprehensive picture of the scale and nature of SOC threats, identifies vulnerabilities and emerging threats, and sets strategic priorities to inform operational work and decision-making. Through case studies,

the Scottish Multi Agency Strategic Threat Assessment also highlights the successes of the multi-agency approach to reducing the harm SOC causes.

With a renewed focus on driving forward fresh activity in 2020 and beyond. The Serious Organised Crime Taskforce will use the Scottish Multi Agency Strategic Threat Assessment to identify its key priority areas for action.





# Communications

Communications is a key part of the work carried out by the Serious Organised Crime Taskforce and its partners. Raising public awareness of serious organised crime and the harm it causes is vital to reducing its impact. Helping people to understand the dangers of SOC products, such as drugs and counterfeit goods, is at the heart of diverting people away from inadvertently funding SOC. Communicating with businesses about the threats posed by fraud and cybercrime is the first step to building resilience for them and their customers. Highlighting the successes of law enforcement partners in detecting and disrupting SOC groups shows the public – and the groups themselves – that Scotland is a hostile environment for anyone planning to take part in SOC.

In 2018, the Serious Organised Crime Taskforce agreed a new Communications Strategy which includes commitments to: influence public attitudes, reduce fear and encourage behaviours which mitigate risk; improve confidence in the justice system, encourage public responsibility and increase reporting of crime.

The Serious Organised Crime Taskforce is active on Twitter with the handle @SOCTaskforce, and is pursuing a range of opportunities to further increase its public reach. This includes plans to develop a dedicated website, hosting information and resources for individuals, businesses, schools, charities and others across a range of SOC topics.



# Research

The 2015 Strategy highlighted the need for a detailed, evidence-based understanding of SOC in Scotland. As a result, a programme of research has been carried out to develop this understanding, and improve the Serious Organised Crime Taskforce's ability to respond to SOC.

**Serious Organised Crime in Scotland: A Summary of the Evidence** is a desk-based review of national and international literature and national operational and mapping data on serious organised crime. Its purpose was to provide a wide-ranging overview of the SOC landscape, and establish key findings to establish the direction of future work.

**Offending Patterns Of Those Involved in Serious Organised Crime** is a study exploring the key characteristics and offending behaviour of people involved in SOC. It examined the range and nature of offending behaviour, the types of crimes that were committed, and their severity and potential impact. This helped to develop understanding of the connections between different types of offending, and the implications for how organised crime is understood and addressed.

**Public Perceptions of Organised Crime in Scotland** is a report detailing the findings of an Ipsos MORI Public Opinion Monitor survey. The purpose was to gauge public awareness, understanding and experience of SOC. The findings of this report are outlined in the appendix.

**Community Experiences of Serious Organised Crime in Scotland** is an in-depth, qualitative research report, examining the nature and extent of the impacts of SOC on communities across Scotland. Interviews were carried out with people who live and work in SOC-impacted areas across Scotland, to establish how the harms caused by SOC are felt at a local level. The report makes a substantial contribution to research in this area, and is able to aid law enforcement and partner approaches to reducing SOC harm. As the first major sociological study into SOC from a community perspective in Scotland, it also enhances understanding of resilience and protective factors, as well as how to improve these in vulnerable communities.

Following the publication of this research, a conference was held in 2018 to further the understanding of the report's implications, and establish resulting policy. Continuing the research's commitment to engaging with individuals directly, representatives of SOC-impacted communities attended at and contributed to the conference.

The Serious Organised Crime Taskforce developed a plan to take forward the findings and conclusions from the research report and conference. This work involves a small number of pilot projects, led by community representatives. Supported by the Serious Organised Crime Taskforce and its partners, the community groups will work with statutory and other agencies to identify local SOC-related issues, and develop initiatives and activities to address these. This innovative, community-led approach is a key strand of work for the Serious Organised Crime Taskforce moving forward.

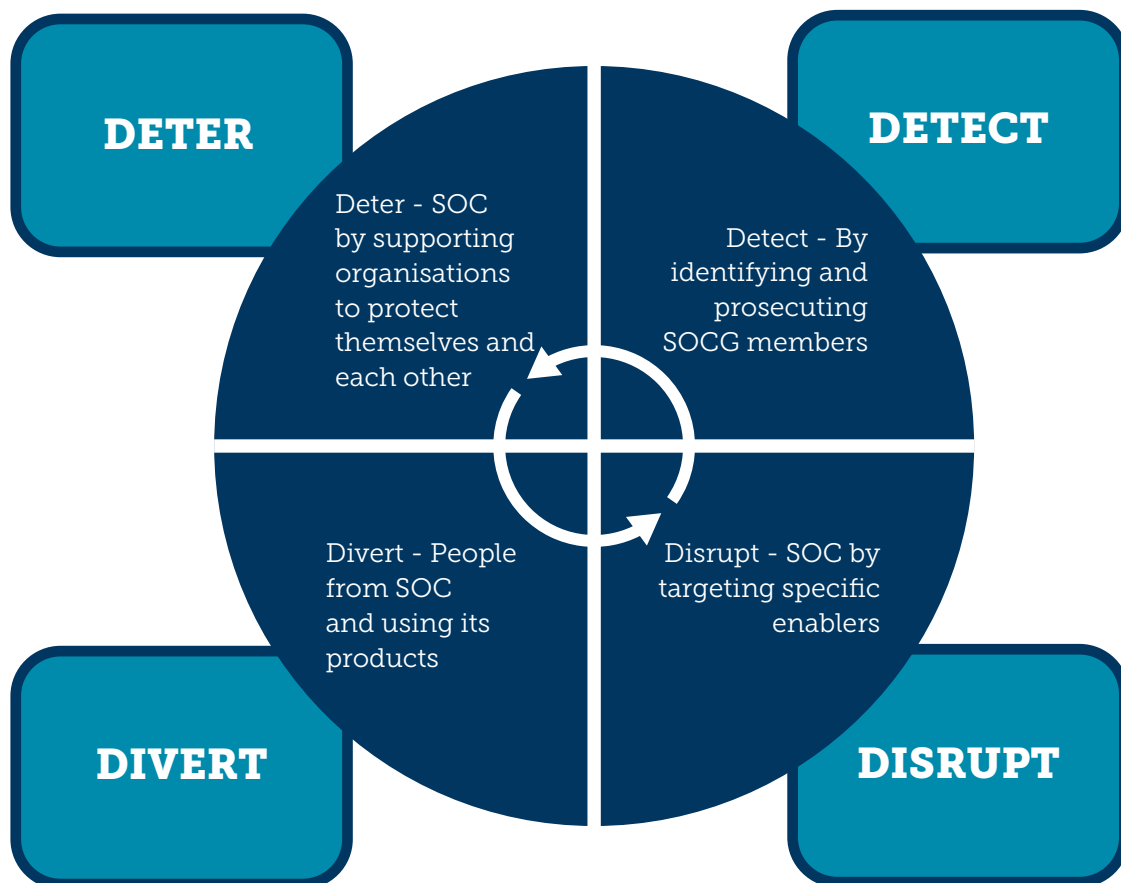
# The Four Strands

Scotland's Serious Organised Crime Strategy is divided into four strands of work: Divert; Deter; Detect; and Disrupt. Each Strand has its own Lead, who is responsible for ensuring work is driven forward. These Strand Leads sit on, and report back to, the Serious Organised Crime Taskforce.

The Strands are divided into a number of Themes, each of which has a range of Outcomes. The Strand Leads work to ensure that the right people and organisations are in place within the Strands to achieve

these Outcomes by taking forward a broad programme of activity. Activity leads are sourced from a wide variety of organisations across law enforcement, the public sector at local and national level, the third sector and the private sector.

This partnership approach, and the range of activity it facilitates, is key to the Serious Organised Crime Taskforce's vision of working together to reduce SOC across Scotland.



## Divert

The Divert Strand is responsible for diverting people from becoming involved in serious organised crime and using its products. The Strand Lead for Divert is Paul Carberry, Action for Children's Director for Scotland. There are three themes within Divert: Individuals and Communities; Products of Serious Organised Crime; and People on the Cusp of Serious Organised Crime. Since the publication of the last progress report, Divert has seen some significant successes, including those below.



### CashBack for Communities

CashBack for Communities is a unique Scottish Government programme, which takes money seized from criminals under the proceeds of crime legislation and invests them in opportunities for young people across Scotland. Since 2008, £110 million has been committed to community initiatives to improve the quality of life of young people right across Scotland, and nearly two and a half million activities and opportunities for young people have been delivered so far. CashBack delivers a huge range of activity. Here are two examples of that work.

#### **Barnardo's Fit for Work through Cashback**

is an interactive, bespoke employability programme which provides intensive one on one mentoring and group work to those young people furthest from the work force, and provides follow-up support to sustain them in positive destinations. One young person, Ben, joined Fit for Work when he was 16. He was living in a secure residential unit due to offending behaviour in the past, and since joining the programme, has engaged well and progressed into employment with Tesco.



**Ocean Youth Trust's On Course for Cashback** consists of 5-day residential voyages. Through a mixture of on- and off-shore work, the course helps young people to recognise the benefits of change. All participants go home with new skills and strengths, as well as SQA qualifications. John had been affected by criminal and violent issues in his community, which led to him spending the majority of his time at home, playing computer games. Taking part on the course changed his outlook, and he is now considering bosun training with Ocean Youth Trust.



### **Action for Children's SOC Intervention Service**

In May 2018, it was announced that Action for Children's Serious Organised Crime Early Intervention Service had received a three-year funding boost from the Big Lottery Fund and Glasgow City Council.

The project is the only one of its kind in the UK, and successfully diverts young people away from involvement in SOC. It is delivered in partnership with Police Scotland and Glasgow City Council and works with young people across the city aged between 12 and 18.

The funding allowed the project to expand its scope and reach and over the funding period, will support around 240 people plus a further 50 family members, as the project moves to a whole family approach.

A study into the project found 71% of young people who used the service were kept out of secure care for at least six months during

involvement with the programme – including a number deemed at 'high risk' of entering secure care by the Children's Panel. That same analysis showed that by diverting 'high risk' young people from secure care, the project represented a saving of over £500,000 for Glasgow City Council.

