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Tackling Metal Theft

A report by the All-Party Parliamentary Group on Metal, Stone and Heritage Crime.



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The All-Party Parliamentary Group on Metal, Stone and Heritage Crime (MSHC APPG) would like to thank witnesses who gave up their time to participate in the MSHC APPG's oral evidence sessions.

Those individuals are as follows:

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Methodology

To produce this report, the All-Party Parliamentary Group on Metal, Stone and Heritage Crime (MSHC APPG) held three evidence sessions. The first session focused on gathering data from the infrastructural victims of metal theft, the second tackled 'non-infrastructural' victims of metal theft, and the third session looked at enforcement. Full minutes of the meetings were collected and, alongside desk-based research, used to create this report. While most claims or statements appearing in this report are supported by a footnote, some statements were delivered, in confidence, to the officers of the MSHC APPG and they are therefore referenced back to the evidence sessions.

In order to calculate the cost of metal theft, we took an estimate from the most recent holistic estimation of metal theft (2011), from the Association of Police Chief Officers, now the National Police Chiefs' Council, that stated metal theft and the subsequent additional costs (disruption) was costing the United Kingdom £770 million annually. That £770 million figure was then adjusted for inflation indexed from 2011 for each reporting year. From 2013 onwards, our first reporting year, we were then able to use two databases of metal theft offences, the Office for National Statistics (ONS) and the National Intel Unit for Serious Organised Acquisitive Crime (OPAL). Cross referencing them continuously from 2013 onwards, we took the highest figure recorded by either OPAL or ONS. From 2013-2018 the higher figure was recorded by ONS, whilst from 2019-2022 OPAL recorded a higher figure. This led us to develop figures indicative of the annual cost of metal theft from 2013 onwards.





Executive summary

Metal theft impacts the everyday lives of people across the nation. From commuting, to working or studying, to worshipping and remembering loved ones, many people have been affected by metal theft. Commuters suffered 50 days' worth of delays in one year due to cable theft. In 2018, 20 tonnes of lead were taken from Houghton Conquest's All Saints Church, one of a group of churches targeted and left with bills totalling £2 million. In 2022, over 27,000 catalytic converters were stolen from vehicles. Last year metal theft cost the United Kingdom economy nearly half a billion pounds.

In September 2022, the All-Party Parliamentary Group on Metal, Stone and Heritage Crime (MSHC APPG) launched an inquiry, Tackling Metal Theft. Our aim was to hear from public and private sector experts as well as victims of metal theft to carefully consider how Government can drive action in reducing incidences of metal theft. This report is the culmination of three oral evidence sessions, which took place in September and October 2022, as well as subsequent written evidence and desk-based research.

Witnesses, both oral and written, included current high-ranking members of police forces, as well as representatives from Historic England, the Local Government Association, Toyota GB PLC and the Environment Agency.

Our inquiry found that, over the past 10 years, metal theft has cost the UK economy an estimated £4.3 billion. This is a considerable sum of money, with significant effects on individuals, business and organisations who fall victim to metal theft. Thus, it is deeply concerning that since 2019 incidences of metal thefts have risen sharply. We believe action is urgently required.

Our key findings and recommendations:

Last year metal theft cost the United Kingdom economy nearly half a billion pounds.

Finding 1: Evidence presented at the MSHC APPG sessions and data gathered through desk research show that no one body has ownership or oversight of the Scrap Metal Dealers Act (SMDA) 2013 nor the issue of metal theft. This has led to a disparate number of groups endeavouring to collect and collate data with little support from the key players in the enforcement of the Act for tackling metal crime more generally. This situation is compounded by no existing Home Office offence code for metal theft and additionally no gathering of data to show the type, extent, value or impact of the crime.

Finding 2: Given the evidence garnered during the MSHC APPG evidence sessions and the desk-based research, it is clear that the SMDA is not working as it is currently written. Suitable checks before issuing a new licence are not being carried out as a matter of course by the majority of local authorities, neither are site visits. Moreover, it seems that no investigations are being undertaken when a dealer drops out of the licensing regime.

Prosecution and sentencing data show that very few perpetrators of metal theft are being caught, prosecuted or sentenced for metal crime – which includes metal theft and operating a metal recycling site outside of the bounds of the SMDA. Furthermore, when the police services do undertake targeted weeks of action alongside other enforcement bodies, the lack of data presented by those taking part in these weeks of action suggests that few if any checks are made with regards to scrap metal dealer licensing.

Finding 3: The MSHC APPG inquiry showed that knowledge of the SMDA has dwindled since the Act was implemented in 2013 across both local authorities and police services. It is clear that all those involved in preventing and detecting metal crime should be able to access suitable training, not just when an individual or service takes on responsibility for the issue but on an ongoing basis. Both the National Infrastructure Crime Reduction Partnership and Historic England are already providing training sessions to local authorities, but this must be sustainable for both parties.

At present it is clear approaches to preventing incidences of metal theft are protracted and piecemeal. Our inquiry makes 11 recommendations we believe, if implemented, will produce a joined-up effort, more effective at reversing the upward trend of incidences of metal theft seen since 2019.





Recommendation 1: A Home Office-led Working Group should be established comprising all the stakeholders involved in tackling metal crime and enforcing the SMDA. This group should include, but not be limited to, the Home Office, the National Police Chiefs' Council, the National Crime Infrastructure Reduction Partnership, the Local Government Association, Historic England, the Environment Agency, the National Crime Agency and the Association of Police and Crime Commissioners.

Recommendation 2: The Home Office inserts a series of metal theft offence codes as a requirement in its next Annual Data Return. These codes should include the protected heritage status of metal, and should be utilised when obtaining metal is the principal cause of the crime. This measure will ensure that all police forces are obligated to return annual data for metal theft.

Recommendation 3: We urge that the concerted national police effort to gather intelligence on, and to counter and disrupt, the organised criminal gangs who are responsible for the bulk of metal theft, led by OPAL, is given the full resource it needs to ameliorate metal theft.

Recommendation 4: The Home Office requires police services to capture more detail on metal crime, including type of metal stolen, quantity, value, social impact and disruption caused. This type of data capture should dovetail with system development to enable sharing of enforcement data across partners for better analysis. This will ensure stakeholders will receive a layer of granularity and accuracy that does not currently exist.

Recommendation 5: The Home Office fully evaluates and considers any findings from the NPCC Steering Group's review of which body/authority should be responsible for licensing.

Recommendation 6: Police, Fire and Crime Commissioners should include metal theft and heritage and cultural property crime as a core thematic within local police and crime plans. The powers to produce such plans are defined in the Police Reform and Social Responsibility Act 2011.

