

**DMPC Decision – PCD 940**

**Title**    **Home Office Grant Funding: London Regional Asset Recovery Team (RART) and London Asset Confiscation Enforcement Team (ACET) and other units 2020/2021**

**Executive Summary:**

This paper seeks approval to accept the Home Office offer of grant funding for 2020/21 of £1,224,333 to part fund the work of the Regional Asset Recovery Team (RART), Asset Confiscation Enforcement Team (ACET) and other supporting functions for London.

**Recommendation:**

The Deputy Mayor for Policing and Crime is recommended to:

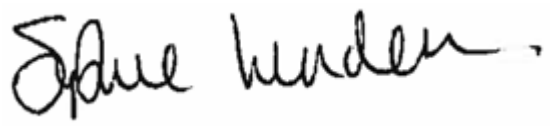
1. Approve acceptance of a grant up to £1million from the Home Office Core Grant covering the capabilities of the London Regional Asset Recovery Team and other units
2. Approve acceptance of a grant up to £224,333 of grant from the Home Office covering the capabilities of the London Asset Confiscation Enforcement Team

**Deputy Mayor for Policing and Crime**

I confirm I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct. Any such interests are recorded below.

The above request has my approval.

**Signature**



**Date 19/03/2021**

## **PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE DMPC**

### **1. Introduction and background**

- 1.1. The London Regional Asset Recovery Team (RART) and other Units provide a cohesive and coordinated operational response to Serious and Organised Crime from the MPS, CoLP and BTP. The three police forces work closely on a range of issues and follow an operating model reflected nationally across England and Wales.
- 1.2. The RART and Asset Confiscation Enforcement Team (ACET) are multi-agency teams, physically co-located with other partner agencies including the Crown Prosecution Service (CPS) and the Medicines and Healthcare Products Regulatory Agency (MHRA).
- 1.3. The primary purpose of the RART and ACET is to provide specialist support for London law enforcement for the restraint, confiscation, enforcement and realisation of the proceeds of crime which have been identified as criminal assets. They also identify, adopt and implement best practice for financial investigation and asset recovery which is reflected across a national network.

### **2. Issues for consideration**

- 2.1. The London RART and other units support directly the MOPAC Police and Crime Plan 2017-2021 with activity specifically aimed at tackling serious and organised crime, including by removing the financial incentives from crime using powers under the Proceeds of Crime Act 2002. This includes seizing the profits from high-end economic crime such as fraud, money laundering and drugs trafficking.
- 2.2. The MPS report that for the current financial year to date the London RART and ACET have so far denied criminals assets valued in excess of £10million.
- 2.3. The MPS confirm that there are at least an equitable number of officers and staff across the MPS engaged in this area of business and so meeting the 'match funding' requirement of the grant offer.

### **3. Financial Comments**

- 3.1. This proposal seeks approval to accept £1,224,333 of Home Office grant funding for 2020/21. The MPS confirm that there is additional MOPC funded spend meeting the match funding requirement.

### **4. Legal Comments**

- 4.1. This grant will be paid to MOPAC by the Home Office in the exercise of power conferred upon the Secretary of State pursuant to Section 169 of the Criminal Justice and Public Order Act 1994 and Section 48 of the Police Act 1996 to make awards of Grant funding.

- 4.2. MOPAC may accept the offer of the Grant pursuant to Schedule 3 Paragraph 7 of the Police Reform and Social Responsibility Act 2011 (“2001 Act”) where MOPAC may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office which includes entering into contracts and other agreements (whether legally binding or not).
- 4.3. Paragraph 4.8 of MOPAC’s Scheme of Delegation and Consent requires the approval of the Deputy Mayor for Policing and Crime to approve the receipt of the grant.

## **5. GDPR and Data Privacy**

- 5.1. MOPAC will adhere to the Data Protection Act (DPA) 2018 and ensure that any organisations who are commissioned to do work with or on behalf of MOPAC are fully compliant with the policy and understand their GDPR responsibilities.
- 5.2. MPS assure that a screening questionnaire has been completed and a further DPIA is not considered necessary.