Kevin, 15, who has been supported by the project, added: "This project has made such a big difference to my life. Before I wouldn't think twice about my actions and I'd keep on getting in trouble and up in front of children's panels. But the guys at the project have been great, they've made me realise there's a different way. I don't want to offend, I just didn't know there was another way, but Action for Children have really helped me find it. I now think twice about my actions as I'm tired of getting into trouble. I want to find a job or go to college, not just kick about with the people that kept getting me into bother."



## **The Slide**

In June 2018, Police Scotland relaunched The Slide – an initiative aimed at preventing young people from becoming involved in a life of serious organised crime. Working in partnership with the Scottish Government, Police Scotland created an educational pack for young people that shows the devastating effects of involvement in SOC.

The Slide is a specially-created film that details a young man's downward spiral into criminality, from his teenage years into early adult life.

David, the star of the film, is 13 when he tries drugs for the first time. This is the beginning of a series of negative life choices, leading to David eventually becoming a member of a serious organised crime group.

After completing a prison sentence, David finds himself trapped in the crime group,

threatened by other members when he tries to leave. He subsequently becomes the victim of a serious attack by a rival group, which signals the end of the film, and David's slide into SOC.

The official relaunch took place at Edinburgh's Broughton High School, where the film was shown to second year pupils. After watching each film scene, attendees participated in a range of discussions to promote positive lifestyle choices and discuss the consequences of becoming involved in crime. Following the re-launch, second year pupils from schools across the country have benefitted from this awareness-raising initiative.

## Wheatley 360

Wheatley 360 brings together housing, environmental and support staff from the Wheatley Group with police and fire officers to tackle everything from anti-social behaviour and fire safety to fly-tipping, graffiti and food and fuel poverty.

The ground-breaking initiative is the brainchild of Wheatley, Scotland's largest housing, care and property management group, which has over 250,000 customers across the country.

Its aim is to make communities safer and stronger from every angle by taking the existing successful partnerships with the police and fire and rescue services to a higher, even more ambitious level.

Wheatley has operated an award-winning Community Improvement Partnership (CIP) with police and fire and rescue for seven years, over which time 16 police officers and a fire service officer have been seconded to the Group to work hand in glove with housing officers in Wheatley communities.

Now, as part of Wheatley 360, the CIP team will be part of a new, even bolder approach to promoting and sustaining safer, stronger communities. It will operate alongside four fire safety officers, two home safety officers, two group protection officers and four behavioural change officers.

At its launch, the Cabinet Secretary for Justice said: "Wheatley 360 is an innovative programme that fosters a creative approach to building community safety and offers a range of important services to help improve the life-chances of its customers. This initiative will also have a crucial role in improving community resilience in some of Scotland's most disadvantaged areas."





## **The Team Building and Leadership Course**

In 2015, a Police Scotland Safer Communities officer was seconded to the Scottish Prison Service (SPS) at HMP YOI Polmont. The officer was given a remit to: break down barriers between police and young people; reduce offending; and, where offending occurs, reduce its severity.

The result was the Team Building and Leadership Course, which builds on and enhances the ongoing efforts of SPS and key partners to break down barriers between young people and authority, particularly law enforcement; address offending behaviour; and influence attitudes.

The course adopted a collaborative and proactive approach to diverting participants from engaging in or using the products of serious organised crime. Using the reflective experiences and future aspiration of participants better informs them of the ethics and impact of their links to SOC, to minimise continued influence by SOC and offending.

The course centres on diverting people from engaging in or using the products of SOC. It is designed to engage 7-10 participants in a number of team building and problem solving activities to help them achieve goal focused and realistic outcomes.

Participants are referred to the course via police, partners, SPS Integrated Case Management, hall staff and a self-referral process. The criteria are flexible and include involvement in SOC, general offending behaviour and a desire to be involved. Participants can be enrolled at any time in their sentence from remand onwards.

To date over 390 people have engaged, with around 77% achieving completion certificates.



## **HMP Grampian SOC Prevention Programme for Offenders**

Police Scotland has been collaborating with the Scottish Prison Service and Scottish Fire and Rescue to deliver a SOC Prevention programme for adult male prisoners. The programme is based on the approach at Polmont Young Offenders' Institute to provide positive engagement with police and partners and to introduce an awareness of the wider effects of SOC on individuals, their families and communities.

Since September 2018, courses have been delivered to 47 adult male prisoners. In this time, engagement levels with prisoners, many of whom are serving long prison

sentences for SOC-related crime, have improved and participants are interacting well with the programme.

This approach requires further development and evaluation to assess its effects on the path to desistance and reducing reoffending, and it is hoped that it can be expanded into the wider adult prison environment.

## Interventions at Rossie Secure Accommodation Services

Rossie Secure Accommodation Services in Montrose cares for a small number of young people between 12-18 years old, most of whom are accommodated through the Children's Hearing system and are vulnerable to SOC both as a victim and, through exploitation, as a perpetrator.

In early 2019, Rossie agreed to collaborate with Police Scotland, with the objectives of raising awareness of the dangers posed by

SOC, and providing the young people with experience of positive engagements with the Police and other authority figures, including the Scottish Fire and Rescue Service.

An initial trial of the intervention ran in spring 2019. These sessions were well-attended and received very positive feedback from the young people and staff. Police Scotland has agreed to run the programme again in future.



## **Northeast Cuckooing Initiative**

Cuckooing describes the act of taking over a person's home by intimidation, exploitation, or violence, to use as a safe-house or accommodation, usually for the purposes of dealing drugs.

The victims of cuckooing are often vulnerable, and may initially be paid with drugs or money for the use of their home, although this may not continue for the duration of the exploitation.

In 2017, an anti-cuckooing initiative commenced in an area of Aberdeenshire. This process has developed into a multi-agency response to the challenges the community face as a result of cuckooing. During 2018/19, 114 people have passed through this process, which helps people find routes out of cuckooing and deal with their underlying vulnerabilities to exploitation.

Following on from the success of this initiative, it was recognised that Aberdeen City also faced cuckooing-related challenges, but had no similar initiative in place.

A multi-agency project group, with a wide variety of partners across the Local Authority, health, social care, and the third sector, was formed in March 2019 to address the concerns.

The Cuckooing Project Charter was officially adopted into the Aberdeen Local Outcomes Improvement Plan in March 2019.

In addition, the Interventions teams continues to meet with partners and third sector support agencies to deliver cuckooing awareness sessions. 49 awareness sessions have been carried out as at September 2019.

## Motorcycle Crime in Edinburgh



During 2016, the City of Edinburgh saw a substantial increase in motorcycle thefts and related criminality, including serious organised crime as well as antisocial behaviour. This increase resulted in the tragic death of a 14-year-old and the serious injury of a 10-year-old. This event had a significant impact on the community.

Partners including City of Edinburgh Council, Police Scotland and third sector organisations initiated a Community Improvement Partnership (CIP) to develop a community-based response. This was designed to be an ongoing commitment to maximise public safety by reducing motorcycle theft and related harm in the community.

Since its creation, the CIP has been actively involved in delivering community diversionary activities which included:

- Focus groups with local community members, community councils, elected members and schools;
- Engaging with children involved in, or on the cusp of, motorcycle crime or related ASB;

- Strong communication, including a radio campaign which highlighted the personal and community impacts of motorcycle crime;
- A schools programme, which included a victim impact input from the family of the child who died, and emergency services.

In 2019, Police Scotland collaborated with Screen Education Edinburgh to produce a short film highlighting the impacts of illegal and irresponsible motorcycle use within the City of Edinburgh. The film was scripted, developed and produced entirely by young people residing within the areas most affected by these behaviours.

## Illicit Goods Online Checker Tool

The widespread sale of counterfeit and illicit goods presents a challenge globally, and Scotland is not exempt. In most cases, illicit goods are now sold online, including through social media.

This illicit trade causes numerous problems, including:

- Unsafe working conditions in the supply chain;
- Products may be unsafe and could pose health risks;
- Legitimate businesses suffer and the tax revenue is lost;
- Illicit trade has been linked to the funding of the drugs trade, human trafficking and other types of serious organised crime.

To address the threat of illicit trade, a partnership between HMRC, Police Scotland and Trading Standards took part in the Scottish Government Civtech programme.

Civtech seeks to bring together public sector expertise and private sector creativity to solve real problems and develop new products. It aims to match digital tech innovators with

public sector organisations looking to create digital solutions to challenging problems.

The aims of the challenge were to:

- change consumer behaviour to reduce the demand for illicit goods;
- provide messaging on consumer searches for these products;
- reduce the need for enforcement activity.

The partnership chose to work with a Scottish company, Vistalworks. In February 2019, Vistalworks presented their Minimal Viable Product at the Edinburgh International Conference Centre.

Their solution is a free-to-use checking tool to assess whether a product available online is fake. The tool is currently running on the Consumer Advice Scotland website, and works for a limited range of products.

The partnership between HMRC, Police Scotland and Trading Standards is continuing to work with Vistalworks to improve the scope of the checker.



# Deter

The Deter Strand is responsible for deterring Serious Organised Crime Groups by supporting private, public and third sector organisations to protect themselves and each other. The Strand Lead for Deter is Robert Steenson, Assistant Chief Executive at North Lanarkshire Council. There are four themes within Deter: Businesses; Public and Third Sector Organisations; Licensing, Regulation & Enforcement; and Procurement and Commissioning of Services. Work across these themes has progressed significantly since the publication of the last progress report, including as those below.



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## SOC Prevention Courses

Since 2017, Police Scotland has delivered a number of SOC Prevention Courses across local authorities and other public sector organisations. The course focuses on ways to improve organisations' understanding of SOC and enhance their resilience.

The SOC Prevention Course incorporates a range of current risks, with particular emphasis on internal audit, risk, fraud, procurement, contract management, human resources and legal.

Key themes of the prevention courses include:

- Awareness-raising of the risks posed by SOC and how it targets Scotland's businesses, organisations, and communities
- Increasing knowledge of how serious organised criminals use corruption, bribery and fraud to generate income
- Highlighting the issue of insider threat and raising awareness of common flags and indicators

- Challenging culture and fear of change
- Providing advice on prevention strategies and tactics
- Advising on improved organisational resilience and sustainable risk mitigation measures

The course is delivered by Police Scotland, as well as representatives from Scottish Environment Protection Agency, Scottish Business Resilience Centre, Edinburgh University, local authorities and the police forensic accountant.