Recommendation 7: Through the Working Group proposed in Recommendation 1, steps are taken to ensure compliance with all relevant legislation through a dedicated reporting structure, with those failing to do so being held accountable.

Recommendation 8: The Working Group proposed in Recommendation 1 should report annually on progress in countering metal theft.

Recommendation 9: The MSHC supports the proposal by Historic England to develop a new aggravated offence relating to the loss or damage to heritage assets; to become a named body within the Crime and Disorder Act, to better protect heritage assets and the wider historic environment; and to enable more effective training for law enforcement, heritage and scrap metal professionals and community volunteers.

Recommendation 10: We urge a concerted effort by all local authorities to enforce compliance with the Scrap Metal Dealers Act 2013. At present local authorities are failing to enforce compliance with the Act as they do not see it as a priority.

Recommendation 11: Trade bodies including the BMRA work to develop recommendations for industry that will, if implemented, contribute to reducing metal theft.

Limitations of data

The data used within this report are sourced primarily from the Office for National Statistics, police forces (via FOI requests) and the Police National Database (via OPAL). The PND is a live database and is therefore subject to change. The data are taken at a single point in time and the subsequent analysis is reflective of this, and so may vary across OPAL products. The authors of this report have noted that there is a general paucity of data, and there is also limited understanding as to the true picture of metal crime due to unreported incidences. Where data do exist, the depth there varies significantly between the different police forces. The authors of this report consider the very fact that these data gaps exist is evidence that the true state and cost of metal theft is likely being under-estimated and that it is not, therefore, being given the attention it deserves by Government.









1. Foreword

etal is ubiquitous in the built environment. Without metal, we would not have bridges, electricity, cars, phones or many of the other gadgets and infrastructure we use today. The numerous applications of metals make them valuable, yet their value makes them attractive to steal. As Second Church Estates Commissioner, I often hear reports of some of our most cherished churches having had the lead stripped off their roofs.

Metal theft does not stop with churches; it is pervasive through society. Delays on the railways happen when cabling is stolen from them. In some parts of the world, even the girders get stolen! During our inquiry, we learnt of a village in Kent that was left without internet for several days as result of metal theft at a substation nearby. My constituents have woken up, unable to take the children to school or get to work as the catalytic converter has been stolen from their cars overnight.

Yet, when a metal theft is reported, it is often classified as a 'non-dwelling burglary' 'theft – non-residential' or 'theft from motor vehicle' which does not represent the true nature of the crime; a crime predicated on stealing the constituent metals. This has led to a knowledge gap of the true scale of metal theft affecting our nation.

Our 'Tackling Metal Theft' inquiry has subsequently sought to close this knowledge gap by engaging with both the private and public sector and hearing from expert witnesses on their experiences dealing with metal theft.

We found that there are great efforts by specific stakeholders to prevent and reduce metal theft. However, in parts of central and local government, metal theft it is not prioritised as highly as it should be given its substantial cost to the United Kingdom's economy and its impact on our daily lives. The British Transport Police, OPAL, the National Infrastructure Crime Reduction Partnerships and Historic England should be singled out for praise for the work they have done to date to tackle all facets of metal crime.

The All-Party Parliamentary Group on Metal, Stone and Heritage Crime hopes this report will act as the catalyst needed to ensure that we win the fight against metal theft.



Andrew Selous MP
Chair of the All-Party Parliamentary Group on Metal, Stone and Heritage Crime.
Second Church Estates Commissioner.
Prime Minister's Trade Envoy to South Africa and Mauritius.



Stolen cannon. © Historic England

A wheelchair user was left isolated following the theft of the metal ramp he used to access his home.





2. Metal theft: why should you care?

Metal is ubiquitous in the world today. It plays a crucial role supporting the very structures that underpin our society and its functioning. From cables that provide electricity, to roofs that provide shelter for churchgoers, to war memorials that provide our cultural and historic identity, metals of various forms are essential contributors to our lives. Yet, these metals are being stolen, and at concerning rates. It is easy to think that metal theft doesn't really affect the individual, but it does. In fact, individuals are often the primary victims of metal theft. From commuting, to working or studying, to worshipping, to remembering loved ones, people are affected every day by metal theft. For example:

- Commuters suffered 72,000 minutes of delay in 2022 because railway signalling or overhead cables, containing high-value copper, had been stolen. That is equivalent to 50 days' worth of delays in one year lost to cable theft.¹
- Home-workers and school children were directly
 affected when the copper cable providing their
 broadband service was stolen.² With no phone lines
 either, people's lives were potentially put at risk
 should there have been a medical emergency.
- Worshippers were left fearful when their place of worship had its lead roof torn off. Another had a 500-year-old silver chalice stolen.³
- Mourners had to deal with the heartbreak of bronze plaques that commemorated loved ones being ripped out and stolen.⁴

Metal theft may also impact individuals financially as those companies that are frequent victims of metal theft look to pass on the cost of these losses – not to mention the cost of protecting their assets⁵ – to the end user: the householder.

Following the implementation of the Scrap Metal Dealers Act in 2013, thefts did fall. However, as in previous times of recession, metal theft has been steadily increasing again over recent years.⁶ Again, as before, alongside large-scale thefts, small-volume items, such as a copper lightning conductors, are being targeted. Family homes are being targeted too, leading to websites offering advice on how to prevent the theft of lead flashing.⁷

It is clear that action is required. And soon.



'Leaping Birds' sculpture stolen from Walton-on-Thames.

© Norman Wigg. Source: Historic England Archive

Up to 60 organised crime groups are currently actively conducting metal thefts and account for the majority of metal theft crime.



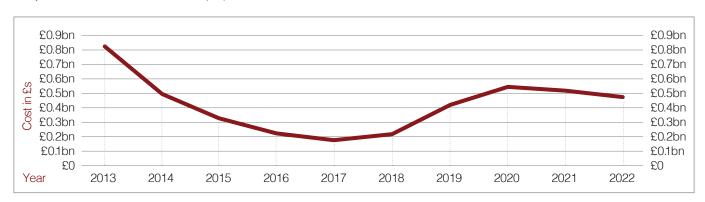


3. What is metal theft and why is it important?

Metal theft is where an object is stolen to access the constituent metals contained within that object. Thus, metal theft is a catch-all term that can include heritage crime, national infrastructure crime and serious organised acquisitive crime. It can also range in size from a manhole cover to an entire church roof made of lead. Metal theft in its totality has a significant economic impact. In 2011, when metal theft was rampant, the then Association of Chief Police Officers (ACPO)⁸ estimated the annual cost of metal theft to be £770 million.⁹ This analysis calculated the monetary value of the metal stolen, and considered additional losses such as the cost of repair, loss of work and reimbursements

to disrupted users. To date, the ACPO's research has been the most robust attempt at calculating the true cost of metal theft. Unfortunately, there has been little robust data-gathering since 2011.