## **6. Equality Comments**

- 6.1. MOPAC is required to comply with the public sector equality duty set out in section 149(1) of the Equality Act 2010. This requires MOPAC to have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations by reference to people with protected characteristics. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.2. MPS assure that the work of these units does not adversely affect protected characteristic groups

## **7. Background/supporting papers**

- Appendix 1 MPS Report Home Office Grant Funding: Regional Asset Recovery Team (RART) and London Asset Confiscation Enforcement Team (ACET) 2020/2021

**Public access to information**

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOIA) and will be made available on the MOPAC website following approval.

If immediate publication risks compromising the implementation of the decision it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary.

**Part 1 Deferral:**

Is the publication of Part 1 of this approval to be deferred? NO

If yes, for what reason:

Until what date: n/a

**Part 2 Confidentiality:** Only the facts or advice considered as likely to be exempt from disclosure under the FOIA should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a **Part 2** form – YES

**ORIGINATING OFFICER DECLARATION**

*Tick to confirm statement (✓)*

**Financial Advice:**

The Strategic Finance and Resource Management Team has been consulted on this proposal.

✓

**Legal Advice:**

The MPS legal team has been consulted on the proposal.

✓

**Equalities Advice:**

Equality and diversity issues are covered in the body of the report.

✓

**GDPR/Data Privacy**

GDPR compliance issues are covered in the body of the report.

✓

**Director/Head of Service:**

The MOPAC Chief Finance Officer and Director of Corporate Services has reviewed the request and is satisfied it is correct and consistent with the MOPAC's plans and priorities.

✓

**Chief Executive Officer**

I have been consulted about the proposal and confirm that financial, legal and equalities advice has been taken into account in the preparation of this report. I am satisfied that this is an appropriate request to be submitted to the Deputy Mayor for Policing and Crime.

**Signature**



**Date 18/03/2021**



MAYOR OF LONDON  
OFFICE FOR POLICING AND CRIME

**Home Office Grant Funding: London Regional Asset Recovery Team (RART) and London Asset Confiscation Enforcement Team (ACET) and other units 2020/2021**

**MOPAC Investment Advisory & Monitoring meeting 5 March 2021**

**Report by Detective Inspector James Wingrave on behalf of the Chief of Corporate Services for presentation by Commander Alex Murray**

**Part 1 – This section of the report will be published by MOPAC. It is classified as OFFICIAL – PUBLIC**

*EXECUTIVE SUMMARY*

The Mayor's Office for Policing and Crime on behalf of a three-force regional partnership with the City of London Police (CoLP) and British Transport Police (BTP) has been offered grant funding from the Home Office. The grant is intended to cover, in part, the capability for the Regional Asset Recovery Team (RART), Asset Confiscation Enforcement Team (ACET) and other supporting functions for London.

The grant part-covers costs for specialist police officers and police staff, housed within the MPS who undertake intelligence functions and confiscation and realisation of assets determined to be the proceeds of crime. Under the provisions of the Home Office Asset Recovery Incentivisation Scheme a proportion of realised assets are returned to the MPS for reinvestment in relevant law enforcement activity. For the current Financial Year to date the London RART and ACET have so far denied criminals assets valued in excess of £10million.

The Deputy Mayor for Policing and Crime is asked to approve this funding by the Home Office for the period 01/04/2020 to 31/03/2021.

**Recommendations**

The Deputy Mayor for Policing and Crime, via the Investment Advisory and Monitoring meeting (IAM), is asked to:

- 1. Approve acceptance of a grant up to £1million from the Home Office Core Grant covering the capabilities of the London Regional Asset Recovery Team and other units**
- 2. Approve acceptance of a grant up to £224,333 of grant from the Home Office covering the capabilities of the London Asset Confiscation Enforcement Team**

### **Time sensitivity**

A decision is required from the Deputy Mayor by 19 March 2021. This is because the London RART and other Units operate as active and established operational teams. They have already incurred costs for staff and resources based on the funding being agreed on previous years. As such we need to secure reimbursement of costs incurred as planned and agreed between the MPS and the Home Office.

