

Assembly Questions and Answers

AQW 50792/11-16

Mr Alex Easton (DUP - North Down) To ask the Minister of Justice how much funding his Department allocated to the Organised Crime Task Force in the last financial year.

12/11/2015

The Resource and Capital Departmental Expenditure Limit (DEL) budgets allocated by my Department to the Police Service of Northern Ireland, Northern Ireland Police Fund and Northern Ireland Courts and Tribunals Service during the 2014-15 financial year is shown in the table below:

Departmental Expenditure Limit (DEL) Budget 2014-15 £k		
	Resource DEL	Capital DEL
Police Service of Northern Ireland*	760,817	34,024
Northern Ireland Police Fund	1,627	0
Northern Ireland Courts and Tribunals Service	47,408	2,041

*This includes a funding stream that was allocated by HM Treasury to PSNI via the Department of Justice for national security funding.

The Organised Crime Task Force (OCTF) is a multi-agency partnership which includes a number of Northern Ireland Government Departments, law enforcement agencies, the Public Prosecution Service, Policing Board, the business community and the community at large.

No funding is allocated to the OCTF. Each member body funds its own involvement. My Department provides secretariat support and some support activities such as printed materials, event coordination and planning.

AQW 50092/11-16

Lord Morrow of Clogher Valley (DUP - Fermanagh and South Tyrone) To ask the Minister of Justice whether E-Crime forensic examinations into offences in Northern Ireland are conducted at Forensics Service NI or by an external agency.

22/10/2015

The majority of digital and E-crime-related forensic examinations are conducted by the PSNI's Cybercrime Unit. Forensic Science Northern Ireland carry out a number of examinations of electronic devices, especially where the joint recovery of multiple evidence types (such as DNA, Fingerprints and Data) is required.

AQO 8907/11-16

Mr Eastwood asked the Minister of Justice for an update on the recent cross-border seminar on organised crime that took place in Sligo.

20th October 2015

Mr Ford: The annual cross-border organised crime conference, attended by law enforcement officers and policymakers, was held on 30 September and 1 October. Over 100 delegates from North and South attended. This year's conference title was 'One step ahead — jointly meeting the threat'. The conference was opened by the Minister for Justice and Equality, Frances Fitzgerald TD; the Garda Commissioner, Nóirín O'Sullivan; the Chief Constable of the PSNI, George Hamilton; and me.

There were presentations and workshops on the illegal production of counterfeit goods, emerging technologies, foreign-national organised crime groups and the new fuel marker. The aim was to identify and consider new and developing organised crime threats; to further develop cooperation and partnership working across the border; to exchange ideas on best practice; and to consider lessons learned in order to enhance the response to organised crime in both jurisdictions.

Mr Eastwood: I thank the Minister for his answer thus far. Given the very recent tragedy of the murder of the guard across the border and the fact that the culprit was somebody from the North, is he confident that appropriate levels of intelligence-sharing are happening to ensure that those kinds of things cannot happen again?

Mr Ford: I think that Mr Eastwood has slightly expanded beyond the remit of the original question, Mr Deputy Speaker. The death of Garda Tony Golden was a great tragedy and the result of criminal activity perpetrated by somebody who originally lived in Northern Ireland and was then living in the Republic.

The issue of the organised crime response is not particularly relevant to such things, but, as I said, in the context of how we ensure the best possible public protection and how we deal with issues that relate to domestic and sexual violence, it may well be that we have a greater need to see matters joined up across the border when people move in that way.

I am not sure that I can say that the intelligence was necessarily shared exactly as it might have been in that particular case, but it is something that I have given a commitment to look at with my Department and in conjunction with the Department of Justice and Equality as part of our ongoing cross-border work.

AQW 49350/11-16

Mr Jim Allister (TUV - North Antrim) To ask the Minister of Justice which paramilitary organisations are involved in cross-border organised crime.

01/10/2015

It is a matter of record that paramilitary groups are involved in organised crime. The recently commissioned factual assessment of paramilitary organisations will cover their structure, role and purpose in Northern Ireland and it would not be appropriate for me to pre-empt the results of this work.

An assessment of the threat from organised crime in Northern Ireland and the successes in fighting it can be found at: www.octf.gov.uk

On the OCTF homepage, click on Publications across the top menu. On the left hand side, click on OCTF Annual Reports & Threat Assessments, and then click on Annual Report 2015 to download the document.