Therefore, using the ACPO estimate as a base, and accounting for inflation and changes in the annual incidences of metal theft, the MSHC APPG has produced an indicative estimate of the annual cost of metal theft for recorded years since 2013. This shows that in 2022, metal theft cost the United Kingdom a staggering £480 million. The MSHC APPG estimates that from 2013 to 2022 metal theft cost the United Kingdom £4.3 billion (Graph 1).



Graph 1: The cost of metal theft (£s) 2013-2022

3.1 Harm to the public

In addition to the attributable value of metal theft, there are also immeasurable costs to society and individuals. These include: the harm to hospital patients as a result of a loss of power caused by metal theft;¹⁰ the isolation forced upon a wheelchair user following the theft of the metal ramp he used to access his home;¹¹ a rural community left facing huge bills to repair their local church after its lead roof was ripped off by thieves;¹² an NHS worker's car being targeted for its catalytic converter twice in six months;¹³ and a victim of catalytic converter theft who was physically threatened by masked thieves.¹⁴ If emergency service buildings are attacked for their cable, then the theft of the cables would mean all emergency service communication networks would be taken out. The MSHC APPG found there have been several near misses of this type of incident.

The education setting is not immune either. The county council was left facing an £86,000 repair bill after three schools in Torfaen were targeted by lead thieves.¹⁵ For similar reasons, a school in Wotton-under-Edge had to contemplate spending thousands of pounds on CCTV instead of spending it on books or other resources for the children.¹⁶ Insurers are now reconsidering if they will continue to cover buildings that have been repeatedly targeted, with some stipulating that the lead or copper has to be replaced by a different material.¹⁷

Whether the theft affects a community or an individual, the financial and psychological impacts can be deep and long-lasting. Victims can experience anger, fear, vulnerability and even physical symptoms such as nausea and headaches.¹⁸ It undermines normality: when thieves stole the copper roof from St Christopher's in Lea, so worried was its vicar about thieves returning that he parked his car across the car park's entrance.¹⁹









4. What is being stolen?

As a part of its inquiry, the MSHC APPG was keen to draw out a layer of granularity in metal theft data that is often absent in previous publicly available metal theft reports. Fortunately, through OPAL, the national police intelligence team focusing on cross-border serious organised acquisitive crime, this report is able to indicate what types of metal or metal-derived objects are being stolen, and at what volumes.

The most stolen metal-containing objects are: 1) **catalytic converters** from cars, where thieves are after the palladium, rhodium and platinum used within the converters; 2) **lead** from church or historic building roofs; and 3) **cable** where the thieves are targeting the copper.

Year	Catalytic converter	Lead	Cable	Steel	Aluminium	Iron	Solar farm
2013	10,049	5,947	1,803	309	132	223	2
2014	7,259	4,785	1,416	247	120	174	7
2015	5,611	4,290	1,052	288	105	193	19
2016	2,214	4,549	993	294	97	178	14
2017	2,553	5,706	1,396	355	107	147	17
2018	3,983	6,099	1,393	397	158	211	21
2019	21,996	6,762	1,816	416	121	219	20
2020	34,735	5,259	1,256	308	70	163	45
2021	33,296	5,544	1,276	309	81	136	15
2022	27,195	6,446	1,663	386	115	242	35

4.1 Catalytic converters

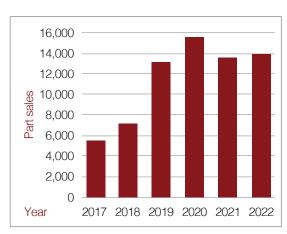
As Table 1 shows, catalytic converters make up the overwhelming majority of metal theft offences in the most recent years and, since 2013, have accounted for at least one-quarter of offences in any given year. The 450% increase in the incidences of catalytic converter crime between 2018 and 2019 is supported by data provided by the Society of Motor Manufacturers and Traders Limited, which show that there has been an 86% increase in catalytic converter replacement part sales since 2017 (Graph 2). However, the majority of the 450% increase can be explained by improved recording practices for this type of crime.²⁰

Catalytic converters are stolen in order to access around 4-8 grams of precious metals (platinum, palladium and rhodium) contained within the device.²¹ Though a seemingly small quantity, 28 grams of rhodium alone are worth around £7,600 on current precious metal markets.²² Although £7,600 is a market price, and a criminal is likely to receive less than half that figure, dependent on the material make-up of the catalytic converter the criminal could still expect to receive anywhere between £200 and £1,000 for a single catalytic converter.

Criminals targeting catalytic converters can be sophisticated in their methods to access the metal, including wearing high-visibility jackets to appear official when in residential or commercial parking areas such as hospitals. They will often

return to the same location multiple times.²³ The gangs are frequently reported to be armed with baseball bats, and the reciprocating saws and angle grinders they use to cut the catalytic converters off the car are also used to scare off vehicle owners.^{24, 25}

The emotional and psychological impacts upon the owner may therefore be significant and long-lasting. There is also the considerable economic effect for victims with the cost to replace a catalytic converter estimated to be £1,000. This type of crime is also exacerbated in rural areas where victims rely on their car for daily tasks such as taking children to school, caring for relatives or getting to work.



Graph 2: The number of replacement catalytic converter part sales 2017-2022 (SMMT data)





How catalytic converters are monetised

A catalytic converter comprises several parts, including an outer and inner can and the ceramic monolith, which contains the precious metals that act as the catalyst. To access these precious metals, the monolith needs to be extracted and ground into powder. As most catalytic converters use a support mat made from refractory ceramic fibre (RCF), which is hazardous to human health, the processing of the monolith needs to be done in a controlled environment using specialist equipment – something that the thieves are unlikely to possess. Once the monolith is ground, it can be monetised by selling on to smelters. There is also residual value in the outer and inner cans. However, often catalytic converters are sold as a whole item. Unless they are forensically marked or clearly aggressively removed, it can be hard to identify stolen converters. Most legitimate operators will follow a code of practice and will not buy one or two catalytic converters or buy from walk-in customers, and will have embedded know-your-customer checks before taking on a new supplier.

4.2 Lead roofs

Table 1 also shows that lead has consistently been one of the most common metals subject to crime since 2013. Used in many construction applications such as roofing, gutters and flashing, as well as in other products such as sheathing for large cables. Lead is abundant in the built environment. This means that for criminals, lead is often easily accessible, and in large quantities.