To date, the SOC Prevention Course has been presented to more than 300 partners across Scotland, and has improved participants' knowledge and understanding of the SOC landscape and threats; local relationships with Police; and peer to peer support amongst different partner agencies. A similar awareness-raising course, aimed at Further & Higher Education staff working within business, finance and procurement environments, was also held at Strathclyde University in May 2018.





## Scotland Excel: Procurement

Scotland Excel carries out the Procurement and Commercial Improvement Programme (PCIP) assessment programme with participating local authorities, assessing their processes and identifying areas for focus and improvement.

Assessment identified scope for improvement in on-going monitoring of the accreditation of suppliers operating within "high-risk" areas which may be exposed to SOC and crime groups.

Scotland Excel developed and facilitated several tailored workshops focusing upon Contract and Supplier Management (CSM) with a number of councils.

In 2018, Scotland Excel produced a strategy aimed at improving sector performance in this area. On completion, the strategy was shared with key stakeholders and a series of projects directly linked to it launched.

A programme of events continues to be implemented and the most recent analysis has shown that although CSM remains a key area in need of further focus, councils have demonstrated significant improvement via the PCIP, with results showing that the category under which CSM belongs (Contract) has recorded the highest percentage improvement of any PCIP focus area, showing a marked improvement in comparison to previous years with a 9% increase in terms of performance.

The 2018/19 PCIP assessments have agreed that the improvement programme will most focus on areas such as leadership, models and resources, ICT systems and developing a councils collaboration project.

## Enforcement Officers Training Resource

Partner organisations including North Lanarkshire Council, Police Scotland, the Society of Chief Officers of Environmental Health in Scotland, HMRC and the Scottish Government set out to create an online training resource which would be used and accessed by enforcement officers across Scotland to highlight the threat posed by organised crime groups.

It had been identified that enforcement officers in the course of their daily duties may encounter both individuals and organisations involved in organised crime.

Enforcement officers work for a number of public sector bodies and include environmental health officers, trading standards officers, housing officers, health and safety officers and revenue and customs officers.

All of these officers may come into contact with crime groups operating out of homes and businesses during routine visits and inspections. Training on how to identify, assess and report concerns can vary from one organisation to

another, so the Serious Organised Crime Taskforce produced an easily accessible training tool which would assist officers. By being able to clearly identify risks, indicators and suitable reporting mechanisms, enforcement officers will be better prepared to take appropriate action where necessary.

Expert advice was taken from police drug squad officers, trading standards, HMRC and the human trafficking unit to put together a number of situations and indicators which enforcement officers should look out for while carrying out their duties.

The enforcement training tool was launched by the Cabinet Secretary for Justice in October 2019 and is being made available to officers in organisations across Scotland. The training resource will continue to be developed as new guidance information and emerging threats are identified.

[www.socaware.scot/enforcement/](http://www.socaware.scot/enforcement/)





## **NHS Scotland Counter Fraud: Insider Threat**

Public sector organisations have to manage an increasing number of risks to their assets, data and reputation from a number of sources including organised crime groups.

NHS Scotland Counter Fraud Services (CFS) has created a series of guides and toolkits to prevent, detect and defend against Insider Threat.

The 'CFS Informs' quick-guide on Insider Threat explains the headline issues, causes and red-flag indicators that can be observed prior to incident caused by an employee.

Workshops are facilitated by Counter Fraud Specialists and are built around a video-scenario of escalating employee risky behaviour and reflect on the organisation's policy and practice to help identify risks. These risks then become the focus to develop ideas on how to either mitigate their impact or prevent them completely.

Several health boards and public sector organisations have participated in these workshops, mostly attended by their human resources specialists.

CFS has published a comprehensive guide titled: 'Insider Threat: managing people security'. This document provides detail on the risks and specifically explores the potential weakness in processes for employee 'joiners, movers and leavers', all of which heighten the risk of Insider Threat.

In addition to this detailed guidance, CFS has published two separate toolkits that can be used to measure the 'insider threat temperature' in a team, department or even the whole organisation. One toolkit focusses on organisations undergoing major change and the other assesses the risk in a business-as-usual state. Both toolkits use questionnaires to gather views from managers and employees to evidence their perception of the organisation and the actual behaviour of its employees.

These guides and toolkits are available to public sector organisations across Scotland by contacting: [NSS.cfsccommunications@nhs.net](mailto:NSS.cfsccommunications@nhs.net)

## **Declaration of Non-involvement in Human Trafficking and Modern Slavery**

Following concerns from partners in relation to combatting modern slavery in supply chains, Police Scotland has developed a Declaration of Non-Involvement in Human Trafficking and Modern Slavery document.

The document provides guidance and instruction on Scottish Procurement and Human Trafficking legislation and for organisations to sign and declare that they have nothing to report in this regard.

This will encourage organisations to properly manage their own practices and those of any sub-contractors within their supply chain. In addition, if it is later found that the company is not complying with this declaration, then action can be taken to cancel the contract. During the development stages, support was sought from Public Sector/Scottish Government partners and the Police Scotland Human Trafficking team. The document has been circulated within Scotland's Public Sector organisations.



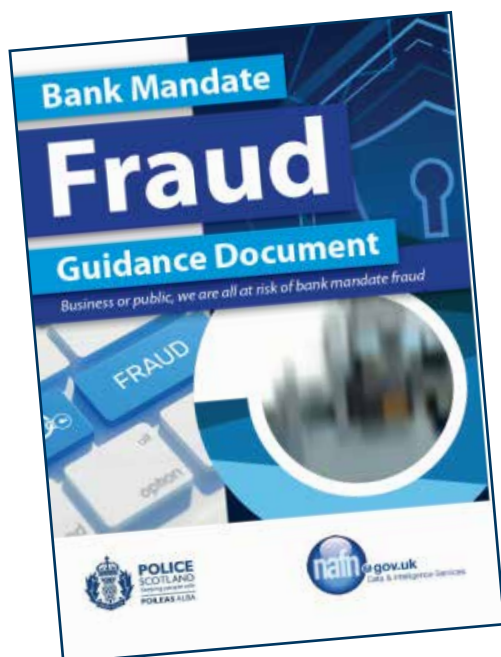
## Bank Mandate Fraud

In response to a series of high profile organisational Bank Mandate frauds across the Public Sector in 2017 and 2018, Police Scotland officers worked in partnership with the National Anti-Fraud Network (NAFN) & Action Fraud to develop a Bank Mandate Fraud guidance document.

The document contains useful information, including techniques used by criminals to obtain information and exploit organisational vulnerabilities. The document clearly illustrates how organisations can use simple key steps to counter the tactics used by SOC groups.

One recent high profile example relates to the targeting of the Highland Hospice in Inverness, which was subject of a determined bank mandate fraud that resulted in the loss of approximately £600,000 of hard earned charitable donations. Police Scotland worked with the finance director to understand how this fraud occurred and the subsequent impact on their organisation. These details were captured in a short documentary, which staff and managers participated in. This documentary is available to support the importance of staff training and to underline the importance of remaining vigilant to the threat from SOC and fraud and to underline the need for implementing improvements to organisational fraud prevention processes.

The Bank Mandate Fraud Guidance Document has been released across the UK to public sector organisations, businesses, banks & community groups.



## The Banking Protocol

Launched in March 2018, the Banking Protocol is a multi-agency initiative between law enforcement, banking institutions and Trading Standards which aims to identify vulnerable victims who are in the process of being defrauded of funds from their bank accounts and quickly intervene to prevent the crime from taking place.

Victims of this crime type tend to be elderly and vulnerable and are deliberately targeted by unscrupulous criminals. This can be in the form of bogus callers posing as labourers to carry out maintenance/repair work on their house and overcharging for that work, or cold callers claiming to be police officers or a representative from a bank's fraud department, who encourage the victim to supply their banking details.

The victim is often coerced in to attending their bank or post office in order to withdraw or transfer cash, and on many occasions the perpetrator will accompany the victim in order to apply pressure and ensure that the transaction takes place.

The Banking Protocol is designed to prevent this from happening by training banking staff in recognising where such activity is taking place, implementing a standardised response to informing law enforcement and providing a consistent policing response.

Since its launch the Banking Protocol has been a resounding success - as of 1st July 2019 a total of 1175 incidents had been reported, with a total potential loss of £9.84 million prevented.



# Detect

The Detect Strand is responsible for identifying, detecting and prosecuting those involved in serious organised crime. The Strand Lead for Detect is Deputy Chief Constable Malcolm Graham, Police Scotland's lead for the Crime and Operations portfolio. There are three themes within Detect: Collection, Analysis and Use of Information and Intelligence; Investigation and Detection of Serious Organised Crime Groups; and Prosecution of Serious Organised Criminals. Successes within the Detect Strand include those below.



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## National Intelligence Assessment Unit (NIAU)

In early 2018 an Her Majesty's Inspectorate of Constabulary in Scotland review recommended that 'Police Scotland should develop structures, systems and processes for co-ordination of all available information and intelligence which provides an authoritative view of intelligence aligned to the national policing priorities, which informs prevention, intelligence, enforcement and reassurance responses.'

In direct response to this recommendation, in March 2018 Police Scotland created a National Intelligence Assessment Unit (NIAU) which aims to provide a single authoritative view of intelligence and facilitate an accurate, timely and comprehensive intelligence product.

The unit consists of representatives from a number of existing Specialist Crime Division departments, working collaboratively and

sharing intelligence from a number of available sources, thus allowing for easier identification of intelligence gaps.

The new process allows for either a policing division or partner agency to nominate a candidate nominal or group for assessment by the NIAU who, if it meets the defined criteria, develop and provide a full intelligence product to inform further law enforcement action.

Nominations to date have assisted in the detection of SOC nominals involved in the manufacture, sale and supply of illegal drugs, human trafficking, sexual exploitation and importation of firearms.

## **Project Jackal**

First launched in June 2014, Project Jackal aims to tackle SOC groups operating in Scotland by capturing intelligence about their financial and business operations and using it to dismantle and disrupt their criminal business structures and activity.