AQO 8739/11-16

Mr Robin Swann (UUP - North Antrim) To ask the Minister of Justice what discussions he has had with the National Crime Agency on tackling serious and organised crime to combat the threat posed by rural crime gangs.

17/09/2015

Organised crime is not divided into urban and rural, so I have had no specific discussions about rural organised crime. The threats and priorities that are being addressed are set out in the Annual Report and Threat Assessment 2015 and the related Organised Crime Strategy, both of which are published.

AQW 48016/11-15

Mr Basil McCrea (NI21 - Lagan Valley) To ask the Minister of Enterprise, Trade and Investment what steps he is taking to assist small and medium-sized enterprises with cyber security.

30/06/2015

Invest NI has a team of seven ICT Advisors who provide advice and support to SME businesses in Northern Ireland. This includes advice around cyber security issues, such as network security. SMEs focused on export may also be eligible to apply for financially supported IT projects, where cyber security related software could be included as part of the project.

The NI Business Info website is the primary tool for providing business advice to Northern Ireland SMEs.

It has a range of online guides in the area of IT and Security, including: IT security policies, Common IT security measures, Web-based application security, personnel training on data security awareness, data backup, virus identification and recovery, avoiding scams and theft of information from businesses.

AQO 8191/11-15

Mr Irwin asked the Minister of Justice, in light of the ongoing and serious problem of the sale of laundered fuel locally, for his assessment of whether current legislation is strong enough to deter a filling station operator from acquiring and retailing laundered fuel knowingly.

18 May 2015

Mr Ford (The Minister of Justice): Fuel excise evasion and the related legislation is a reserved matter and is the responsibility of HM Revenue and Customs and the Treasury. Between February and May this year, HMRC consulted on a discussion document relating to penalties, which is the first stage in a wider review aimed at making it hard for a dishonest minority to cheat the system, including, of course, filling stations selling illicit fuel. In addition, they are continuing to look at legislative issues regarding naming and shaming filling stations where laundered diesel has been found: something that I have been pursuing with them.

My Department and HMRC are organising a seminar on fuel laundering to be held in June. It will involve all relevant agencies and will be a forum to discuss whether there are areas in which more can be done.

Mr Irwin: I thank the Minister for his response. Given that a fairly recent survey identified that up to 50% of filling stations in Northern Ireland are selling laundered fuel, does he feel that legislation is in place to deal with the problem? Naming and shaming filling stations is one thing, but surely it is a criminal offence to sell illicit fuel.

Mr Ford: Yes, of course it is a criminal offence, and prosecutions are the responsibility of HMRC. Members need to be careful when quoting the number of filling stations that may be committing this offence. That was not particularly helped by a press release issued some time ago by HMRC that referred to the number of filling stations involved in selling laundered fuel, as opposed to the number of occasions on which detections had been made. The number with multiple offences means that the number of filling stations that have actually been engaged in that process is significantly lower. My understanding is that, in the last two years, the number of individual retail sites that were found to be in possession of illicit fuel were 33 in 2013-14 and 45 in 2014-15; a lot less than half.

Mr Lynch: Go raibh maith agat, a LeasCheann Comhairle. Is the Minister satisfied that all necessary steps are being taken to ensure that only legal diesel is being sold at filling stations?

Mr Ford: No. That is why I am in constant contact with the Treasury to seek to ensure that action is taken robustly. There are issues around the confidentiality of individuals' tax returns that are entirely different from protecting the public where illicit fuel is being sold in petrol stations. That may happen even where the nominal ownership of a petrol station may change hands, leaving individuals vulnerable even if there are prosecutions against those who perpetrated the crime in the first place. I believe that a lot more needs to be done and I will continue to pursue it with the Treasury.

Mrs Overend: This is a very serious issue and it is ongoing even in my constituency of Mid Ulster. Can the Minister state what impact the National Crime Agency (NCA) being able to operate in Northern Ireland is likely to have on measures to break up the criminal gangs responsible for fuel laundering?