As a result, larger buildings with greater volumes of lead, such as schools and churches, can be particularly vulnerable. In 2018, 20 tonnes of lead were taken from All Saints Church in Houghton Conquest, Bedfordshire. In this case, over a period of days, thieves posed as tradesmen to gain access and steal the lead from the roof.²⁶

In Kilfennan, the Presbyterian Church in the Waterside area of Londonderry/Derry was targeted for its lead roof twice in one month in March 2022.²⁷

The effect of such thefts on the local community can be far-reaching. They have a significant financial cost, which starts at five figures and can rise into the millions. These types of theft can cause internal damage to the building as the lead often comprises the building's weatherproofing system. In one case the church's organ was damaged due to the ingress of water because the lead on the roof had been stolen.²⁸

Following a church metal theft, the cost of any uninsured loss must be met locally – either through giving from the congregation and local community or through any grants that they can raise. The costs are not met from any



© Simon Headley, All Saints Church, Houghton Conquest



© Simon Headley, St Denys Church, Goadby Marwood

central church funds. For example, St Andrew's Church in Little Massingham is still looking to replace the lead stolen from its roof almost six years ago. Through a series of local events, the community has raised £14,000 but that is a long way from the £150,000 target.

In 2018, 20 tonnes of lead were taken from a church in Bedfordshire by thieves posing as tradesmen.





4.3 Copper cables



Another frequent type of metal/metal-derived object stolen is cable. The high price of copper makes cable theft an attractive crime. To illustrate: in March 2023 for one kilo of so-called bright wire (copper stripped of its outer sheathing), metal recycling facilities were offering around £6.60. That meant for one tonne of copper cable, metal recycling facilities were offering £6,600.²⁹

Like lead, copper cable exists in the built environment, and it exists in large quantities. This also makes it appealing to criminals who are adept at thieving significant quantities of cable. Many private organisations who provide essential infrastructure, such as the telecoms and power networks, are frequent victims of cable theft. One organisation informed the MSHC APPG inquiry that, in 2022 alone, it suffered 334 incidents of cable theft, totalling losses of £5.3 million. We were also told that last year one company in the Southeast suffered thefts across just six months which cost them £4.63 million.

The social impact of communications cable theft, particularly for the UK population as end-users, can be significant. Last year, when thieves targeted Horsmonden in Kent four times in one month, residents and small businesses in part of the village were left without phone lines for over two weeks.³⁰ The MSHC APPG inquiry also found that residents in another village in Kent were isolated for three days when thieves cut through fibre cables to gain access to copper cable.³¹

There is also an issue in terms of 'threat to person' as thieves often have no regard for members of the public when carrying out their crimes. For example, when stealing cable from a site in Kent, the thieves simply attached the cable to the back of a van and drove off at speed, thereby dragging a significant length of cable out of the ground. Rather than stop





RAF Henlow street sign destroyed by trailing cable

once this was accomplished, they continued to drive trailing the cable behind them which, as it flailed across the road, did significant damage to the nearby street furniture and could have killed any pedestrians in its path.³²

It is also worth noting that the upcoming Emergency Services Network relies on copper cable. While progress with the system has been delayed, throughout London Underground 87% of 422 km cable has been laid.³³ The impacts of any metal theft on such a system are clear.

Network Rail is also a frequent victim of cable theft (Table 2). It uses copper cable in kilometre lengths to serve as signalling cable, as well as overhead power lines. Though Britain's rail network is designed to fail safe, meaning passengers are protected, there is often still significant disruption to the railway network.

For example, the theft of a "large amount" of signalling cable between Great Harrowden and Wellingborough, Northamptonshire, on 1 August 2022, led to over 120 hours of delays – equivalent to five days – on the rail network.³⁴ In February 2023, Tyne and Wear Metro saw thieves steal cable twice within 24 hours. This resulted in services either being suspended or cancelled. Both times commuters' daily lives were impacted significantly.³⁵

Considering Network Rail is a public sector arm's length body, when it has to reimburse train operators for impeding their operations, pay for replacement copper as well the cost of repair, it is ultimately the taxpayer that bears the cost of cable theft to the tune of millions of pounds. This does not take into account the costs of the passenger delay repay system, which the train operators must cover themselves.





Table 2: Incidences of cable theft across Network Rail infrastructure (2016/17-2021/22).

Source: Network Rail

	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22
Theft: live cable	84	159	197	188	79	117
Theft: non-live (metal)	164	259	261	166	111	148
Total	248	418	458	354	190	265

It is not just the communications and railway industries being targeted. As copper is an excellent electrical conductor, it can be found in almost every building from homes to hospitals and no building is immune to metal theft. For example, in 2023, when thieves targeted a block of flats in Bradford, up to 200 people were affected because the flats were deemed unsafe by the fire services and they had to move out. While some were moved to hotels and others stayed with friends, some had to sleep in their cars.³⁶

In 2021, thieves targeted St Woolos Hospital in Wales stealing £35,000 worth of cable. This disabled the emergency generator, which meant the hospital was left with no backup in the event of a power cut, thereby putting patient lives at risk.³⁷

The power networks themselves are also targeted by criminals. A gang of thieves was jailed in 2020 for stealing 57 miles of cable and leaving 45,000 homes without power.³⁸ While they escaped without injury on this occasion, in 2019, four horses were killed when metal thieves left an 11,000-volt power line hanging down into their field.³⁹

4.4 Other items targeted

Metal theft extends right across key infrastructure to include street furniture, as well as metal recycling sites. Thieves regularly target historic street furniture such as route signposts as well as post boxes. In 2023, parts of Southampton's 70-year-old Northam Bridge copper handrail were stolen by thieves.⁴⁰ They will even steal drain and manhole covers, exposing road-users and pedestrians to significant risks. In 2022, thieves stole 160 drain covers from Doncaster in the space of four days.⁴¹



Costs for repairs and replacing stolen roof materials are raised locally. In six years a Norfolk church had still not raised the £150,000 required.

When thieves targeted a village in Kent four times in one month, residents and small businesses in part of the village were left without phone lines for over two weeks.





5. What is the law?

n the early 2010s, metal theft was rife and consequently Parliament took action, enacting two pieces of legislation. First was the Legal Aid, Sentencing and Punishment of Offenders (LASPO) Act 2012. This piece of legislation set out an amendment to the older Scrap Metal Dealers Act 1964 (which regulated the metal recycling industry at the time), in an attempt to ensure that metal theft no longer remained an attractive proposition for metal thieves and unscrupulous dealers.

LASPO created a new criminal offence of paying cash for scrap, which prohibited scrap metal dealers from paying for scrap metal in cash, allowing payment only by an electronic transfer of funds (authorised by credit or debit card or otherwise) or by cheque.