Project Jackal provides police officers and other law enforcement agencies with a Toolkit which details the information and intelligence required in order to build up a picture of how the business is being run and ultimately how the money is being laundered.

Project Jackal has steadily gained momentum and training in its methodology continues to be delivered to senior officers across the country. There has also been significant interest in its methodology from other agencies, including the Association of Law Enforcement Accountants who have included it in a best practice handbook.

## **Organised Crime Partnership (OCP)**

The OCP is a collaborative unit consisting of officers from Police Scotland and the National Crime Agency (NCA), which aims to provide a formidable capability and international reach in order to tackle national priorities and target those involved at the highest levels of criminality, both in Scotland and abroad. All investigative activity is authorised by Crown Office Procurator Fiscal Service, which play a vital role in supporting the enhanced efforts to tackle SOC.

Since its inception in September 2018, the OCP has had a number of successes. Amongst these has been the detection and seizure of firearms, ammunition and a silencer, with the subsequent convictions of David Mitchell from Edinburgh in January 2019, who was sentenced to 5 years imprisonment, and Robert Lockhart from West Highland in June 2019, who was sentenced to 4 years imprisonment.

## **Complex Trial Protocol**

This Protocol for the management of lengthy or complex criminal cases was launched at the High Court in Glasgow in May 2018. The protocol provides guidance and direction to Judiciary, Crown and Defence agents for focussing issues and agreement of evidence to ensure trials can be concluded within shorter time frames.

There has been a number of SOC-related cases which have been subject to this protocol since its launch, which has resulted in earlier resolution and agreement of evidence, allowing witnesses to be excused and reducing the cost of the trial.

## Firearms

In March 2017 Police Scotland launched the Firearms Threat Desk (FTD), a policing unit designed to be responsible for assessing all intelligence relating to the criminal use of firearms in Scotland and providing a single point of contact for partners and other key stakeholders. The FTD publishes a monthly report which provides an update on the status of intelligence gathering, key intelligence requirements and emerging threats.

Through collaborative working via the FTD, Police Scotland instigated the dissemination of detailed firearms data to Europol, which has been subject of further discussion at the European Union Counter Terrorism Police Heads Programme Board in The Hague. This was commented on favorably at the National Criminal Use of Firearms meeting and is now seen as best practice.

The European Firearms Supply Conference was hosted by Police Scotland on 27 November 2018 at the Scottish Police College. It was attended by delegates from Interpol, Europol and NCA and consisted of a number of presentations relating to Police Scotland's response to the firearms threat and sharing of best practice.

The Police Scotland National Firearms Surrender Campaign took place in June 2018 and resulted in the recovery of over 1000 firearms, together with a significant quantity of ammunition.

Operation Endeavour is a successful partnership initiative between The Metropolitan Police and the NCA, focussing on the development of intelligence around individuals identified as posing a significant threat to the UK due to their access to illegal firearms. Police Scotland continues to be a significant contributor to Operation Endeavour through the submission of pertinent intelligence.

## Human Trafficking

Police Scotland's National Human Trafficking Unit (NHTU) continues to build on the established partnership working approach to tackling the growing threat of Human Trafficking and Sexual Exploitation. The establishment of the Human Trafficking Threat Desk, now amalgamated with the Firearms Threat Desk, based in the National Intelligence Bureau, has resulted in a more comprehensive intelligence product which assists NHTU and partners in identifying emerging crime trends and direct operational activity.

The Unit has been engaging with authorities in Romania in order to provide a coordinated approach to safeguarding victims of human trafficking and to gain an insight in to the workings of the Romanian anti-trafficking practices. They have also delivered training to police in Sri Lanka and Vietnam in relation to best practice when conducting rape and human trafficking investigations.

The NHTU serves as a single point of expertise in assisting divisional officers when dealing with incidents apparently related to Human Trafficking and has assisted in a large number of policing operations.

Police Scotland continues to assist the Scottish Government to deliver community awareness-raising inputs in relation to the proposed implementation of a national Duty to Notify process that will see specified public authorities required to notify the Chief Constable with certain information about potential victims of human trafficking.



## Cybercrime and Technology

Cyber-enabled and cyber-dependent crime continues to be a growing threat and are increasingly being utilised by SOC Groups for both financial gain through fraudulent activity, and to facilitate crime using methods such as encrypted communication and covert surveillance.

As part of the National Policing Strategy, Police Scotland has commenced work to review and develop cybercrime capability, which is a major programme of transformation.

The aim is to review and develop the current service delivery model, ensuring cyber-dependant and cyber-enabled crime is

managed within a coordinated and consistent framework of Prevention, Intelligence, Analysis, Investigation, Resilience and Innovation.

Police Scotland plans to commence a three month trial of the NUIX software platform which will allow for data to be efficiently processed and analysed for evidential product from a variety of digital sources whilst providing greater opportunity to identify criminal patterns and behaviour.

## SOC Operations

### Operation Trahira

On 10 May 2018, at the High Court in Glasgow, David Scott was found guilty of the murder of Euan Johnston and sentenced to life with a minimum term of 22 years imprisonment. In November 2016, Johnston was stopped at traffic lights in Glasgow when he was shot twice in the head by Scott, who fled from the scene in an Audi Q5, which was later found burnt out in the north of the city.

Johnston had links to SOC and was awaiting trial in relation to drug offences involving £640,000 worth of heroin. It is believed that Scott was acting as part of a group who had been carrying out surveillance on the victim prior to the murder. Scott was identified through DNA found on the zipper of a top he had left in the getaway vehicle.

### Operation Engagement

Operation Engagement is Police Scotland's response to the ongoing feud between two SOC groups, based in Glasgow. It encompassed a number of attempted murders, serious assaults and firearms offences, and was a large-scale overt and covert policing enquiry. On 16 May 2019, the 6 main nominals were sentenced to over 100 years between them and all will be subject to Serious Crime Prevention Orders (SCPOs) upon their release.

### Operation Fundamental/Operation Threshold

Operation Fundamental was a Dundee based multi-agency, intelligence-led operation which aimed to tackle the ongoing issue of drug-related deaths in Scotland. The approach incorporated both enforcement and preventative phases and aimed to identify individuals deemed vulnerable to an untimely death due to drugs, in an effort to steer them towards a healthier lifestyle.

The enforcement period took place between July and October 2018 and resulted in 30 people being reported to COPFS in relation to drug supply charges and a further 67 people arrested for drug offences. Nearly 15kg of heroin and 24,000 benzodiazepine tablets were seized, as well as £57,000 in cash.

Operation Threshold was a similar operation, which took place in the Edinburgh area in June 2019. A total of £1.2 million worth of drugs were recovered and £273,587 in cash was seized under Proceeds of Crime legislation.

### Operation Redeem

On Saturday 1 December 2018, a vehicle was the subject of a routine stop at Cairnryan Ferry Port as it entered the P&O Ferry Complex. The drugs detection dog gave a positive indication in relation to a large container and following a search a quantity of packages wrapped in plastic were recovered. A total of 24kg of cannabis and 192kg of cocaine were seized, with a potential street value of £8 million.



# Disrupt

The Disrupt Strand is responsible for disrupting serious organised crime groups. The Strand Lead for Disrupt is the Crown Office and Procurator Fiscal Service's Deputy Crown Agent for Serious Casework. There are five themes within Disrupt: Multi-Agency Disruption of Serious Organised Crime Groups; Serious Organised Crime Group Access to People, Skills and Advice; Serious Organised Crime Group Access to Finance, Logistics, Technology and Information; Recovery of Proceeds of Crime; and Exposure of Those Involved in Serious Organised Crime. There has been a range of successes within the Disrupt Strand, including those set out below.

## Prosecution of those involved in SOC

The Crown Office & Procurator Fiscal Service (COPFS) pursues an investigative and prosecution strategy which provides the court with the widest range of possible sentences for those involved in SOC.

Working with Police Scotland, the National Crime Agency, HMRC and other reporting agencies in investigating and building cases, COPFS continues to use existing legislation to effectively prosecute those who are involved in serious and organised crime.



## Notable Prosecutions

In December 2018, after a 13 week trial, four Latvian men were each found guilty of involvement in SOC with offences including money laundering and modern day slavery. They were sentenced to 4 years and 11 months imprisonment.

The six men were convicted on charges of conspiracy to murder relating to a long running feud between rival groups. They six were jailed for a total of 104 years and each made subject of a Serious Crime Prevention Order (SCPO).

Operation Escalade, a high profile criminal prosecution targeting leading figures of an

organised crime group, continues to secure convictions. In March 2019, two men pled guilty to offences connected to organised crime and were each sentenced to seven years in prison. In July and September 2019 two further members of the group were convicted and sentenced to a total of 11 years with each receiving a SCPO.

In August 2019, six members of an organised crime group were convicted of trafficking controlled drugs between the central belt and Highlands and Islands including two convictions for directing serious and organised crime. They were subsequently sentenced to a total of 25 years.

## Proceeds of Crime/Civil Recovery Unit (CRU)

The Proceeds of Crime Act 2002 (POCA) is the legislation which provides for the criminal confiscation or civil recovery of cash and assets derived from criminal activity.

Under POCA the Proceeds of Crime Unit of COPFS in 2018/19, secured 241 confiscation orders in cases following criminal convictions in both the High court and Sheriff courts totalling £5,064,567, representing an increase from 2017/18 of nearly £400,000. Of these orders one was for the sum of £528,605 and nine others were in excess of £100,000 all in furtherance of disruption of crime.

In June 2019, following conviction in January 2019, two of the accused from Operation Escalade were ordered to repay £1.6 million under proceeds of crime legislation, while a third accused was ordered to pay back £36,000.

The aim of the CRU is to use civil court proceedings to disrupt crime and make Scotland



The Unit investigates and recovers the proceeds of crime without the need for a criminal conviction. The majority of referrals to the CRU are received from Police Scotland, the Department for Work and Pensions and HMRC. All asset recovery referrals are initially passed to COPFS to ensure consideration is first given to criminal prosecution.