Mr Ford: I am always encouraged when Members want to highlight the benefits of the NCA. Of course, on the specific issue of non-devolved crime, which includes evasion of excise duty, there is no additional benefit, although we are aware that gangs that launder fuel are also engaged in other varieties of crime, some of which is a devolved matter. Therefore, I have no doubt that, when the NCA becomes operational next week, it will add to our overall fight against organised criminals generally.

Mr Byrne: Will the Minister state what discussions have taken place with the mainstream oil companies who import oil to this island? What advice does he have for those who want to run a legal filling station but who cannot compete with the contraband sellers?

Mr Ford: I have not had direct discussions, although I will shortly be having discussions with those who operate in the legal trade. Mr Byrne makes an entirely valid point about ensuring that people are able to support only those selling legitimate fuel. One of the key issues, of course, is the fact that the new marker is now in place. That makes it significantly easier to ensure that the fuel cannot be laundered without considerable expense. I think that that will certainly assist in the fight against organised criminals. Certainly, within a very short time, all diesel sold across the UK and Ireland will have the new marker in it. That is a key area.

The fact that we are having not only our own conference but a Europe-wide conference in Northern Ireland this year is an indication that we are leading the fight. However, we clearly need to ensure that we use every possible means, and I believe that naming and shaming will be a key part of that.

AQO 8151/11-15

Mr Alex Attwood (SDLP - West Belfast) To ask the Minister of Justice, given the environmental impact, to outline the actions he is taking to tackle organised illegal fuel laundering.

30/04/2015

Fuel laundering is a reserved matter which falls within the remit of HM Revenue and Customs. As Minister of Justice and chair of the Organised Crime Taskforce (OCTF), however, I take a close interest in the issue.

HMRC, in conjunction with their counterparts in the Republic of Ireland, has recently introduced a new fuel marker which is a significant development in the fight against fuel fraud. This is part of an ongoing

programme of work which includes random testing, disruption of laundering sites and, wherever possible, the prosecution of offenders.

My Department is facilitating an OCTF workshop on fuel laundering to be held before the summer – there will be a wide range of invitees, including from the Northern Ireland Environment Agency.

AQO 7781/11-15

Mr Dominic Bradley (SDLP - Newry and Armagh) To ask the Minister of Justice what actions are being taken to address cross border crime.

26/02/2015

Cross border crime can, of course, cover a wide range of issues, including terrorism, human trafficking, smuggling and plant theft.

As Chair of the Organised Crime Task Force, I am aware that significant operational work is conducted to disrupt and dismantle organised crime groups which are engaged in, or seeking to engage in, human trafficking, fuel laundering, and smuggling of goods such as fuel, tobacco, alcohol, drugs and counterfeit goods.

That work involves law enforcement agencies on both sides of the border including PSNI, An Garda Síochána, NCA, HMRC, the Revenue Commissioners and Border Force working closely together, sharing intelligence and seeking to disrupt and bring those who perpetrate these crimes before the courts.

At Departmental level, I meet my counterpart in the Department of Justice and Equality to discuss ways in which we can improve what is being done through joint working. For example, we met at the cross border organised crime conference last October, the IGA meeting on 21 November and Ministerial Trilateral on 27 February.

Clearly there is more to be done and that is especially challenging in the current financial environment and when we know that organised crime groups will change their methods.

42649/11-15

Mr Alastair Ross (DUP - East Antrim) To ask the Minister of Justice (i) how many (a) prosecutions; and (b) convictions have been secured for a breaches of a (i) liquor license; and (ii) restaurant license, in each of the past ten years; (ii) for what reason did the breach occur; and how many restaurateurs have been (a) prosecuted; and (b) convicted for charging customers corkage fees, in each of the past ten years.

20/02/2015

Offences in relation to breaches of liquor licences may be prosecuted under the Licensing (Northern Ireland) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996. Databases held by the Department do not contain detail on the business type of the defendant and so it is not possible to distinguish whether a breach relates to a restaurant, or to some other type of establishment. In the tables provided, offences related to breach of liquor licences have been aggregated into groups relating to the general category of specific offence description.

There is no specific offence related to charging customers corkage fees. It has therefore not been possible to provide this information from data held.