In 2013, HM Government went a step further in adopting a Private Member's Bill, sponsored by Richard Ottoway MP and Baroness Browning, which is now known as the Scrap Metal Dealers Act 2013. It set out to "reverse the upward trend in levels of metal theft through stricter regulation of the metal recycling sector to make it more difficult to dispose of stolen metal". The offence of buying scrap metal for cash as decreed by LASPO was retained and re-enacted. The SMDA means:

 Scrap metal dealers must hold, and display, a licence issued by the relevant local authority. This

- can be either a site licence or a mobile collector's licence. A collector's licence is only valid in a single local authority area.
- Scrap metal dealers may only pay for metal using a crossed cheque or by an electronic transfer of funds. This means that direct debit, direct credits, BACS payments, faster payments, standing orders, credit transfers, online, phone and mobile banking are all acceptable forms of payment within the legislation. Reloadable e-money products which are issued to a verified, named account that has been subjected to KYC checks are also permitted.
- Local authorities can charge a licence fee, set locally, at cost recovery.
- Local authorities must provide appropriate information to enable the Environment Agency in England and the Natural Resources Body for Wales to maintain national registers of licences.
- Scrap metal dealers must verify the identity and address of persons from whom they receive metal.
- Scrap metal dealers must meet specific recordkeeping requirements in respect of any scrap metal transactions.
- Both the police and local authorities have the right to enter and inspect a scrap metal dealer's premises.

The SMDA only applies to England and Wales. In Scotland, the Air Weapons and Licensing (Scotland) Act 2015 brought in similar requirements for scrap metal dealers in Scotland. However, the means of payment are restricted to either a crossed cheque or a BACS payment.

There are also other pieces of legislation that impact upon the metal recycling industry. These include:

- Theft Act 1968: covering offences relating to the handling of stolen goods.
- Under Section 44 of the Magistrate's Court Act 1980, it is an aiding and abetting offence to receive cash for scrap metal. A conviction for accepting cash carries an unlimited fine and a criminal record.
- Environmental Protection Act 1990: covering the duty of care to maintain a written audit trail of all waste transfers.
- Control of Pollution (Amendment) Act 1989: requiring all waste carriers, including scrap metal carriers, to register with the Environment Agency/NRW.
- Clean Air Act 1993: preventing people from burning insulation from cables, often an indicator of an illegal scrap yard.
- Town and Country Planning Act 1990: requiring all scrap metal yards to have planning permission.42
- Acts of dishonesty Theft Act 1968: covering offences relating to the initial theft and the handling of stolen goods; and the Fraud Act 2006.
- Money laundering Proceeds of Crime Act, 2002 (POCA) in particular offences concerning the possession, concealment, conversion, transfer or making of arrangements relating to the proceeds of crime.









6. How is stolen metal monetised?

Inder the Scrap Metal Dealers Act (SMDA) 2013, in England and Wales, it is illegal for anyone to buy scrap metal using cash. This ban is mirrored in the Air Weapons and Licensing (Scotland) Act 2015. Instead, dealers can pay using a crossed cheque, a prepaid card system or an electronic transfer of funds. Scrap metal dealers must also verify the identity of all sellers.

Historically, it has been assumed that stolen metal was being monetised abroad. For example, in its 2013 report, *Let's prove our mettle*, the Local Government Association stated: "An increasing percentage of metal is shipped abroad in containers, and councils with ports in their areas may wish to work closely with customs and excise to tackle these unorthodox points of exit." However, evidence presented by enforcement bodies shows that, increasingly, stolen metal is being processed within the confines of the UK.⁴⁴

The MSHC APPG's research further suggests international political initiatives made it more attractive to monetise this material domestically. In 2017, China implemented its Operation National Sword, which restricted imports of many recyclable materials, including metals. This meant exports of UK cable to China fell dramatically.⁴⁵

While a clear picture of how the stolen metal enters the supply chain remains elusive, due to a lack of investigation and prosecutions, it appears that there are two routes criminal actors are likely to take in order to monetise the metal they have stolen.

6.1 Unlawful metal recyclers

The first route is a one-stage exchange between the criminal actor(s) and an unlawful metal recycler, whereby the stolen metal will be taken to a local metal recycler by the criminal and will be either exchanged for cash, which is illegal under the Scrap Metal Dealers Act (SMDA) 2013 or, in the knowledge that the system is not policed, freely give their own ID as required by the Act. This unlawful dealer could be operating under the guise of legitimacy using a T9 exemption and even a site licence. This dealer can then move the stolen metal into the legitimate scrap metal supply chain, in the form, for example, of stripped or granulated copper cable, which they can make using a specialist machine.



A gang of thieves stole 57 miles of cable, leaving 45,000 homes without power. While they escaped without injury on this occasion, in 2019, four horses were killed when metal thieves left an 11,000-volt power line hanging down into their field.





These unlawful dealers are flourishing because there have been budget cuts across various governmental bodies, thereby increasing competition for Grant-in-Aid funding, including the Environment Agency (EA), which regulates metal recycling sites under the Environment Act 1995. However, like local authorities under the UK Guidance on the Provision of Services Regulations, it cannot use funds raised from permits to fund compliance action against illegal, non-compliant and unpermitted sites. Instead, funding to tackle unpermitted metal recyclers is provided through the Grant-in-Aid funding, which is distributed on a year-by-year basis, and hence is volatile. Giving the EA proper funding to target unpermitted facilities would help tackle metal crime, as the MSHC APPG's evidence shows that the type of criminal(s) that facilitate metal theft are very highly unlikely to be operating with a permit. Data gathered by the British Metals Recycling Association through a Freedom of Information request showed that many operators have stopped renewing their scrap metal dealer licences, relying instead on a waste carrier's licence in order to appear ostensibly legal. This is done in the full knowledge they would be unlikely to receive an enforcement visit by the local authority. This lack of enforcement means it has become easier to move stolen metal through the legitimate metal recycling sector. As a result, the scrap metal dealer trade must be more vigilant to ensure it does not accept stolen metal at its gates.

6.2 Thieves processing the metal themselves

The MSHC APPG's research shows that, instead of going straight to an existing scrap metal dealer, the second route criminal actor(s) take is to process the stolen metal in some capacity themselves. The specific process used will depend on the type of metal stolen. For example, thieves will often remove the cable's plastic sheath, either by using a cable stripping machine or by open-fire burning, leaving pure copper wire, also known as bright wire. The wire will then either be cut into shorter lengths or granulated, using freely available specialist machinery.