The Criminal Finances Act 2017 has improved CRU's capability to disrupt crime. It introduced powers to freeze and forfeit money in bank and building society accounts ("AFOs") and seize personal property (known as "listed assets"), for example watches or jewellery, where they are the proceeds of unlawful conduct or intended for use in such conduct. In 2019, £84,700 was realised following CRU's litigation of AFOs, and the first auction of watches recovered using the listed assets provisions took place in September 2019 and a total of £34,600 has been realised.

The CRU continues to work closely with other agencies, including the banking and financial sectors, and delivers training to a variety of stakeholders. To maximise disruption to criminals it routinely refers cases to HMRC for the possible taxation of criminal gains. In the year to 31 March 2019, 25 cases were referred.

### **Sellers of legal highs stripped of funds**

A settlement agreement was entered into with two individuals who made money from selling legal highs online. Following an investigation they admitted the money had been obtained through unlawful conduct and a total of over £573,000 was recovered. The CRU argued that the supply of novel psychoactive substances is culpable and reckless conduct and in breach of product safety regulations.

### **Money taken from cash mules**

The majority of the cash forfeited by the CRU arises from drug dealing and associated activities. Increasingly cash is being taken from cash couriers or so called "cash mules": £149,920 was forfeited in one such case in Glasgow. "Cash mules" are often unknown to the police and find themselves ensnared by criminal groups by debt or other vulnerabilities. Money is also being detected at airports being carried by cash mules attempting to export "dirty" money from the UK to other jurisdictions. All of this indicates that organised crime is still cash based and that the movement of cash belonging to criminal groups offers law enforcement significant disruptive opportunities.

### **Investors in fraudulent scheme reimbursed**

A number of investors were fraudulently induced to pay money into accounts held by money mules believing they were investing with a reputable company. The CRU recovered approximately £151,000 from six bank accounts and funds were paid back to the victims of the fraud.

In the year to 31 March 2019 the CRU remitted approximately £3.3 million to the Scottish Consolidated Fund, all of which had been obtained through unlawful conduct.

### **Serious Crime Prevention Orders**

SCPOs are court orders aimed at preventing SOC. They are intended to be used against those involved in serious crime, with the conditions contained in the order designed to protect the public by preventing, restricting or disrupting involvement in serious crime. SCPOs can contain a range of restrictions, such as prohibiting the ownership of multiple mobile phones, or preventing someone from travelling abroad.

As at October 2019, a total of 43 SCPOs have been granted by Scottish courts and these are now being considered as part of the prosecution strategy in the highest-level SOC cases. The vast majority of SCPOs granted in Scotland relate to persons convicted of serious organised crime.



# Looking Forward



**HUMZA YOUSAF MSP**

Cabinet Secretary for Justice, Chair SOC Taskforce

This Progress Report gives a sense of the breadth of work being undertaken by the Serious Organised Crime Taskforce and its subgroups, and the commitment of partners involved in reducing the harm caused by serious organised crime in Scotland.

We are living in uncertain times, and serious organised crime is no exception to that changing landscape. The criminal groups we seek to disrupt are adept at exploiting new opportunities to generate profit at the expense of our communities and our most vulnerable. Serious Organised Crime Taskforce partners and others must be vigilant, and continue to develop the flexible partnership approach and skills that allow us to respond swiftly and effectively to new threats.

The annual Scottish Multi Agency Strategic Threat Assessment (SMASTA) developed by partners at the world renowned Scottish Crime Campus is a key reference document for the Serious Organised Crime Taskforce. It will help identify developing and emerging threats and allow the Taskforce to identify priorities and direct its collective resources more effectively.

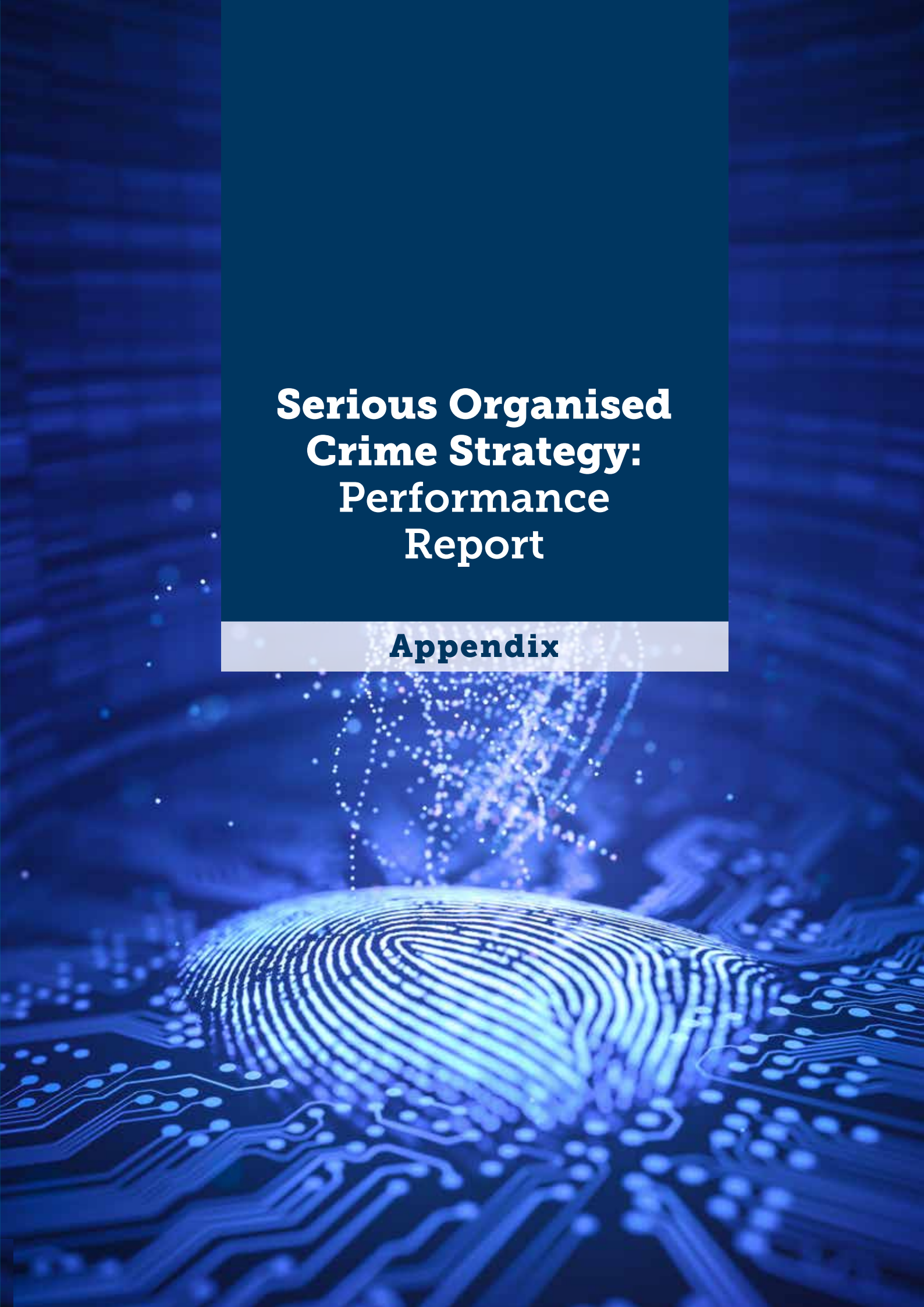
We have agreed to refresh the Serious Organised Crime Strategy over the coming year to take account of the changing landscape and emerging threats. This refresh will build on the work highlighted in this report, and to ensure that momentum is maintained to achieve our outcomes across the four strands. We will continue to engage directly with the people and communities most affected by serious organised crime. And across all our work, we will continue to develop our collaborative, multi-agency approach to tackling serious organised crime.

One of the Taskforce's priorities over the next year is to develop our communications channels, and raise our public profile across Scotland. Awareness is one of the best tools we have to disrupt serious organised crime – it helps businesses build and maintain resilience to fraud; it helps the public recognise the signs of modern slavery; it helps people understand the hidden human and environmental costs of drugs and counterfeit goods. That's why the Serious Organised Crime Taskforce is committed to sharing information particularly with the general public, about serious organised crime, the work to reduce the harm it causes, and what we can all do, across Scotland, to continue that work. It is important that we all consider the potential impact of our decisions and how they may help facilitate serious organised crime.

Reducing the harm caused by serious organised crime is everyone's responsibility, and it's a responsibility The Serious Organised Crime Taskforce takes very seriously. I would encourage everyone and all organisations across Scotland to work with us to tackle this scourge, which affects every community up and down the country. Together, we can achieve our aims, and build a Scotland that's safer, fairer and more prosperous for all.







# **Serious Organised Crime Strategy: Performance Report**

**Appendix**

# Performance Review of Serious Organised Crime

## Introduction

Drawing on key sources of evidence, this paper explores what Serious Organised Crime (SOC) looks like in Scotland and assesses how this has changed since the introduction of the Strategy in 2015. Looking at each of the Strategy's four core objectives (Divert, Deter, Detect and Disrupt), the paper draws on key sources of evidence to consider the progress being made towards achieving the Scottish Government's Strategic vision, whilst acknowledging the challenges that remain in reducing the harm caused by SOC in Scotland. Where applicable, the paper takes 2014-15 as a baseline but longer term trends are also included where relevant.

## Divert

We draw on data from population surveys to gauge public perceptions and experiences of serious organised crime (SOC) in order to assess how Scotland's strategy is working to divert people away from becoming engaged with SOC. For some crimes the experience of SOC may be vicarious, such as being aware that counterfeit cigarettes are sold in a local shop. For other crimes, the experience may be directly related to SOC, such as recreational and problem drug use or gang involvement.

### Public perceptions of Serious Organised Crime

In line with 2013 findings, respondents to the 2017 Scottish Government-commissioned module of questions on organised crime in Scottish Public Opinion Monitor<sup>1</sup>, were more likely to think that organised crime was a very or fairly serious problem in Scotland as a whole, (87%) than in their local neighbourhood (30%), although the proportion saying that organised crime was a "very serious" problem was higher in 2017 (36%) than in 2013 (30%)<sup>2</sup>.