Number of prosecutions for breach of liquor licensing laws, 2003 – 2013

Year	Licensing Hours	Minors	Inspection/entry	Offences related to:			Other	Total
				Unlicensed selling / consumption	Drunkenness/ disorderly behaviour			
2003	51	16	0	8	0	0	75	
2004	80	21	1	2	3	0	107	
2005	43	33	4	4	0	0	84	
2006	66	22	1	5	0	0	94	
2007	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	
2008	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	
2009	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	
2010	64	26	2	6	0	0	98	
2011	59	25	7	16	0	2	109	
2012	69	17	3	7	0	18	114	
2013	61	12	4	7	0	1	85	

n.a. = data not available.

Number of convictions for breach of liquor licensing laws, 2003 – 2013

Year	Licensing Hours	Minors	Inspection/entry	Offences related to:			Other	Total
				Unlicensed selling / consumption	Drunkenness/ disorderly behaviour			
2003	41	10	0	5	0	0	56	
2004	59	13	1	2	3	0	78	
2005	35	21	0	3	0	0	59	
2006	58	16	1	2	0	0	77	
2007	57	24	1	3	2	0	87	
2008	21	22	0	4	0	0	47	
2009	34	17	0	3	2	0	56	
2010	45	16	2	6	0	0	69	
2011	47	18	4	12	0	2	83	
2012	62	11	2	4	0	15	94	
2013	46	11	3	5	0	1	66	

Note: Data are collated on the principal offence rule; only the most serious offence for which an offender is convicted is included.

The figures provided relate to convictions for all classifications of the offences specified.

Figures relate to prosecutions and convictions under Licensing (NI) Order 1996 and the Registration of Clubs (Northern Ireland) Order 1996.

Prosecutions data are not available for the years 2007 – 2009.

AQW 41728/11-15

Mr Robin Swann (UUP - North Antrim) To ask the Minister of Justice what role the National Crime Agency will have in tackling the sale and smuggling of illegal tobacco products.

04/02/2015

Excise evasion on tobacco products is a reserved matter and therefore is within the remit of the National Crime Agency, although without local accountability at present. The lead agency for evasion of duty is HM Revenue and Customs (and Border Force in relation to smuggling). They may call on the National Crime Agency for support and additional expertise where they feel it is necessary.

AQO 7426/11-15

Ms Bronwyn McGahan (SF - Fermanagh and South Tyrone) To ask the Minister of Justice for an update on the conference on rural crime held by the Ulster Farmers' Union in the Crumlin Road Gaol.

15/01/2015

An update of the Ulster Farmers' Union conference is available on the UFU website; It attracted a large number of attendees – approximately 140 individuals from a wide range of sectors, with the largest group being from the farming sector.

Speakers and panel members represented a variety of organisations, including the Department of Agriculture and Rural Development, the Police Service for Northern Ireland, An Garda Síochána and the Rural Services Network of England and Wales.

The conference acknowledged the frustration in the farming community as to how agri-crime is dealt with on the ground and was primarily focused on what key organisations are doing to tackle rural crime. The conference also provided an opportunity to acknowledge the important role the farming community had to play in tackling rural crime, through uptake of crime prevention advice or by reporting their concerns about suspicious activity in their local area.

I understand that attendees' feedback was generally positive, with increased awareness of rural crime issues and the farming sector being more informed of measures they can take to protect their property. There was also an acknowledgement of the need to continue to build strong working relationships to tackle rural crime and the impact it has on rural communities.

AQW 40733/11-15

Mr Alex Easton (DUP - North Down) To ask the Minister of Justice what cooperation exists between his Department, and it's arm's-length bodies, and the Irish Government to prevent fuel and cigarette smuggling.

15/01/2015

Fuel and cigarette smuggling are both examples of excise offences which are reserved matters falling within the remit of HM Revenue and Customs. The Home Office's Border Force is also involved in the detection of smuggling at the borders.

Locally, the Organised Crime Taskforce (OCTF), which I chair, has a cross border sub group specifically dealing with fuel fraud – this includes members from all relevant bodies on both sides of the border. HMRC also chairs a similar group on tobacco fraud with cross border representation. These meetings assist with current operational issues, comparisons of best practice and updates.

Additionally, as part of this year's OCTF cross border conference HMRC/ Revenue Commissioner Officers conducted a joint North/ South tobacco workshop over two days looking at the issue across the island.

The new fuel marker, which is due to come into use later this year, is an example of a joint initiative between officials in both jurisdictions and will be an important tool in the fight against laundered diesel. As Justice Minister I work closely with my counterpart in the Republic of Ireland and have regular discussions about organised crime issues.