Many cables, immediately after being stolen, are identifiable through markings on the outer sheath or by the layout of the metals within the outer sheath, which can be seen on the cut end. However, as the image shows, the end-result of both of these processes is a material that conceals the provenance of the material.

The material, whether it be bright wire or granulate, will be sold to metal recyclers, seemingly in complete compliance with the SMDA. Once this has taken place, the material will be traded through the legitimate system where the final end-user of the supply chain will be a person who obtains a copper-containing product such as a phone or a one penny coin.



© Harry Dove

The theft of signalling cable in Northamptonshire in 2022 led to over 120 hours of delays – equivalent to five days – on the rail network.





7. Who are the offenders?

ne of the key opportunities of the MSHC APPG's evidence sessions was to develop a deeper understanding of the offending community involved in the crime of metal theft and, in doing so, establish the variety of crimes committed by these people, their volume and if there was any level of organisation.

It was a common theme presented by witnesses that there are two distinct types of criminals involved in metal theft. First, the 'opportunistic criminal'. This is an actor who lacks organisation but is driven to criminality through the high economic reward that these valuable materials provide. This type of criminal is responsible for the minority of metal thefts, according to our evidence. However, during times of recession or economic hardship, data show that the

rate of low-level acquisitive crime such as metal theft markedly increases.⁴⁷

The second type of criminal presented was the organised crime group (OCG), which can range from three people to upwards of 200 using sophisticated means to pursue criminality. National Crime Agency data shared by a senior witness at the MSHC APPG evidence session suggest that up to 60 OCGs are currently actively conducting metal thefts and account for the majority of metal theft crime.⁴⁸ This would suggest that the offending community within metal theft is fairly small *vis-à-vis* other areas of criminality.

There are success stories that show the importance of policing in terms of the small-volume, big-impact of the offending community.

In 2022, in the space of just four days, thieves stole 160 drain covers from Doncaster, leaving passers-by and motorists at risk.

When the Metropolitan Police made 20 arrests in March 2021 across a single OCG, waste crime dropped by 50% in the London area alone.⁴⁹

After two separate OCGs from Eastern Europe operating from London and Birmingham were caught and jailed for the theft of lead from a host of churches across Lincolnshire, Somerset, Cambridgeshire and Yorkshire – leaving repair bills totalling £2 million – thefts of church roof lead fell to almost negligible numbers. These lead thefts triggered an investigation lasting six years, where members of the OCG were sentenced to between three and six years in prison.^{50,51}

Though these cases are not representative of the whole of England, they reinforce our understanding that a few are responsible for the majority of waste and metal theft criminality.

Evidence presented at the MSHC APPG evidence session showed that the OCGs conducting metal theft are also engaged in other forms of criminality, known as poly-criminality. In most instances, their main *modus operandi* will not be metal theft, but their criminal footprint will extend to metal crime at some stage. They will typically be involved in fraud, violence, drug activity and also waste crimes such as fly-tipping. For these OCGs, metal theft often funds their activity to conduct other forms of criminality.

The prevalence of this crime, in addition to the type of actors committing it, both organised and opportunistic, suggests that sentencing guidelines and prosecution rates do not effectively disincentivise this form of criminality.

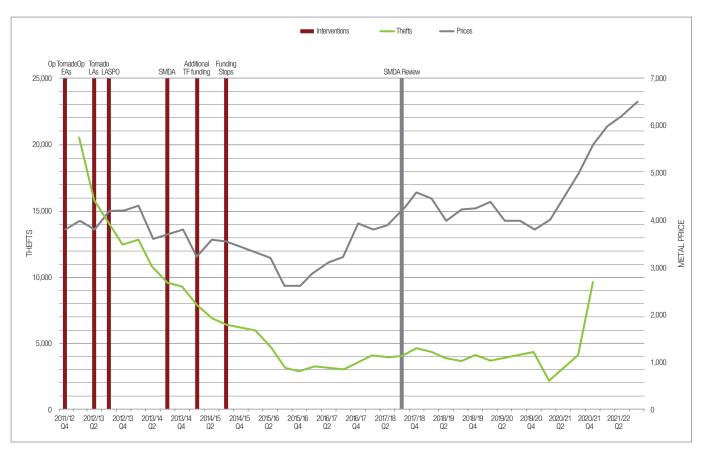




8. Is the Scrap Metal Dealers Act working?

When the Scrap Metal Dealers Act (SMDA) was implemented in October 2013, it was done so following a sustained period of enforcement. First, came Operation Tornado, a nationwide British Transport Police (BTP)-led initiative targeting metal recycling operatives. It was extremely effective and had a significant impact on metal theft numbers. In just 10 months, Operation Tornado had reduced metal crime by 48%. This was supported by the introduction of LASPO and a dedicated Metal Theft Taskforce. At the same time, international metal prices plummeted.

Graph 3: Correlation between interventions, thefts of bright copper wire and prices (ONS property crime data)



As shown in Graph 3, following the success of the interventions, including the implementation of the SMDA, when prices began to increase thieves began to target metal once again, and thefts went up. At the same time, all focused enforcement stopped and there was a corresponding drop in the number of sites and mobile collectors renewing their licences.

After an OCG was jailed for the theft of lead from a host of churches leaving repair bills totalling £2 million, thefts of church roof lead fell to almost negligible numbers.







8.1 Who enforces the rules?

The SMDA set out the powers of enforcement officers in respect of facilitating compliance with scrap metal dealer licensing. In our inquiry, we were particularly interested in powers to inspect metal recycling sites, one of the key vehicles for enforcing compliance with regulation.

Within the SMDA, Section 16 gives powers to both the police and the local authority. Importantly, Schedule 2 of the Act allows them to enter and inspect the operation and records of the licensed dealer, as well as making it an offence to obstruct officers executing this power. In fact, local authorities are duty-bound under the SMDA to visit licensed sites. These powers should represent powerful tools in the armoury of local authorities and the police force to prevent stolen goods being monetised through the metal recycling trade. However, both budget and staff cuts as well as a limited knowledge base amongst both local authorities and police services have hindered their ability to enforce the SMDA. This is unsurprising given local

authorities may only have to issue at most a few

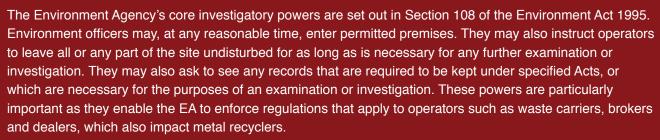
hundred scrap metal dealer licences whereas they will

have to deal with thousands of personal and premises licences for alcohol, and taxi driver licences. In fact, one authority told an MSHC APPG officer that they undertook no visits at all. Scrap metal dealer licensing is an add-on to their significant workload, rather than a core part.⁵²

This means that there is now a lack of oversight of the scrap metal dealer regime, with few visits being made and fewer checks to see why a dealer might have dropped out of the licensing regime. Data collected by the British Metals Recycling Association (BMRA) in 2020/21 through a Freedom of Information request showed that between 2013, when the SMDA was implemented, and the end of 2016, around 32% fewer site licences and 72% fewer mobile collector licences had been issued. The average number of site visits undertaken by those local authorities across England and Wales who responded was just 14.