At both the local and national level, differences in perceptions existed across certain sub-groups. In 2017, the following groups were more likely to think organised crime was a very or fairly serious problem:

- Women compared to men<sup>3</sup>.
- People living in the most deprived areas, compared to those in the least deprived areas<sup>4</sup>.
- People who had been personally affected by organised crime compared to those who had not<sup>5</sup>.

The survey found there to be an increase in the proportion of respondents saying that it is the responsibility of "everyone" to tackle organised crime in Scotland, rising from 15% in 2013 to 26% in 2017<sup>8</sup>. This may indicate a broader attitude shift, or may indicate successful government communication campaigns.

### Public experiences of Serious Organised Crime

As in 2013, one in ten respondents to the Scottish Public Opinion Monitor, said they had been personally affected by organised crime in the last three years. Of this group, the majority (74%) had been the victim of organised crime, whilst 17% had been a witness and 12% were affected in some other way<sup>6</sup>.

When asked about the specific types of crimes they had been affected by, respondents gave a wide range of answers. In 2017, the most common of which was theft (18%), followed by violence (17%) and cybercrime (15%)<sup>7</sup>. These findings are not comparable to 2013 due to question wording changes.

### Public experiences of fraud

The data currently collected by the Scottish Crime and Justice Survey (SCJS) does not provide robust estimates on the volume or prevalence of fraud, however it does capture

1 Omnibus telephone survey with random sample of adults in Scotland. Fieldwork carried out from 27 November-5 December 2017 with 1,088 adults aged 16+.

2 Perceptions of Serious Organised Crime in Scotland, 2018

3 Neighbourhood: 34% vs. 27%, Scotland: 90% vs. 83%.

4 Neighbourhood: 57% vs. 15%, Scotland: 56% vs. 27%.

5 Neighbourhood: 62% vs. 27%, Scotland: 60% vs. 34%.

6 Does not sum to 100% as respondents could give multiple answers. Being affected in some other way included people who had a relative, friend or neighbour who had been a victim, witness or perpetrator of organised crime; and people who were aware of, or concerned about, organised crime in their own area. For more information see Perceptions of Serious Organised Crime in Scotland, 2018.

7 Question base: 101 respondents who were personally affected.

8 Other organisations mentioned included the Police and the Scottish Government. Perceptions of Serious Organised Crime in Scotland, 2018.

9 Respondents are not asked for full details of the incidents that would enable them to be coded into valid/invalid SCJS crimes in the way that they are with other 'traditional' SCJS crime incidents.

some indicative evidence<sup>9</sup> on people's experiences of certain types of fraud.

Indicative findings suggest that in 2017-18, 5% of adults had their credit/bank card details used fraudulently in the 12 months prior to interview<sup>10</sup>, unchanged from both 2016-17 and 2014-15, but an increase from 3.6% in 2008-09. Fewer respondents reported having had their identity stolen, with 1% indicating this had occurred in the 12 months prior to interview. This is unchanged from 2016-17 and 2014-15.

### Future Work: Cybercrime monitoring

The 2018-19 SCJS questionnaire contains a new set of cyber-crime questions on experiences of specific cyber-crime activities, the impact/harm resulting from experience, resulting changes in online behaviours and reporting of cyber-crimes<sup>11</sup>. In addition, a new 'cyber-flag' question was added to the victim form section of the 2018-19 SCJS questionnaire, enabling analysts to examine the proportion of property and violent crime (currently included in the SCJS) that involves a cyber-element. Initial findings from these questions will be available in SCJS reporting in 2020.

## Public experiences of drugs

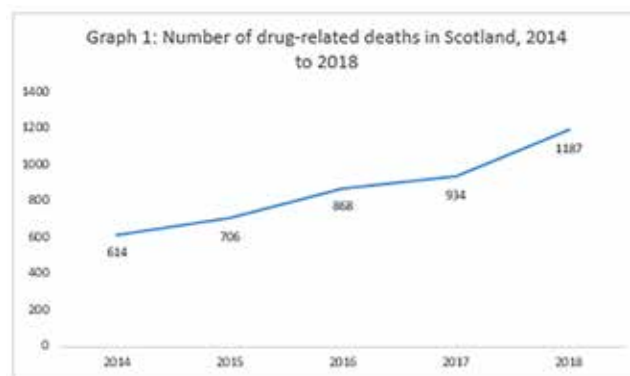
### Self-reported drug use

The SCJS asks respondents about their usage of drugs<sup>12</sup> in the last 12 months. In 2017-18, 7.4% of respondents reported taking one or more comparable illicit drugs<sup>13</sup> within the last 12 months, an increase from 6.0% from 2014-15<sup>14</sup>, but is unchanged since 2008-09 (7.6%).

A little over one in ten (11.6%) respondents to the 2017-18 SCJS said someone had offered to give or sell them at least one type of listed drug<sup>15</sup> in the previous 12 months. This is higher than 2014-15 when the figure was 9.2%, although lower than in 2008-09 (13.7%).

### Drug-related deaths

The number of drug-related deaths in Scotland reached an all-time high (figures began in 1996) in 2018, when there were 1,187 deaths<sup>16</sup> (Graph 1). This represents a 27% increase on 2017, when 934 deaths were recorded, and is almost double the number in 2014 (93% increase), the baseline taken for this report.



Source: Drug-related deaths in Scotland in 2018

How information about drug-related/'misuse' deaths is collected differs between Scotland and other parts of the UK. Notwithstanding these methodological differences<sup>17</sup>, it would appear that Scotland's 2016 drug-related death rate (per head of population) was almost three times that of the UK as a whole. Overall, 161 drug-related deaths per million population were recorded in Scotland, compared to 54 deaths per million population in the UK as a whole.

## Public Perceptions of Fake and Smuggled Goods

In 2017-18, the SCJS found that 60% of respondents thought that the selling of fake and smuggled goods was common across Scotland. They were less likely to think this was common in their local area (19%). These figures are unchanged from 2016-17.

Two-thirds of adults (66%) in 2017-18 believed there had been no change in the selling of fake and smuggled goods in their local area over the last year, whilst 13% thought it was more common and 7% said it was less common than a year ago. These figures are unchanged from 2016-17.<sup>18</sup>

## Public Experiences of Fake and Smuggled Goods

The SCJS asks people about their experiences of a range of fake and/or smuggled goods<sup>19</sup> over the last 12 months. In 2017-18, 12% of adults said they had been offered fake and/or smuggled goods<sup>20</sup>, this is unchanged from 2016-17. The most common type of fake or smuggled goods offered to adults in Scotland were cigarettes/tobacco (7%), whilst 4% said they had been offered fake or smuggled clothes, both unchanged from 2016-17.<sup>21</sup>

10 SCJS, 2017-18 main findings report, p. 98.

11 The findings will not be included in the main SCJS crime estimates.

12 The majority of these drugs were illicit at the time of the survey, but the list also included some drugs which were not controlled. See 2017-18 SCJS Annex D for full list of drugs included.

13 These are drug types that are consistently included in the SCJS over time. Excludes poppers, glues, solvents, gas and aerosols, and prescription only painkillers that were not prescribed to the respondent.

14 Data from 2016/17 not included in SCJS reporting.

15 Includes poppers, glues, solvents, gas or aerosols and prescription only painkillers not prescribed to the respondent. See 2017-18 SCJS Annex D for full list of drugs included.

16 Figures produced using a definition of 'drug-related deaths' which was introduced in 2011 for the 'baseline' figures for the UK Drugs Strategy. See publication for more information.

17 See Annex G of publication for more information. Such differences may affect the comparability of drug-death rates for Scotland and the UK as a whole, but are unlikely to account for the majority of the difference between rates.

18 Questions not asked prior to 2016-17.

19 Cigarettes/tobacco, alcohol, DVDs/video games, jewellery, clothes, accessories, electrical goods, children's toys, medicine or something else.

20 Offered any of the fake and smuggled goods listed in above footnote.

21 Questions not asked prior to 2016-17.

# Deter

Within Scotland’s strategy for SOC, there is a strong emphasis on deterring and preventing such activity from the outset. SOC can be deterred by supporting private, public, and third sector organisations to protect themselves and each other. Many organisations, including the Scottish Business Resilience Centre, are engaged with this work.

## Scottish Business Resilience Centre

The Scottish Business Resilience Centre (SBRC) aims to create a secure environment that allows businesses to trade securely and safely. They are currently engaged<sup>22</sup> with seven stand-alone credit unions as well as the 31 members of the Scottish League of Credit Unions, providing them with general business resilience and security advice as well as staff and board training in relation to money laundering, cyber security and vulnerable customers.

The SBRC delivers cyber essentials training and certification for the public sector, businesses and charities, to increase their awareness of cyber risks and how to protect against them. The below table, shows the number of organisations who have enrolled since 2017.

| Table 1: SBRC Cyber Essentials Training | 2017 | 2018 | 2019 (to Oct) |
|---|------|------|---------------|
| Cyber Essentials Annual                 | 134  | 234  | 148           |
| Cyber Essential Cumulative Total        |      | 368  | 516           |
| Cyber Essential Plus Annual             | 11   | 33   | 73            |
| Cyber Essential Plus Cumulative Total   |      | 44   | 117           |

Source: SBRC

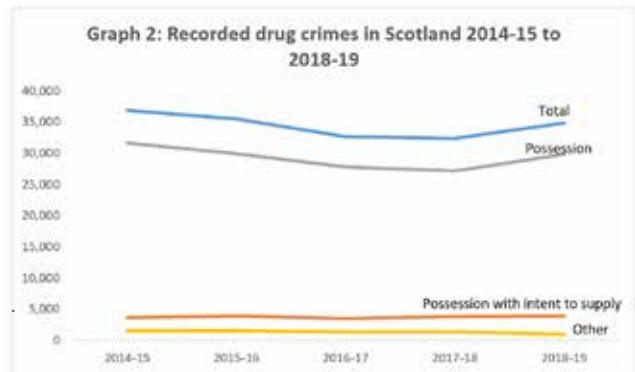
Working in partnership with Abertay University, the SBRC delivered 48 ethical hacking vulnerability assessments to a variety of businesses across Scotland in 2018-19. Ethical hackers test for vulnerability in the IT infrastructure of a business, thereby improving awareness of weak points and areas that need to be protected and reinforced.

