Everything you wanted to know about Business Crime Partnerships but were afraid to ask Part 1

What is a BCRP?

A BCRP or Business Crime reduction partnership is the professionalised version of what were once called shop watches, or radio schemes often but not always a BCRP encompasses pub watch schemes too.

BCRPs work in partnership with Police and the local authority whilst at the same time existing as a civil body in their own right governed by a body elected from its own member (businesses) with the aim of reducing crime and disorder having a negative impact on the member businesses. They share information and use jointly agreed enforcement of proprietary rights regarding restricting access to premises to enforce self-established civil banning orders.

How did they come about?

Radio schemes and shopwatches have existed for quite some time; some operated in partnership with or were run by the local Police based around a neighbourhood watch model whilst others were entirely independent. Radio retailers would often promote them or organise as part of sales strategies sometimes without support or indeed knowledge of the local authority or Police. For any national retailer they were very much a lucky dip and with regards to adherence to best practice or indeed outright legality there was no clear guarantee.

In 2004 the Home Office launched Action Against Business Crime (AABC) this was a national body that was brought in to accredit and effectively maintain radio schemes etc up to a national best practice standard encompassing ACPO Protocols, data protection, NIM and other relevant acts or models.

This accreditation ensured that the schemes were professionally run and did not break any laws or leave themselves open to potential legal challenges (see Hellewell v Chief Constable of Derbyshire) and the Accreditation effectively acted as a badge of confidence and vouchsafed the BCRP with regards to the ability to work with and hold Police data as well as their own.

Similarly the accreditation ensured that a national business could be assured of a median standard of service from partnerships in different locations so a national policy of membership of the local BCRP would be business effective.

Membership of AABC was not mandatory and unlike for example the SIA it had no enforcement powers for non-compliance other than reporting any transgressions of the law onto the appropriate parties.

Alongside of AABC a number of regional groups existed (amongst others RACS, MRCI) for the purpose of sharing data to NIM compliant methods whilst at the same time proffering more locally based hands on support and advice to burgeoning BCRPs, town centres, Police forces and Local Authorities. Some of these bodies had their accreditation processes that echoed AABCs as a belt and braces approach to ensure that any data sharing was between partners of a trusted standard.

In December 2008 AABC had its Home Office funding withdrawn, despite charging for membership and its other services AABC was not able to withstand this and therefore the official national body for BCRPs folded.

The local partnerships however continued and maintained a self-policed accreditation process using their own, AABC's or other associated accreditation variants thereof.

What is the difference between a BCRP and a shopwatch or radio scheme?

Aside from the issues intimated in the first paragraph of the above section a BCRP is both proactive and reactive.

Ostensibly a radio scheme just exists to report on what is happening, has just happened or what someone believes is highly likely to happen in the next five minutes.

This is useful but does not provide any information for long term information and intelligence gathering to assist in effective target hardening and joint offender management.

The accepted estimate is that between sixty and forty per cent of all crime affecting business (more specifically retail business) goes unreported (figures from Conservatives retail crime commission pre and post-election).

Business routinely gather information about losses and loss prevention incidents, they will often detain offenders, record their details (including taking a picture if CCTV hasn't recorded one) for a civil prosecution or claim and then serve the offender with a self-penned or self-policed banning order.

This means that businesses are sitting on a whole load of intelligence and information. An offender may be known to an entire high street yet only have been reported to the Police once. This means that the Police treat them as a low risk offender if they are detained and consequently any treatment will be comparatively mild and runs the risk of alienating or souring the already shaky relationship between Police and Businesses.

The holding and sharing of this information, data and images presents a legal minefield to the retailer regarding the data protection act, RIPA and sometime even PACE not to mention the mutual suspicion surrounding the sharing of potentially sensitive business information with competitors.

An accredited BCRP serves to gather and hold this information for businesses. By collating it in one place they can establish trends and patterns as well as compiling lists of offenders before passing back relevant information in a data protection compliant manner to all relevant members therefore allowing the member businesses to be more aware. Data is usually shared through the means of documents that are retained for a period before being collected then destroyed and through regular briefings and meetings.

All this is overseen by a dedicated coordinator usually with training in relevant matters and able to advise businesses on best practice and to ensure compliance with data protection laws and to act as an advocate for the members in meetings with police and other bodies as well as managing the generated intelligence.

The radio simply serves to assist in real time sharing of information on a day to day operational manner; it is the intelligence behind it all that is the backbone to an accredited BCRP.

Where do the Police and other partners fit in?

The Police and other partners put the P in the BCRP, whilst the member businesses function as an egalitarian partnership amongst themselves it is the triumvirate nature of the BCRP that gives it the necessary effective strength to be truly effective.

The Police serve to give BCRPs authenticity through association, support its aims and often act as ambassadors for the scheme telling retailers about it. Through participation in the regular briefings the Police are able to engage with the business community as well as sharing information with the members and also obtaining for themselves the information that the BCRP has accrued over the recent periods.