Interestingly, data collected through the BMRA's FOI request in Scotland show that there was only a small decrease in licences issued between 2016 and 2019. Combined, the various pieces of legislation represent a considerable legal framework to tackle metal theft.





In 2022, the EA undertook 1,762 compliance-related activities across 2,152 permitted metal recycling sites. These compliance activities included site inspections, site audits, check monitoring, procedure reviews and report/data reviews. As part of these compliance checks it recorded 1,396 separate permit breaches. It spent a total of 8,811 hours on compliance work in the metal recycling sector. 7,878 of those hours were spent undertaking site inspections.

While the EA does not have data available on the proportion of time spent tackling unpermitted operators in a specific sector, in the financial year 2021/22 it spent approximately 130,000 hours or 108 full time equivalent employees tackling illegal waste sites, including illegal scrap metal sites. During that same financial year, a total of 561 illegal waste sites were stopped; 94 of these sites were in the scrap metal sector, or 17% of all sites stopped. Activities to tackle illegal waste sites are currently funded through government Grant-in-Aid. 53

One authority told an MSHC APPG officer that they undertook no visits at all.





8.2 Prosecutions and convictions

As part of the desk-top research undertaken to produce this report, data were drawn from the Criminal Justice System Statistics Publication, and Freedom of Information (FOI) requests were sent to the Crown Prosecution Service and every police service in England charged with tackling metal crime.

Data from the Criminal Justice System show a total of 229 prosecutions between 2018 and 2022 for scrap metal dealer offences.

Table 3: Data from the Criminal Justice System Statistics Publication 54

Action	Year-end 2018	Year-end 2019	Year-end 2020	Year-end 2021	Year-end 2022
Proceeded against	38	75	37	38	44
Convicted	37	65	32	29	37
Sentenced	37	65	32	29	37

The data provided by the Crown Prosecution Service, however, show that since the Act came into force (2013) and up to the end of December 2022, there have been 341 cases taken forward to prosecution. These data relate to two offences by the two types of licences: operating without a licence and paying cash for scrap metal (see Table 4).

Table 4: Data from the Crown Prosecution Service

Action	Prosecution	Conviction
Site operating without a licence	14	12
Mobile collector operating without a licence	308	267
Site paying cash for scrap metal	22	19
Mobile collector paying cash for scrap metal	5	5

The data from the different police forces, however, was so disparate that it was impossible to draw any robust conclusions around prosecutions. Not only do different forces report offences differently but some even look at it as an unrecorded crime.

Examples of prosecutions against metal thieves are extremely hard to find. This is because most thefts of this kind are not labelled as metal theft but as one of a number of different descriptors such as 'theft from a non-residential building'. The situation is further complicated by the fact that police services rarely investigate thefts when there is no threat to person, such as when metal is stolen for a scrap metal yard.

Given these results, it is clear there is a paucity of data around metal crime and disposal routes due to the lack of investigations and prosecutions, both of illegal operators in the scrap metal sector and of those criminals who are stealing and processing the metal.

When thieves stole the copper roof from his church, so worried was its vicar about thieves returning that he parked his car across the car park's entrance.









9. Who is responsible for tackling metal crime?

The Home Office

The Home Office is the government department specifically responsible for metal theft. While it has oversight of the police and local authorities' activities, it no longer has a team dedicated to tackling metal theft, which means no one within government has a true grasp on the issue. This also means there is no real national perspective as to the extent of the crime.

Police services

The British Transport Police (BTP) holds the portfolio for metal theft. However, there are no obligations for the 48 different police services across the country to liaise with the BTP around local metal thefts. Historically, many forces did this work in isolation. However, since the inception of OPAL and the National Infrastructure Partnership (see below), many have begun sharing data and taking up training opportunities. Many police services have now identified a single point of contact (SPOC) when it comes to metal theft issues. However, this SPOC will usually have responsibilities for other issues such as rural crime. In Scotland, oversight for metal theft sits with the Scottish Business Resilience Centre.

Local authorities

Councils are responsible for issuing scrap metal dealer licences and ensuring dealers comply with their responsibilities under the Act. They should visit licensed dealers in their locality and liaise with the police services about unlicensed operators. They are also responsible for maintaining the register of dealers in their locality under the SMDA, which is hosted by the EA.

Environment Agency (EA)

The EA is responsible for issuing environmental permits and monitoring sites for pollution. It also hosts the national register of scrap metal licences, alongside Natural Resource Wales.

National Infrastructure Crime Reduction Partnership (NICRP)

The NICRP is a collaboration between Safer Business Networks, OPAL, Smartwater, the police services and industry partners from across the UK. It is designed to share intelligence and provide expert advice, training and support to combat metal crime across communities and all sectors of business, with the aim of protecting property and targeting those engaged in these criminal offences. Initially it was funded by the Home Office but it now seeks funding through private partnerships.

Scrap metal dealers

Scrap metal dealers must apply for the appropriate licence and are responsible for complying with all relevant legislation, including abiding by the cash ban and keeping adequate records as set out in the Act.

Historic England

Officially known as the Historic Buildings and Monuments Commission for England, Historic England is an executive non-departmental public body sponsored by the Department for Culture, Media and Sport (DCMS). Its powers and responsibilities are principally set out in the National Heritage Act 1983. It reports to Parliament through the Secretary of State for Culture, Media and Sport.

Historic England is funded in part by the government and in part from revenue earned from other services it provides. Nearly every police service has a liaison officer who will coordinate issues related to heritage and cultural property crime in their local area.









10. Findings and Recommendations

Recommendations have been presented throughout this report. In this chapter, we highlight a set of 11 recommendations, ranging in scope, which could play a significant role in combatting metal theft.

Finding 1 - A dearth of data

Evidence presented at the MSHC APPG sessions and data gathered through desk research show that no one body has ownership or oversight of the Scrap Metal Dealers Act (SMDA) 2013 nor the issue of metal theft. This has led to a disparate number of groups endeavouring to collect and collate data with little support from the key players in the enforcement of the Act for tackling metal crime more generally. This situation is compounded by no existing Home Office offence code for metal theft and, additionally, no gathering of data to show the type, extent, value or impact of the crime.

