

AGENDA

Meeting	Online Crime Working Group
Date	Tuesday 21 October 2014
Time	10.00 am
Place	Committee Room 5, City Hall, The Queen's Walk, London, SE1 2AA

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Members of the Working Group

Roger Evans AM (Chairman)
Tony Arbour AM
Jennette Arnold OBE AM

Joanne McCartney AM
Caroline Pidgeon MBE AM

A meeting of the Committee has been called by the Chairman of the Working Group to deal with the business listed below.

Mark Roberts, Executive Director of Secretariat
Monday 13 October 2014

Further Information

If you have questions, would like further information about the meeting or require special facilities please contact: Joanna Brown or Teresa Young, Senior Committee Officers; Telephone: 020 7983 6559; E-mail: joanna.brown@london.gov.uk/teresa.young@london.gov.uk;

For media enquiries please contact Mark Demery; Telephone: 020 7983 5769; Email: mark.demery@london.gov.uk. If you have any questions about individual items please contact the author whose details are at the end of the report.

This meeting will be open to the public, except for where exempt information is being discussed as noted on the agenda. A guide for the press and public on attending and reporting meetings of local government bodies, including the use of film, photography, social media and other means is available at www.london.gov.uk/sites/default/files/Openness-in-Meetings.pdf.

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Ta ba ri enikeni ti o ba ni ife ni eda ewe nla ti igbimo awon asoju tabi papa julo ni ede ti abinibi won, ki o kansiya lori ero ibanisoro. Nomba wa ni 020 7983 4100 tabi ki e kan si wa lori ero assembly.translations@london.gov.uk.

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Certificate Number: FS 80233

**Agenda
Online Crime Working Group
Tuesday 21 October 2014**

1 Apologies for Absence and Chairman's Announcements

To receive any apologies for absence and any announcements from the Chairman.

2 Declarations of Interests (Pages 1 - 4)

Report of the Executive Director of Secretariat

Contact: Joanna Brown, joanna.brown@london.gov.uk and Teresa Young
teresa.young@london.gov.uk, 020 7983 6559

The Working Group is recommended to:

- (a) Note the list of offices held by Assembly Members, as set out in the table at Agenda Item 2, as disclosable pecuniary interests;**
- (b) Note the declaration by any Member(s) of any disclosable pecuniary interests in specific items listed on the agenda and the necessary action taken by the Member(s) regarding withdrawal following such declaration(s); and**
- (c) Note the declaration by any Member(s) of any other interests deemed to be relevant (including any interests arising from gifts and hospitality received which are not at the time of the meeting reflected on the Authority's register of gifts and hospitality, and noting also the advice from the GLA's Monitoring Officer set out at Agenda Item 2) and to note any necessary action taken by the Member(s) following such declaration(s).**

3 Membership of Online Crime Working Group

The Working Group is recommended to note its membership and chairing arrangements, as agreed at the meeting of the Police and Crime Committee on 9 October 2014:

**Roger Evans AM (Chairman);
Tony Arbour AM
Jennette Arnold OBE AM;
Joanne McCartney AM; and
Caroline Pidgeon MBE AM.**

4 Term of Reference

The Working Group is recommended to note its term of reference, as set out below, which was agreed by the Police and Crime Committee at its meeting on 9 October 2014:

To gather evidence on behalf of the Police and Crime Committee on the Mayor's Office for Policing and Crime (MOPAC) and the Metropolitan Police Service (MPS) response to the new threat that cyber-enabled crimes present and report back to the Committee, which may then make recommendations on this issue.

5 Online Crime (Pages 5 - 8)

Report of the Executive Director of Secretariat
Contact: Dan Maton, dan.maton@london.gov.uk, 020 7983 4681

The Working Group is recommended to note the report as background to putting questions to invited guests on online crime in London and to note the discussion.

6 Date of Next Meeting

The next meeting of the Working Group is scheduled for Thursday, 27 November 2014 at 10.00am in the Chamber, City Hall.

7 Any Other Business the Chairman Considers Urgent

Subject: Declarations of Interests

Report to: Online Crime Working Group

Report of: Executive Director of Secretariat

Date: 21 October 2014

This report will be considered in public

1. Summary

- 1.1 This report sets out details of offices held by Assembly Members for noting as disclosable pecuniary interests and requires additional relevant declarations relating to disclosable pecuniary interests, and gifts and hospitality to be made.