## **Non-confidential facts and advice to the Deputy Mayor for Policing and Crime**

### **Introduction and background**

1. The London RART and other Units provide a cohesive and coordinated operational response to Serious and Organised Crime from the MPS, CoLP and BTP. The three police forces work closely on a range of issues and follow an operating model reflected nationally across England and Wales.
2. The RART and ACET are multi-agency teams, physically co-located with other partner agencies including the Crown Prosecution Service (CPS) and the Medicines and Healthcare Products Regulatory Agency (MHRA).
3. The primary purpose of the RART and ACET is to provide specialist support for London law enforcement for the restraint, confiscation, enforcement and realisation of the proceeds of crime which have been identified as criminal assets. They also identify, adopt and implement best practice for financial investigation and asset recovery which is reflected across a national network.
4. Denying serious and organised criminals their proceeds of crime ensures they do not benefit from offending and provides an opportunity for victims to receive compensation. Under the provisions of the Home Office Asset Realisation Incentivisation Scheme (ARIS) a proportion of the value of assets recovered are also returned to police forces for re-investment in financial recovery and enforcement activity.
5. The primary purpose of the London RART and other units are to provide a cohesive intelligence function in support of other capabilities. This includes, not exclusively, liaison and information sharing between law enforcement, probation, and prison services.

### **Issues for consideration**

6. National capabilities were developed from an initial pilot that was aligned to development in Organised Crime Group Mapping (OCGM) during 2003/2004. Overseen by a dedicated NPCC (National Police Chief's Council) lead for Economic Crime the London RART provide a consistent and reliable approach to targeting Serious and Organised Crime with a particular focus on denial of criminal assets. The London RART forms an integral part of the wider network that was extended nationally in 2010.

7. National ACET capabilities were developed following recommendations by the National Audit Office who in 2013 identified there was no coherent strategy for the enforcement of confiscation orders. The ACE Teams were introduced as a national response to having specialised multi-agency teams prioritising confiscation orders for enforcement.
8. The London RART and ACET make consistent contributions to core capabilities including training, continued professional development and leadership. The ACET deliver bespoke training via the MPS Training school for delivery on CID courses, directly to BCU and specialist operational units on managing proceeds of crime interventions. For the last three years the London RART have coordinated ad hoc niche training sessions and inclusive Continued Professional Development days for investigators across the MPS, CoLP and partner agencies including CPS, HMRC and the MHRA. The RART also facilitated and financed access for investigators across the Economic Crime Command to attend the national Serious Organised Crime Exchange during 2020; this year held 'online' in lieu of traditional training delivery in view of the Covid19 restrictions.
9. The supporting intelligence and other functions take the lead on providing an effective information exchange between partner law enforcement and other statutory agencies.

#### **Contributes to the MOPAC Police & Crime Plan 2017-2021<sup>1</sup>**

10. The London RART and other units support directly the MOPAC Police and Crime Plan 2017-2021 with activity specifically aimed at tackling serious and organised crime, including by removing the financial incentives from crime using powers under the Proceeds of Crime Act 2002. This includes seizing the profits from high-end economic crime such as fraud, money laundering and drugs trafficking (Page 51). Nationally this model continues to be subject of inspection by HMICFRS and provide important support with national, regional and local tasking arrangements to tackling serious and organised crime.

#### **Financial, Commercial and Procurement Comments**

11. Under the Grant Agreement specialist teams (police officers and police staff) are provided for across the London area and funded by the Home Office Grant. There are at least an equitable number of officers and staff across the MPS engaged in this area of business; representing 'match funding' from the mainstream MOPAC budget. Funding for staff embedded from the CPS and MHRA is provided independently by those agencies.