Recommendation 1: A Home Office-led Working Group should be established comprising all the stakeholders involved in tackling metal crime and enforcing the SMDA. This group should include, but not be limited to, the Home Office, the National Police Chiefs' Council, the National Crime Infrastructure Reduction Partnership, the Local Government Association, Historic England, the Environment Agency, the National Crime Agency and the Association of Police and Crime Commissioners.

Recommendation 2: The Home Office inserts a series of metal theft offence codes as a requirement in its next Annual Data Return. These codes should include the protected heritage status of metal, and should be utilised when obtaining metal is the principal cause of the crime. This measure will ensure that all police forces are obligated to return annual data for metal theft.

Recommendation 3: We urge that the concerted national police effort to gather intelligence on, and to counter and disrupt, the organised criminal gangs who are responsible for the bulk of metal theft, led by OPAL, is given the full resource it needs to ameliorate metal theft.

Recommendation 4: The Home Office requires police services to capture more detail on metal crime, including type of metal stolen, quantity, value, social impact and disruption caused. This type of data capture should dovetail with system development to enable sharing of enforcement data across partners for better analysis. This will ensure stakeholders will receive a layer of granularity and accuracy that does not currently exist.

Finding 2 – A lack of enforcement means the Act is not working

Given the evidence garnered during the MSHC APPG evidence sessions and the desk-based research, it is clear that the Scrap Metal Dealer Act 2013 is not working as it is currently written. Suitable checks before issuing a new licence are not being carried out as a matter of course by the majority of local authorities, neither are site visits. Moreover, it seems that no investigations are being undertaken when a dealer drops out of the licensing regime.

Prosecution and sentencing data show that very few perpetrators of metal theft are being caught, prosecuted or sentenced for metal crime – which includes metal theft and operating a metal recycling site outside the bounds of the Scrap Metal Dealers Act. Furthermore, when the police services do undertake targeted weeks of action alongside other enforcement bodies, the lack of data presented by those taking part in these weeks of action suggests that few if any checks are made with regards to scrap metal dealer licensing.

Recommendation 5: The Home Office fully evaluates and considers any findings from the NPCC Steering Group's review of which body/authority should be responsible for licensing.

Recommendation 6: Police, Fire and Crime Commissioners should include metal theft and heritage and cultural property crime as a core thematic within local police and crime plans. The powers to produce such plans is defined in the Police Reform and Social Responsibility Act 2011.

Recommendation 7: Through the Working Group proposed in Recommendation 1, steps are taken to ensure compliance with all relevant legislation through a dedicated reporting structure, with those failing to do so being held accountable.

Recommendation 8: The Working Group proposed in Recommendation 1 should report annually on progress in countering metal theft.







Finding 3 – Reversing the loss of knowledge

The MSHC APPG inquiry showed that knowledge of the Scrap Metal Dealers Act has dwindled since the Act was implemented in 2013 across both local authorities and police services. It is clear that all those involved in preventing and detecting metal crime should be able to access suitable training, not just when an individual or service takes on responsibility for the issue but on an ongoing basis. Both the National Infrastructure Crime Reduction Partnership and Historic England are already providing training sessions to local authorities, but this must be sustainable for both parties.

Recommendation 9: The MSHC supports the proposal by Historic England to develop a new aggravated offence relating to the loss or damage to heritage assets; to become a named body within the Crime and Disorder Act, to better protect heritage assets and the wider historic environment; and to enable more effective training for law enforcement, heritage and scrap metal professionals and community volunteers.

Recommendation 10: We urge a concerted effort by all local authorities to enforce compliance with the Scrap Metal Dealers Act 2013. At present local authorities are failing to enforce compliance with the Act as they do not see it as a priority.

Recommendation 11: Trade bodies including the BMRA work to develop recommendations for industry that will, if implemented, contribute to reducing metal theft.



Damaged pews, St Helen's church, Plungar. © Simon Headley





11. Conclusion

he MSHC APPG has sought to explain an array of factors that have impacted upon metal crime in recent years. The inquiry took an holistic approach to tackling metal crime, from metal theft to scrap yards operating without a licence and/or paying cash. Throughout the three evidence sessions, it was clear that the lack of oversight around the issue of metal crime was having a severe impact on stopping its current upward trajectory. Likewise, the absence of a Home Office offence code that reports metal theft as a 'metal theft', not to mention its size, value and social impact, is significantly hindering stakeholders in gaining a complete understanding of the scope of the issue. Not all metal theft is equal. The theft of 10 sections of park railings cannot be compared to the loss of an entire church roof both in an economic sense and its impact on the local community.

While the Act worked initially to reduce the incidence of metal theft, a lack of ownership and decreasing levels of knowledge about the Act have led to a lack of enforcement. This has made unlawful dealers free to operate with impunity, being very unlikely to be caught and/or prosecuted. If prosecutions are taken forward, often the sentencing does not match the impact the crime has had. Making metal theft offences more serious will increase the risk and redress the associated loss connected with the crime.

We hope this report serves as a catalyst for furthering efforts to combat metal theft, both from a practical and research perspective. Turning to the future, the All-Party Parliamentary Group on Metal, Stone and Heritage Crime looks forward to engaging with stakeholders to achieve our shared goal of eliminating metal theft.



Vintage finger post. @ Historic England

The All-Party Parliamentary Group on Metal, Stone and Heritage Crime intends to hold hearings into the issue of metal theft and will invite members of His Majesty's Government and relevant authorities to attend these sessions. Moreover, it is the intention of this Group to revisit this report one year after its publication.

The APPG on Metal, Stone and Heritage Crime is chaired by The Hon. Andrew Selous MP and The Rt Hon. Lord Faulkner of Worcester, and the Secretariat is provided by the British Metals Recycling Association. *Tackling Metal Theft: A report by the All-Party Parliamentary Group on Metal, Stone and Heritage Crime* was principally authored by Cameron Leitch and Antonia Grey. For more information about this report contact *admin@recyclemetals.org*.

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Notes:

Limitations of data

The data used within this report are sourced primarily from the Office for National Statistics, police forces (via FOI requests) and the Police National Database (via OPAL). The PND is a live database and is therefore subject to change. The data are taken at a single point in time and the subsequent analysis is reflective of this, and so may vary across OPAL products. The authors of this report have noted that there is a general paucity of data, and there is also limited understanding as to the true picture of metal crime due to unreported incidences. Where data do exist, the depth there varies significantly between the different police forces. The authors of this report consider the very fact that these data gaps exist is evidence that the true state and cost of metal theft is likely being under-estimated and that it is not, therefore, being given the attention it deserves by Government.











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