2. Recommendations

- 2.1 **That the list of offices held by Assembly Members, as set out in the table below, be noted as disclosable pecuniary interests¹;**
- 2.2 **That the declaration by any Member(s) of any disclosable pecuniary interests in specific items listed on the agenda and the necessary action taken by the Member(s) regarding withdrawal following such declaration(s) be noted; and**
- 2.3 **That the declaration by any Member(s) of any other interests deemed to be relevant (including any interests arising from gifts and hospitality received which are not at the time of the meeting reflected on the Authority's register of gifts and hospitality, and noting also the advice from the GLA's Monitoring Officer set out at below) and any necessary action taken by the Member(s) following such declaration(s) be noted.**

3. Issues for Consideration

- 3.1 Relevant offices held by Assembly Members are listed in the table overleaf:

¹ The Monitoring Officer advises that: Paragraph 10 of the Code of Conduct will only preclude a Member from participating in any matter to be considered or being considered at, for example, a meeting of the Assembly, where the Member has a direct Disclosable Pecuniary Interest in that particular matter. The effect of this is that the 'matter to be considered, or being considered' must be about the Member's interest. So, by way of example, if an Assembly Member is also a councillor of London Borough X, that Assembly Member will be precluded from participating in an Assembly meeting where the Assembly is to consider a matter about the Member's role / employment as a councillor of London Borough X; the Member will not be precluded from participating in a meeting where the Assembly is to consider a matter about an activity or decision of London Borough X.

Member	Interest
Tony Arbour AM	Member, LFEPA; Member, LB Richmond
Jennette Arnold OBE AM	Committee of the Regions
Gareth Bacon AM	Member, LFEPA; Member, LB Bexley
John Biggs AM	
Andrew Boff AM	Congress of Local and Regional Authorities (Council of Europe)
Victoria Borwick AM	Member, Royal Borough of Kensington & Chelsea; Deputy Mayor
James Cleverly AM	Chairman of LFEPA; Chairman of the London Local Resilience Forum; substitute member, Local Government Association Fire Services Management Committee
Tom Copley AM	
Andrew Dismore AM	Member, LFEPA
Len Duvall AM	
Roger Evans AM	Committee of the Regions; Trust for London (Trustee)
Nicky Gavron AM	
Darren Johnson AM	Member, LFEPA
Jenny Jones AM	Member, House of Lords
Stephen Knight AM	Member, LFEPA; Member, LB Richmond
Kit Malthouse AM	Deputy Mayor for Business and Enterprise; Deputy Chair, London Enterprise Panel; Chair, Hydrogen London; Chairman, London & Partners; Board Member, TheCityUK
Joanne McCartney AM	
Steve O'Connell AM	Member, LB Croydon; MOPAC Non-Executive Adviser for Neighbourhoods
Caroline Pidgeon MBE AM	
Murad Qureshi AM	Congress of Local and Regional Authorities (Council of Europe)
Dr Onkar Sahota AM	
Navin Shah AM	
Valerie Shawcross CBE AM	Member, LFEPA
Richard Tracey AM	Chairman of the London Waste and Recycling Board; Mayor's Ambassador for River Transport
Fiona Twycross AM	Member, LFEPA

[Note: LB - London Borough; LFEPA - London Fire and Emergency Planning Authority; MOPAC – Mayor's Office for Policing and Crime]

3.2 Paragraph 10 of the GLA's Code of Conduct, which reflects the relevant provisions of the Localism Act 2011, provides that:

- where an Assembly Member has a Disclosable Pecuniary Interest in any matter to be considered or being considered or at
 - (i) a meeting of the Assembly and any of its committees or sub-committees; or
 - (ii) any formal meeting held by the Mayor in connection with the exercise of the Authority's functions
- they must disclose that interest to the meeting (or, if it is a sensitive interest, disclose the fact that they have a sensitive interest to the meeting); and

- must not (i) participate, or participate any further, in any discussion of the matter at the meeting; or (ii) participate in any vote, or further vote, taken on the matter at the meeting

UNLESS

- they have obtained a dispensation from the GLA's Monitoring Officer (in accordance with section 2 of the Procedure for registration and declarations of interests, gifts and hospitality – Appendix 5 to the Code).