MPS currently have £1.184m in the budget for the £1.224m Home Office funding. This is for the Core grant (£1m) and the ACE Team (£224k).

We are asking for approval now because the Home Office Grant Agreement was only signed off by the Serious and Organised Crime Group on 13<sup>th</sup> October 2020. (Funding for the ACE Team was approved by the Security Minister in June

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<sup>1</sup> [Police and crime plan: a safer city for all Londoners | London City Hall](#)

2020 and then the formal agreement of the Courts Minister and the Attorney General was sought. Leicestershire Police administer the funding and were still awaiting the agreement in October 2020).

The £1m Core grant funding was reduced in 2016/17 from £1.212m to £1m and has not increased. The funding agreement specifically excludes the cost of the pension contributions for police officers attached to RART, this is inconsistent with all other Home Office Grants and will be investigated by the Income and Funded Posts Management Team.

| ACE   | Annual cost | FTE      | Total cost     | Full Year<br>forecast as at<br>Dec-20 |  |
|---|-------------|----------|----------------|---------------------------------------|--|
| Detective Constable                             | 63,320      | 1        | 63,320         | 141,665                               |  |
| Detective Sergeant                              | 75,639      | 2        | 151,278        | 85,164                                |  |
| <b>GRAND TOTAL EXPENDITURE AGAINST £224,333</b> |             | <b>3</b> | <b>214,598</b> | <b>226,829</b>                        |  |

| RART   | Annual cost | FTE       | Total cost     | Match Funded<br>total cost | Grand Total      |
|--|-------------|-----------|----------------|----------------------------|------------------|
| <b>RART</b>  |             |           |                |                            |                  |
| Detective Inspector                                | 93,835      | 1         | 93,835         | 93,835                     | 187,670          |
| Detective Sergeant                                 | 60,744      | 1         | 60,744         | 60,744                     | 121,488          |
| Detective Constable                                | 50,929      | 3         | 152,787        | 152,787                    | 305,574          |
| Band C   | 62,963      | 5         | 314,815        | 314,815                    | 629,630          |
| Band D   | 46,558      | 1         | 46,558         | 46,558                     | 93,116           |
| Band E   | 41,047      | 1         | 41,047         | 41,047                     | 82,094           |
| <b>TOTAL</b>                                       |             | <b>12</b> | <b>709,786</b> | <b>709,786</b>             | <b>1,419,572</b> |
| <b>Regional Prison Intelligence</b>                |             |           |                |                            |                  |
| Detective Superintendent                           | 121,313     | 1         | 121,313        |                            | 121,313          |
| Detective Sergeant                                 | 75,639      | 1         | 75,639         | 75,639                     | 151,278          |
| Detective Constable                                | 63,320      | 3         | 189,960        | 253,280                    | 443,240          |
| Band D   | 45,681      | 3         | 137,043        |                            | 137,043          |
| <b>TOTAL</b>                                       |             | <b>8</b>  | <b>523,955</b> | <b>328,919</b>             | <b>852,874</b>   |
| <b>Total Police Officer and Police Staff costs</b> |             |           |                |                            | <b>2,272,446</b> |
| <b>Support costs</b>                               |             |           |                |                            | <b>314,251</b>   |
| <b>Overtime</b>                                    |             |           |                |                            | <b>30,000</b>    |
| <b>Transport</b>                                   |             |           |                |                            | <b>5,000</b>     |
| <b>Supplies and Services</b>                       |             |           |                |                            | <b>1,500</b>     |
| <b>GRAND TOTAL EXPENDITURE AGAINST £1m</b>         |             |           |                |                            | <b>2,623,198</b> |

Table 1: Summary of financial commitment, including match funded posts

12. In terms of return on investment the RART and ACET have consistently generated more than the full costs of maintaining the teams. Funds are distributed via HM Courts and Tribunal Services (HMCTS) which includes payments to victims of crime where compensation orders have been made by the courts.
13. Non-staff costs have been minimised with the physical co-location of staff within existing MPS office space. The provision of other activities such as recruitment, vetting and training staff are included within existing MPS budgetary provisions.