# Detect

## Police recorded drug crimes

The arrest, conviction and imprisonment of serious organised criminals is crucial to the fulfilment of the Strategy’s strategic vision. To measure such activity, we draw on police recorded crime statistics, criminal proceedings statistics and data concerning charges and convictions under Sections 28 to 31 of the Criminal Justice and Licensing (Scotland) Act 2010. Drug crimes recorded by Police Scotland rose by 8% from 32,399 in 2017-18 to 34,831 in 2018-19 (Graph 2). However since 2014-15 this crime has fallen by 5%. Across the relevant time series, the majority of these crimes are drug possession (86% of Police recorded drug crimes in 2018-19), where the quantity of drugs seized are small enough to be considered for personal use, rather than crimes of drug supply.

Crimes of drugs possession increased by 10% between 2017-18 and 2018-19 (27,171 to 29,843 crimes). This follows consecutive decreases since 2015-16. In addition to operational decisions, this growth could be influenced by the 2017 amendment to the Misuse of Drugs Act 1971, which made it illegal to possess etizolam<sup>23</sup>, and 2018-19 is the first full reporting year which includes this change<sup>24</sup>.



Source: Recorded Crime in Scotland, 2018-19

## Police recorded fraud crimes

The number of Police recorded fraud crimes increased by 12% in 2018-19 to 9,675 crimes (Graph 3), the fourth consecutive increase. The number of recorded fraud crimes has increased by 40% across this report’s time series (2014-15 to 2018-19)

22 As of October 2019.

23 Through classification as a Class C drug.

24 See Recorded Crime in Scotland, 2018-19 for more information.





Source: Recorded Crime in Scotland, 2018-19

Police recorded crimes of fraud cover a wide range of actions. As shown in Figure 1, bank card fraud was the most frequently recorded type of fraud in 2018-19, accounting for an estimated 30% (2,880 crimes) of fraud crimes<sup>25</sup>. The median monetary loss for all crimes of fraud was £150. This varied across the categories of fraud, rising to £960 for 'Phishing' type frauds. It is estimated that 28% of recorded fraud crimes in 2018-19 were cyber-enabled (i.e. where the internet has been used as a means to commit the crime).

Figure 1: Characteristics of police recorded fraud, 2018-19



Source: Recorded Crime in Scotland, 2018-19

## SOC Proceedings and Convictions

One of the ways in which SOC offences can be prosecuted is using sections 28 to 31 of the Criminal Justice and Licensing (Scotland) Act 2010. This legislation provides convictions for:

- Involvement in SOC<sup>26</sup> (s.28)
- Offences aggravated by connection with SOC (s.29)
- Directing SOC (s.30)
- Failure to report SOC (s.31).

<sup>25</sup> Based on a random sample of 500 crimes of fraud from 2018-19, representing 5% of all cases recorded that year. As findings are based on a sample, the figures are estimates and provide an indication of the characteristics of fraud, rather than an exact measure.

<sup>26</sup> For the purposes of The Act "serious organised crime" means crime involving two or more persons acting together for the principal purpose of committing or conspiring to commit a serious offence or a series of serious offences. See legislation more information: <http://www.legislation.gov.uk/asp/2010/13/part/2/crossheading/serious-organised-crime>

As expected, the number of people proceeded against under sections 28, 30 and 31 of this legislation has remained low throughout. In 2017-18, seven people were proceeded against under these sections, 12 fewer than 2016-17 (Table 2). A fall in the number of proceedings for 'involvement in SOC' (S.28), accounted for this decline. However the total number of convictions was the same in 2017-18 as in 2016-17. Consequently the conviction rate increased in 2017-18, but the small numbers involved means the rate is subject to a high degree of volatility and therefore should be used and interpreted with caution.

Table 2: Court Proceedings and Convictions 2014-15 to 2017-18, under Sections 28, 30 and 31 of the Criminal Justice and Licensing (Scotland) Act 2010<sup>27</sup>

| Main charge <sup>28</sup>                   | 2014-15    | 2015-16    | 2016-17    | 2017-18    |
|---|------------|------------|------------|------------|
| <b>Total Proceeded Against<sup>29</sup></b> | <b>16</b>  | <b>18</b>  | <b>19</b>  | <b>7</b>   |
| S 28(1)                                     | 14         | 10         | 16         | 4          |
| S 30 (1)(A)                                 | 1          | 4          | 1          | 1          |
| S 30 (1)(B)                                 | -          | 3          | 2          | 1          |
| S 31 (1)(A) & (B)(I)                        | -          | -          | -          | 1          |
| S 31 (1) (A) & B(II)                        | 1          | 1          | -          | -          |
| <b>Total Convicted<sup>30</sup></b>         | <b>2</b>   | <b>6</b>   | <b>4</b>   | <b>4</b>   |
| S 28 (1)                                    | 1          | 3          | 3          | 2          |
| S 30 (1)(A)                                 | 1          | 3          | 1          | 1          |
| S 31 (1)(A) & B(I)                          | -          | -          | -          | 1          |
| <b>Conviction Rate</b>                      | <b>13%</b> | <b>33%</b> | <b>21%</b> | <b>57%</b> |

Source: Scottish Government Criminal Proceedings Database

Proceedings under section 29 of the Act concern charges where an SOC aggravation has been added to the substantive offence. An offence is aggravated if the person committing the offence is motivated (wholly or partly) by the objective of committing or conspiring to commit SOC.

Adding charges with a SOC aggravation to the analysis (Table 3), shows there have been considerably more prosecuted charges and convictions aggravated by a SOC connection compared to the corresponding figures for Sections 28, 30 and 31 of the legislation.

Since the provision was introduced in 2010, the number of prosecutions and convictions in 2014-15 are the highest recorded.

<sup>27</sup> Section 29 relates the recording of aggravators and is not a standalone offence, consequently there are no charges or convictions under this section of the Act.

<sup>28</sup> Charge receiving the most severe penalty (or disposal), if one or more charges are proved and is identified using a look-up table which ranks the disposal types in order of severity.

<sup>29</sup> Counted once for each occasion they are proceeded against. Where a person is proceeded against for more than one crime or offence in a single proceeding, only the main charge is counted.

<sup>30</sup> A plea of 'guilty' is accepted, or proved guilty of at least one charge within a proceeding as a result of a trial.

**Table 3: Charges reported to COPFS 2014-15 to 2017-18, under Sections 28 to 31 of the Criminal Justice and Licensing (Scotland) Act 2010 and any charge with a SOC aggravation (s.29)**

| Charges and convictions with SOC aggravation | 2014-15    | 2015-16    | 2016-17    | 2017-18    | 2014-15 to 2017-18 |
|--|------------|------------|------------|------------|--------------------|
| Total Charges Prosecuted                     | 497        | 247        | 438        | 367        | 1,549              |
| Total Convicted                              | 156        | 54         | 62         | 51         | 323                |
| <b>Conviction Rate</b>                       | <b>31%</b> | <b>22%</b> | <b>14%</b> | <b>14%</b> | <b>21%</b>         |

Source: Crown Office and Procurator Fiscal Service

## Disruption

Disruption is an essential strand of Scotland's Serious Organised Crime (SOC) strategy. The key measure of the performance of the disruption strand is to understand the extent to which serious organised crime is being disrupted through citizen and public sector efforts. This includes police practices, proceeds of crime identification and collection, and legal measures such as the use of Serious Crime Prevention Orders.

### Public perceptions on Police effectiveness

The 2017 Scottish Public Opinion Monitor found that 60% of respondents thought the Police were very or fairly effective in tackling organised crime, whilst around a fifth (22%) thought they were ineffective<sup>31</sup>. Both findings are consistent with 2013.

### Public reporting behaviours and perceptions

Of all respondents to the 2017 Scottish Public Opinion Monitor who reported having been a victim of, and/or witness to, organised crime in the past three years, almost nine in ten (86%) said they had reported the most recent occasion. Most commonly they had reported it to the Police (87%)<sup>32</sup>.

Amongst respondents who had not been affected by organised crime, 75% said they would report someone they suspected of being involved in such activity, down from 81% in 2013. While 17% said they would not report it, compared to 11% in 2013.

## Serious Crime Prevention Orders

New legislation has strengthened the ability to disrupt the activity of nominals known to be involved in SOC. Serious Crime Prevention Orders (SCPOs) have been available for use by the courts since March 2016<sup>33</sup>. SCPOs are civil court orders designed to protect the public and reduce re-offending. The conditions attached to an SCPO are wide-ranging, allowing for a case by case assessment of the needs of the nominal to prevent them from re-engaging with SOC. To date terms have included restrictions on travel, association, access to finance and restrictions on the use of ICT. SCPOs are civil orders and can be put in place by a judge or sheriff upon an individual's conviction or standalone on the completion of a civil process. An SCPO can last for a maximum of five years. The penalty for failing to comply with an SCPO is up to five years in prison and/or a fine.

As of October 2019, 43 individuals have had SCPOs imposed on them since inception (Table 4), with the number granted increasing each year. Forty-one of these individuals remain in prison, with two being monitored in the community.

**Table 4: SCPOs granted in Scotland 2017-2019**

|                             | 2017 | 2018 | 2019 (to Oct) |
|-----------------------------|------|------|---------------|
| <b>Annual SCPOs granted</b> | 2    | 18   | 23*           |
| <b>Cumulative Total</b>     |      | 20   | 43*           |

\* 22 Police Scotland, 1 HMRC. Source: Police Scotland

As most individuals with SCPOs remain in prison, and as an SCPO does not come into effect until release, the true disruption effect of these orders is not currently known. In future as more individuals are released from prison, further analysis on reconviction rates and compliance with SCPOs will be undertaken.

## SOC Groups and Nominals

Police Scotland monitor the activity of known SOC groups and nominals<sup>34</sup> identified as being involved in SOC groups. The data included below is Police Scotland Q4 management information and covers the period 1st April-31st March of the respective years.

<sup>31</sup> Very or fairly ineffective. Question base 1,088 in 2017 and 1,001 in 2013. Perceptions of Serious Organised Crime in Scotland, 2018

<sup>32</sup> Question not asked in 2013.