- 3.3 Failure to comply with the above requirements, without reasonable excuse, is a criminal offence; as is knowingly or recklessly providing information about your interests that is false or misleading.
- 3.4 In addition, the Monitoring Officer has advised Assembly Members to continue to apply the test that was previously applied to help determine whether a pecuniary / prejudicial interest was arising - namely, that Members rely on a reasonable estimation of whether a member of the public, with knowledge of the relevant facts, could, with justification, regard the matter as so significant that it would be likely to prejudice the Member's judgement of the public interest.
- 3.5 Members should then exercise their judgement as to whether or not, in view of their interests and the interests of others close to them, they should participate in any given discussions and/or decisions business of within and by the GLA. It remains the responsibility of individual Members to make further declarations about their actual or apparent interests at formal meetings noting also that a Member's failure to disclose relevant interest(s) has become a potential criminal offence.
- 3.6 Members are also required, where considering a matter which relates to or is likely to affect a person from whom they have received a gift or hospitality with an estimated value of at least £25 within the previous three years or from the date of election to the London Assembly, whichever is the later, to disclose the existence and nature of that interest at any meeting of the Authority which they attend at which that business is considered.
- 3.7 The obligation to declare any gift or hospitality at a meeting is discharged, subject to the proviso set out below, by registering gifts and hospitality received on the Authority's on-line database. The on-line database may be viewed here:
<http://www.london.gov.uk/mayor-assembly/gifts-and-hospitality>.
- 3.8 If any gift or hospitality received by a Member is not set out on the on-line database at the time of the meeting, and under consideration is a matter which relates to or is likely to affect a person from whom a Member has received a gift or hospitality with an estimated value of at least £25, Members are asked to disclose these at the meeting, either at the declarations of interest agenda item or when the interest becomes apparent.
- 3.9 It is for Members to decide, in light of the particular circumstances, whether their receipt of a gift or hospitality, could, on a reasonable estimation of a member of the public with knowledge of the relevant facts, with justification, be regarded as so significant that it would be likely to prejudice the Member's judgement of the public interest. Where receipt of a gift or hospitality could be so regarded, the Member must exercise their judgement as to whether or not, they should participate in any given discussions and/or decisions business of within and by the GLA.

4. Legal Implications

- 4.1 The legal implications are as set out in the body of this report.

5. Financial Implications

5.1 There are no financial implications arising directly from this report.

Local Government (Access to Information) Act 1985
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List of Background Papers: None

Contact Officer: Joanna Brown / Teresa Young, Senior Committee Officers

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E-mail: joanna.brown@london.gov.uk / teresa.young@london.gov.uk

Subject: Online Crime

Report to: Online Crime Working Group

Report of: Executive Director of Secretariat

Date: 21 October 2014

This report will be considered in public

1. Summary

- 1.1 This report provides background information to the first meeting of the Online Crime Working Group. This Group will gather evidence on behalf of the London Assembly Police and Crime Committee for use in its investigation into online crime in London.

2. Recommendation

- 2.1 **That the Working Group notes this report as background to putting questions to guests on online crime in London and notes the discussion.**

3. Background

- 3.1 At its meeting on 9 October 2014, the London Assembly's Police and Crime Committee agreed to establish an Online Crime Working Group to gather evidence on its behalf. The size, membership and chairing arrangements of the Working Group, as agreed by the Committee on 9 October 2014, are as follows:

- Roger Evans AM (Chairman);
- Jennette Arnold OBE AM; and
- Tony Arbour AM;
- Joanne McCartney AM; and
- Caroline Pidgeon MBE AM.

- 3.2 The Police and Crime Committee agreed the following term of reference for the Working Group:

To gather evidence on behalf of the Police and Crime Committee on MOPAC and the MPS response to the new threat that cyber-enabled crimes present and report back to the Committee, which may then make recommendations on this issue.