14. With staffing for the London RART equivalent match funding is provided from the MOPAC budget.

### **Legal Comments**

15. There are no significant legal implications to consider. The arrangements operate within established MPS protocols and embedded staff conform with established statutory and policy obligations.
16. This grant will be paid to MOPAC by the Home Office in the exercise of power conferred upon the Secretary of State pursuant to Section 169 of the Criminal Justice and Public Order Act 1994 and Section 48 of the Police Act 1996 to make awards of Grant funding.
17. MOPAC may accept the officer of the Grant pursuant to Schedule 3 Paragraph 7 of the Police Reform and Social Responsibility Act 2011 ("2001 Act") where MOPAC may do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of the functions of the Office which includes entering into contracts and other agreements (whether legally binding or not).
18. Paragraph 4.8 of the MOPAC Scheme of Consent and Delegation provides the DMPC (Deputy Mayor for Policing and Crime) with delegated powers to accept any offer of grant funding.
19. MOPAC has an obligation to publish to Grant Agreement pursuant to Schedule 1 Paragraph 3(g) of the Elected Local Policing Bodies (Specified Information) Order 2011, as amended.

### **Equality Comments**

20. The London RART, ACET and other units provide an established and existing service with staff selected in accordance with current Met HR requirements. Access to office space and working practices do not change any aspect of the existing obligations concerning Diversity, Equality and Inclusion, further more we pride ourselves in ensuring that we comply with Section 149 Equality Act 2010 around our obligations under the Public Sector Equality Duty. Furthermore, interaction with the public complies with Met policies to not adversely affect protected characteristic groups.

### **Privacy Comments**

21. These arrangements are already subject to the requirements and conditions placed upon them as the MPS is a 'State Body' to comply with statutory requirements of the European Convention of Human Rights and Data Protection Act 2018. Both pieces of legislation place an obligation on the MPS to ensure personal data is processed fairly and lawfully in order to safeguard the rights and freedoms of individuals.
22. Under Article 35 of the General Data Protection Regulation (GDPR) and Section

57 of the DPA 2018, Data Protection Impact Assessments (DPIA) become mandatory for organisations with technologies and processes that are likely to result in a high risk to the rights of the data subjects.

23. Criteria published by the Information Assurance and Information Rights Unit within MPS has been reviewed and is considered that the London ROCU meet compliance requirements. The screening questions have been completed and a further DPIA is not considered necessary. All asset enforcement activity takes place after individuals have been convicted of offences and thus personal information is either in the public domain or subject of DPA compliance during the course of a criminal investigation. Data processing pre-conviction is undertaken in line with existing processes regulated by ECHR and DPA; as reflected by existing Privacy Notices published by the MPS Information Rights Unit.

### **Real Estate Implications**

24. There are no Real Estate implications to consider. The teams are already accommodated within the existing estate on Westminster and Lambeth Boroughs with full engagement with the MPS Property Services Department.

### **Environmental Implications**

25. There are no additional environment implications to consider; these are established teams within the existing Metropolitan Police Service estate.

### **Background/supporting papers**

26. There are no supporting or background papers to accompany this report.

Report author: James Wingrave, Detective Inspector, 0207 321 7673

**Part 2 – This section refers to the details of the Part 2 business case which is NOT SUITABLE for MOPAC Publication.**

The Government Security Classification marking for Part 2 is:

OFFICIAL-SENSITIVE [COMMERCIAL]

- Part 2 of this report is exempt from publication under Article 2(2)(a) of the Elected Local Policing Bodies (Specified Information) Order 2011 (Data Protection Section 43 – Commercial Interests). The paper will remain exempt until such time as the current financial arrangements no longer apply and will be retained for a minimum of six years thereafter in line with MPS Records Management Policy.