The Police are therefore kept abreast of matters arising and are able in turn to act to head them off before they become an issues and proactive Policing triumphs over reactive with its consequential rise in crime figures.

The Police in turn are able to assist in practical ways such as the serving of and endorsing of the BCRPs banning orders. Having a Police officer disseminate the banning order gives a greater impression of authority and through being aware of it and adding an appropriate marker on to the police system a civil banning order may well serve as the first step on the way to a CRASBO or similar order.

The local authority, often through a local Community Safety Partnership (CSP) can serve as an effective guarantor for the BCRP providing political and strategic support to the BCRP often through a position on a steering group or non-voting position on the board. They may also offer more tangible support in the form of office space, seconded staff or financial input.

What about these banning orders?

Whilst we all familiar with the pub cliché of

"*Gerrout you're barred!***"**

In law <u>any</u> business owner invites the public onto their premises at the discretion of the business owner and can therefore refuse access for any reason and does not have to give the reason. This means that shops or any other type of businesses can refuse access to their premises or services.

BCRPs have as part of their membership agreement that the members will agree to abide by and enforce the terms of the bans issued by the BCRP. Offenders known to the BCRP are often banned. Bans can be issued by any members of the BCRP but have to be formally voted on, agreed and ratified by the elected board of management of the BCRP.

This board can only be made up of members, it cannot be seen to be guided by a statutory body (e.g. Police or Council) or else the ban becomes challengeable under the human rights act.

So who funds these schemes?

There is no hard and fast answer to this question. More often than not, these days BCRPs are self-funding and run as a not for profit business or some form of social enterprise, a number of others who were funded by other means have had their funding cut on account of the public sector spending cuts and often they have disappeared.

The income comes from charging for membership, often based on rateable value and/or the income from radio hire either with the radios being owned outright by the BCRP or through some form of lease hire profit share with a provider.

Some BCRPs are attached to Business Improvement Districts (BIDs) who fund the BCRP from the BID levy or in some cases the BCRP has actually become a BID like in Plymouth.

Where do things go wrong?

The once watertight and apparently unchallengeable nature of the BCRP strategy has come into some choppy waters in the last few years.

The creation of AABC was an act of the previous (Labour) political administration and as such the deregulation and introduction of free market economics in relation to the provision of security and authority amongst partnerships can be seen to echo the viewpoint of the current Government. Likewise the reduction of the authority and existence of the CSP-often the key Local Authority partner for BCRPs has had an impact especially in places where the BCRP was funded by the CSP.

A lack of awareness of the work of BCRPs compared to the old radio scheme concept has resulted in large business opting to withdraw from one in favour of the other citing cost reasons.

Similarly places where BCRPs have faltered or been subsumed by other bodies such as BIDs that have a more profit orientated view point has resulted in some BCRPs being scaled back to what are best defined as shopwatches in the absence of any body with significant gravitas to ensure the continuation of the accreditation concept.

One of the concerning factors in this is the fact that subscribing businesses may not be aware of the drop in service until it is too late in much the same way as a painted on fire door only becomes known at the wrong time. If the tangible presence remains unaltered (a radio) how is the average business to know that there is no longer anything holding up the scenery behind it?

Throw into this mix a number of free market profiteers recently cut loose from agencies such as the Police, other BCRPs or similar bodies all looking to establish a corner of or just corner the market through non partnership based techniques and BCRPs are often fighting for their existence.

Another factor affecting the future or effectiveness of BCRPs is the awareness of the members of the cooperative nature of the partnership. As stated it is necessary for the voting members of the board to be made up of members of the scheme i.e. businesses, often the members are content to pay for the service but have little time or interest in actually committing to running what can be a complex and politicised organisation. This can

result in schemes being ram rod managed by one demanding or dominating person regardless of their level of understanding of the issues at play likewise opportunities can be exploited by less than honourable persons within associated partners and other agencies. Put bluntly in technical terms the management model of a BCRP is not Prince 2 compliant.

What is the future?

BCRPs continue to function where they have successfully weathered the storm of the past five years of financial turmoil. In a way, a Darwinian process has opted to eliminate those that were not fit to function for whatever reason be that poor management, bad financial basis or just lack of strategy.

The regional groups continue to grow and develop their influence although the 'regions' become increasingly blurred geographically.

A recent attempt to subsume the whole radio and partnership concept with one supplier and a more intense national strategy at the expense of local working and partnerships was thrown off and rejected by a number of national retailers at a conference recently thus sending one key party back to the drawing board and leaving several other chuckling.

Whilst it would appear that at present no-one is trying to reinvent the wheel at this precise moment, it would not be unfair to comment that there are an awful lot of stubborn asses, loose wagons and stray wheels all rattling around the courtyards.

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Many Thanks

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