AQW 36885/11-15

Mr Samuel Gardiner MBE (UUP - Upper Bann) To ask the Minister of Justice for his assessment of the involvement of EU and non-EU nationals in organised criminal activity in Northern Ireland.

02/10/2014

I welcome those external EU and non EU nationals who are living in Northern Ireland and contributing positively to society. There are, however, a small minority living here who, like local criminal groups, are involved in criminality. Additionally some criminal activity is organised by persons living outside Northern Ireland who may only enter the jurisdiction occasionally, if at all.

There are those from different external EU and non EU countries who are involved in various criminal enterprises. These include drug trafficking, human trafficking, organised mobile crime, robberies. This organised criminality mirrors much of that by local criminal groups but we have seen that those from outside Northern Ireland may bring new methods and these can then be shared between criminal groups.

The global nature of organised crime, which can be conducted by being physically here or, for example, through cyber methods, requires a joined-up multi-agency approach by law enforcement and Government with support from the community.

AQW 34257/11-15

Mr Alastair Ross (DUP - East Antrim) To ask the Minister of Justice to detail the number of convictions for the sale or distribution of counterfeit cosmetic products, in each of the last ten years.

13/06/2014

The Department of Enterprise, Trade and Investment's Trading Standards Service has advised that there has been 1 conviction, in 2010, in relation to counterfeit cosmetic products.

AQW 34256/11-15

Mr Alastair Ross (DUP - East Antrim) To ask the Minister of Justice to detail the number of convictions for the sale or distribution of counterfeit pharmaceutical products, in each of the last ten years.

13/06/2014

The availability of counterfeit, sub standard and unlicensed medicines, particularly via the internet, is a global issue and regulatory bodies recognise that a multi-faceted approach is essential to ensure any illegal activity is countermanded.

Within a Northern Ireland context, the Department of Health, Social Services and Public Safety, through the Medicines Regulatory Group, is working with partner agencies including police and border authorities to act against those illegally importing or selling such medicines.

Whilst 'counterfeit' medicines are periodically detected, it is those medicines falling within the more general description of 'unauthorised' or 'unlicensed' that are more commonly encountered here and for which DHSSPS has statutory investigative responsibility under medicines legislation.

The figures available from the Medicines Regulatory Group indicate that there have been 16 convictions in relation to the illegal importation, possession or supply of unlicensed or unauthorised medicines over the last 10 years. During the same period, however, there have been interceptions of significant quantities of high value illegal medicines which have been destroyed before reaching their intended recipient in Northern Ireland.

AQW 34255/11-15

Mr Alastair Ross (DUP - East Antrim) To ask the Minister of Justice to detail the number of convictions for the sale or distribution of counterfeit alcohol in each of the last ten years.

13/06/2014

Tackling the issue of excise evasion on tobacco or alcohol is primarily a matter for HMRC and Border Force.

HMRC has figures from 2010. It has advised that in 2010/11 there were 6 convictions relating to tobacco, in 2011/12 there were none, in 2012/13 there were 12 convictions and in 2013/14 there were 12 convictions. These are convictions for evasion of duty, but will include cases relating to counterfeit products.

There have been no standalone alcohol convictions for the period but HMRC advises that the cases listed may involve both tobacco and alcohol, as they are prosecuted under the same legislation.

AQW 34253/11-15

Mr Alastair Ross (DUP - East Antrim) To ask the Minister of Justice to detail the number of convictions for the sale or distribution of counterfeit tobacco products, in each of the last ten years.

13/06/2014

Tackling the issue of excise evasion on tobacco or alcohol is primarily a matter for HMRC and Border Force.

HMRC has figures from 2010. It has advised that in 2010/11 there were 6 convictions relating to tobacco, in 2011/12 there were none, in 2012/13 there were 12 convictions and in 2013/14 there were 12 convictions. These are convictions for evasion of duty, but will include cases relating to counterfeit products.

There have been no standalone alcohol convictions for the period but HMRC advises that the cases listed may involve both tobacco and alcohol, as they are prosecuted under the same legislation.

AQO 6319/11-15

Mr Anderson asked the Minister of Justice for an update on any discussions he has had with the PSNI, the Department of the Environment and other agencies in relation to illegal fuel laundering.