<sup>33</sup> Introduced as part of The Serious Crime Act 2015

After an initial rise in 2015-16, the number of known groups and nominals has decreased consecutively to 112 groups and 2,417 nominals in 2018-19 (Table 5). In 2018-19, 237 SOC nominals were incarcerated, the lowest figure of the relevant time series.

**Table 5: Number of known SOC groups and nominals in Scotland, 2014/15 to 2018/19**

|                             | 2014-15 | 2015-16 | 2016-17 | 2017-18 | 2018-19 |
|-----------------------------|---------|---------|---------|---------|---------|
| SOC groups                  | 194     | 213     | 164     | 149     | 112     |
| SOC nominals                | 3587    | 4033    | 3282    | 2714    | 2417    |
| SOC nominals incarcerated   | 318     | 339     | 288     | 242     | 237     |
| % SOC nominals incarcerated | 8.9%    | 8.4%    | 8.8%    | 8.9%    | 9.8%    |

Source: Police Scotland Q4 (1st April-31st March) Management Information

## Proceeds of Crime

The Scottish Government collates data on receipts remitted to the Scottish Consolidated Fund (SCF) in respect of actions taken under the Proceeds of Crime Act 2002 (POCA). This data covers proceeds derived from Criminal Confiscation Orders and Civil Recovery proceedings. It is important to note that Criminal Confiscation and Civil Recovery receipts up to 2016-17 have been influenced by receipts from significant criminal bribery cases and civil settlements which were reached as a consequence of the COPFS bribery self-reporting initiative, a core civil recovery activity.

**Table 6: Proceeds of Crime Act 2002- Remittances to the Scottish Consolidated Fund**

|                       | 2014-15   | 2015-16   | 2016-17   | 2017-18   | 2018-19   | Totals     |
|-----------------------|-----------|-----------|-----------|-----------|-----------|------------|
| Criminal Confiscation | 4,814,677 | 4,474,044 | 3,648,387 | 3,062,596 | 3,692,861 | 19,692,565 |
| Asset Recovery        | 3,044,880 | 2,565,841 | 1,953,905 | 1,379,200 | 1,353,839 | 10,297,665 |
| Cash Forfeiture       | 1,543,874 | 1,147,461 | 1,530,731 | 2,180,357 | 1,904,446 | 8,306,870  |
| Civil Recovery Totals | 4,588,754 | 3,713,302 | 3,484,636 | 3,559,558 | 3,258,285 | 18,604,534 |
| COMBINED TOTALS       | 9,403,431 | 8,187,346 | 7,133,023 | 6,622,154 | 6,951,146 | 38,297,099 |

Source: Criminal- Scottish Courts and Tribunal Service<sup>35</sup>. Civil- Civil Recovery Unit

Table 6 illustrates the remittances to the Scottish Consolidated Fund from Criminal Confiscation, Asset Recovery and Cash Forfeiture.

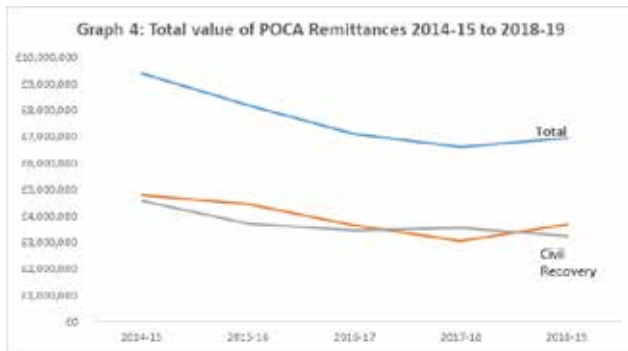
Looking at monetary values in more detail, the sums recovered by the Civil Recovery Unit (CRU) ranged from a peak of £4.59 million in 2014-15 to £3.26 million in 2018-19, similar to the value recorded in 2009-10 (£3.23 million). Criminal Confiscation remittances ranged between £4.81 million in 2014-15 and £3.06 million in 2017-18. The data in relation to remittances differs from the values of Criminal Confiscation Orders granted. Whilst the value of remittances has fallen, there has been a general increase in the value of confiscation orders granted over the same period. In 2014-15 the value of Criminal Confiscation Orders granted was £4.04 million, rising to £5.06 million in 2018-19.

<sup>35</sup> Confiscation orders are available following a conviction. The purpose of confiscation proceedings is to recover the financial benefit that the offender has obtained from his criminal conduct. The court calculates the value of that benefit and orders the offender to pay an equivalent sum (or less where a lower sum is available for confiscation).

<sup>36</sup> Part 5 of POCA makes provision for the CRU, on behalf of the Scottish Ministers, to recover, in civil proceedings in the Court of Session, property which has been obtained through unlawful conduct, including cash, houses, jewellery, business premises, cars and bank accounts. In addition to asset recovery, the civil forfeiture regime provides for the search, seizure and detention of cash or

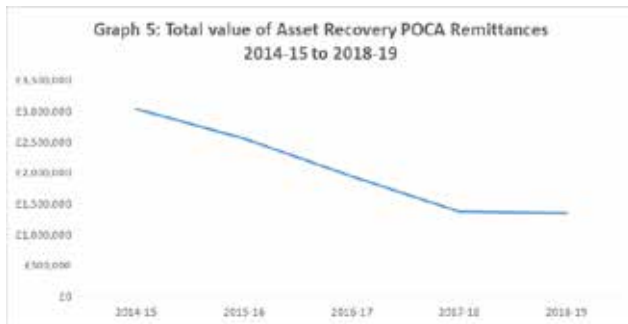
listed assets that are reasonably suspected of having been obtained through unlawful conduct or of being intended for use in such conduct; and the forfeiture of such cash or listed assets in summary proceedings in the sheriff court. Orders under civil recovery do not require a conviction.

<sup>37</sup> Windfall payments include: 2014-15 and 2015-16 Operation Trawler (Black Fish) - £8.1 million (criminal); 2014-15 Abbot Group (self-referral) - £5.6 million (civil); 2015-16 and 2016-17 Braid Logistics - £2.1 million (criminal).



Source: Civil Recovery Unit and, Scottish Courts and Tribunals Service

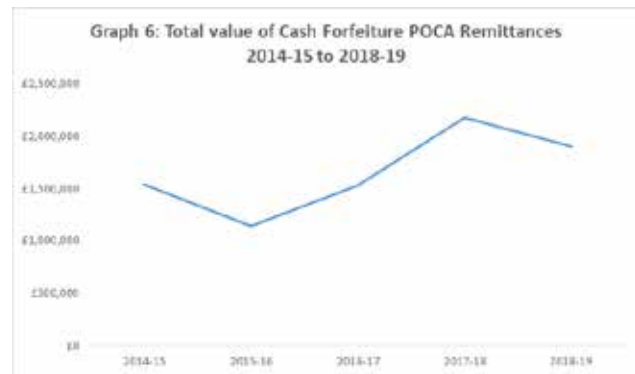
As one of the aims of the Civil Recovery Unit is to make Scotland a hostile environment for criminals a successful outcome is not solely the value of the assets ultimately recovered but causing significant disruption to crime, and in particular serious organised crime groups. For example the CRU has recovered properties with low equity which were previously believed to be owned or occupied by SOC Group members.



Source: Civil Recovery Unit

The amount remitted from Cash Forfeiture receipts has fluctuated at times, but the rises have tended to be greater than the falls. Despite a decline from £2.18 million in 2017-18 to £1.90 million in 2018-19, the value has increased by £361,344 when comparing 2014-15 to 2018-19 (Graph 6).


It should also be noted that over the period 2015/16 to 2018/19, the Civil Recovery Unit recovered £371,667 (in addition to remitted receipts) which was returned to the victims of crime.



Source: Civil Recovery Unit

# Key stakeholders

Action for Children  
British Security Industry Association  
CoSLA  
Crown Office and Procurator Fiscal Service  
Dundee City Council  
Education Scotland  
Falkirk Council  
Food Standards Scotland  
Glasgow City Council  
Her Majesty's Inspectorate of Constabulary in Scotland  
HM Revenue and Customs  
Improvement Service  
Inverclyde Council  
National Crime Agency  
NHS National Services Scotland  
NHS Counter Fraud Services  
North Lanarkshire Council  
Police Scotland  
SACRO  
Scotland Excel  
Scottish Business Resilience Centre  
Scottish Centre for Crime and Justice Research  
Scottish Children's Reporter Administration  
Scottish Environment Protection Agency  
Scottish Government  
Scottish Police Authority  
Scottish Prison Service  
Security Industry Authority  
Solace (Society of Local Authority Chief Executives and Senior Managers)  
Society of Chief Officers in Environmental Health Scotland  
South Lanarkshire Council  
Stirling Council  
Trading Standards Scotland  
West Lothian Council  
Wheatley Group  
WISE Group





# Key contacts and resources

**In an emergency always call 999**

**If you see something, say something -  
telephone numbers for reporting concerns**

Police Scotland - **101**

Crimestoppers - **0800 555 111**

HM Revenue and Customs Confidential Hotline - **0800 59 5000**

HM Revenue and Customs Tax Evasion Hotline – **0800 78 8887**

Modern Slavery Helpline - **0800 0121 700**

## **Websites for further information**

Police Scotland - **[www.scotland.police.uk](http://www.scotland.police.uk)**

HM Revenue and Customs - **[www.hmrc.gov.uk](http://www.hmrc.gov.uk)**

National Crime Agency - **[www.nationalcrimeagency.gov.uk](http://www.nationalcrimeagency.gov.uk)**

Building Safer Communities - **[www.buildingsafercommunities.co.uk](http://www.buildingsafercommunities.co.uk)**

Scottish Business Resilience Centre - **[www.sbrcentre.co.uk](http://www.sbrcentre.co.uk)**

Modern Slavery - **[www.modernslavery.co.uk](http://www.modernslavery.co.uk)**

Crown Office & Procurator Fiscal Service - **[www.crownoffice.gov.uk](http://www.crownoffice.gov.uk)**

Get Safe Online - **[www.getsafeonline.org](http://www.getsafeonline.org)**

Choices 4 Life - **[young.scot/choices-for-life](http://young.scot/choices-for-life)**

Thinkuknow - **[www.thinkuknow.co.uk](http://www.thinkuknow.co.uk)**

Childnet International - **[www.childnet.org](http://www.childnet.org)**