- 3.3 The Police and Crime Committee agreed the following terms of reference for the investigation on 9 October 2014:
- To examine MOPAC and the MPS's localised response to tackling cyber-enabled acquisitive crimes against individuals through the MPS new Fraud and Linked Crime Online (FALCON) command;
 - To review these approaches against any established best practice for policing cyber-enabled acquisitive crimes – including prevention, response and justice for victims – and assess whether they are adequate; and
 - To assess levels of reporting and public awareness about cyber –enabled acquisitive crimes in London.
- 3.4 The scoping paper that the Police and Crime Committee agreed at its meeting on 9 October 2014 for this investigation is available [here](#).¹
- 3.5 The Online Crime Working Group will report its findings back to the Police and Crime Committee.
- 3.6 Crimes committed using the internet, often referred to as 'cyber-crimes', are a new and pressing threat. Many crimes, both old and new, can now be committed using the internet and are therefore considered a 'cyber-crime'.
- 3.7 Broadly, there are two categories of cyber-crime:
- **Cyber-dependent crimes** are offences carried out using new technologies in violation of the Computer Misuse Act 1990, such as hacking email accounts and denial of service attacks.² The police response for tackling cyber-dependent crimes is led predominantly at a national level, through the National Crime Agency.
 - **Cyber-enabled crimes** are traditional crimes which can be increased in their scale or reach through the use of computers, computer networks or other ICT, including mobile phones (examples include online fraud and identity theft).³
- 3.8 Since the police response for tackling cyber-dependent crimes is led predominantly at a national level, through the National Crime Agency, the Working Group's investigation will focus on **cyber-enabled crimes** against individuals that are policed at the force level. And since most crimes can have a 'cyber-enabled' element, the Police and Crime Committee agreed that the Working Group will focus on crimes with an economic or financial incentive (known as acquisitive crimes).
- 3.9 Some examples of cyber-enabled acquisitive crime are:
- Electronic financial frauds, most notably online banking frauds and internet enabled card-not-present (CNP) fraud.

¹ Weblink to the scoping paper: http://www.london.gov.uk/moderngov/documents/s39733/Appendix%201-Online%20crime%20scoping%20paper_FINAL.pdf

² A denial of service (DoS) attack is a malicious attempt to make a server or a network resource unavailable to users, usually by temporarily interrupting or suspending the services of a host connected to the Internet.

³ [Cyber-crime: A review of the evidence](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/246749/horr75-summary.pdf), Home Office, October 2011, weblink: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/246749/horr75-summary.pdf

- Fraudulent sales through online auction or retail sites or through bogus websites, which may offer goods or services that are not provided or are counterfeit/misrepresented.
- Mass-marketing frauds and consumer scams, where, for example, individuals are persuaded to part with money upfront to help someone or to invest in a business, on the promise that a larger sum of money will be returned to them at a later date.
- ‘Online romance’ (or social networking/dating website) frauds, where individuals may be contacted via social networking or dating sites and persuaded to part with personal information or money following a lengthy online ‘relationship’.⁴

3.10 The number of cyber-enabled crimes is increasing. In England and Wales, 230,000 frauds – many in London – were reported to Action Fraud in 2013/14, almost twice as many as in the previous year.⁵ Of these, 70 per cent had a cyber-element, compared to 40 per cent five years ago. But despite the recent increase in reported frauds, the true picture of online crime is unclear. Many of these crimes are still significantly underreported to the police by victims.

3.11 The Metropolitan Police Service (MPS) intends to launch a Fraud and Linked Crime Online (FALCON) command in October 2014. FALCON’s remit will include acquisitive crimes. One of its services will be a centralised capability that the MPS hopes will remove the onus of investigation of fraud and cyber-enabled crimes from local policing boroughs and provide a consistent approach to investigations.⁶

4. Issues for Consideration

4.1 Guests from the following fields will be invited to discuss online crime issues at the first meeting of the Working Group:

- Criminologists and academics;
- Representatives from business; and
- Representatives from the College of Policing.

4.2 The Working Group will have a further question and answer session with invited guests at its second meeting on 27 November 2014.

5. Legal Implications

5.1 The Online Crime Working Group has the power to do what is recommended in this report.

5.2 The Working Group cannot make decisions.

⁴ [Cyber-crime: A review of the evidence](#), Home Office, October 2013, Chapter 2, page 4.

⁵ Action Fraud is run by the City of London Police, the national policing lead for economic crime

⁶ [MPS Briefing Note: Cyber Crime](http://www.met.police.uk/docs/cyber-crime.pdf), 2014, weblink: <http://www.met.police.uk/docs/cyber-crime.pdf>

6. Financial Implications

6.1 There are no financial implications to the GLA arising from this report.

List of appendices to this report:

None.

Local Government (Access to Information) Act 1985
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List of Background Papers: There are none.
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