10th June 2014

Mr Ford: The law enforcement and policy lead for fuel laundering is with Her Majesty's Revenue and Customs, and my Department is in regular contact with HMRC. The Organised Crime Task Force has a cross-border subgroup devoted to fuel fraud. It is chaired by HMRC and includes members of the PSNI, the Northern Ireland Environment Agency and their counterparts in the Republic of Ireland. The group meets regularly.

In addition to the ongoing operational work of HMRC, there was an announcement earlier this year on the introduction of a new marker for rebated fuel, and market testing is ongoing. My Department has also introduced legislation on the unduly lenient sentencing in this area, and, as I informed Members recently, I have been in correspondence with the Economic Secretary to Her Majesty's Treasury about legislation affecting the naming of filling stations that have been found to sell illicit fuel.

Fuel laundering affects the environment, legitimate businesspeople and the money available for public services. All areas of the justice sector will continue to fight it in every way possible. It must, however, be recognised that it is a crime sector that exists as a result of demand, and it is in the hands of the public to remove that demand and bring laundering to a halt once and for all.

Mr Anderson: I thank the Minister for that response. He will, however, be well aware of the long line of illegal fuel laundering plants discovered in recent months. It seems to go on and on, unabated, and, as you rightly said, it causes huge damage to the environment and is a huge cost to the public purse. Does the Minister agree that the full cooperation of the National Crime Agency (NCA), locally, would be a major help in trying to tackle illegal fuel laundering and that there is a need for all parties in the Chamber to give the agency their full support?

Mr Ford: I certainly agree with Mr Anderson that we require the National Crime Agency to have full operational powers in the devolved sphere in Northern Ireland. However, the NCA does have powers on the specific issue of excise evasion because it is a non-devolved matter. Of course, it operates those powers without any accountability to the institutions in Northern Ireland because of the refusal of those who are so concerned about accountability to allow the NCA to operate in the devolved sphere.

Mr D Bradley: Go raibh míle maith agat, a LeasCheann Comhairle. The Minister referred to a new marker being tested. Can he indicate when it will eventually be applied to fuel?

Mr Ford: The best advice that I can give to Mr Bradley is that, when the announcement was made in February, it was estimated that it would be 12 to 18 months before it was fully operational. I have had no updates since.

Mrs Dobson: I am sure that the Minister will agree that the livelihoods of hard-working and law-abiding families are being put at risk by illegal fuel laundering. Why is the conviction rate so pathetic?

Mr Ford: Mr Deputy Speaker, I am not sure that it is appropriate for me to answer, because that is, effectively, an operational question. I should, however, make clear to Mrs Dobson and others that, effectively, many laundering plants operate without any personnel present. If it were possible to pick people up, it would be solely at the point at which a delivery was being made and fuel taken out. Given the way that they operate, it is extremely hard to arrest those who are directly responsible. However, in the potential for the referral of unduly lenient sentences, we have the opportunity, when arrests are made, to set a clear sentence that will set down a marker to others.

AQW 32635/11-15

Mr Peter Weir (DUP - North Down) To ask the Minister of Justice for his assessment of the increase in rural crime, particularly tractor thefts; and what additional strategies are being pursued to combat this crime.

02/04/2014

Police Service for Northern Ireland statistics show that the number of burglary, robbery and theft offences in rural areas has fallen in each financial year since 2010/11, with 957 fewer offences when comparing 2013 with 2012. The figures also indicate that while there had been a similar downward trend in agricultural related incidents, which would include tractor thefts, during 2013 there was a slight increase of 34 offences when comparing 2013 with 2012.

At a strategic level, the Rural Crime Unit – a partnership between the PSNI, NFU Mutual, the Department of Agriculture and Rural Development and my Department – is currently working towards achieving a reduction in agricultural crime.

The Unit provides a dedicated resource to identify trends and patterns in rural crime to assist District Commanders in developing their local strategies for addressing rural and agricultural crime and in targeting their resources and initiatives accordingly.

In December 2013 the Rural Crime Unit announced an initiative to provide a subsidy to farmers in policing districts E and F, where higher levels of crime relating to agricultural-based activity were identified. This subsidy was designed to encourage farmers to fit security equipment to farm machinery to combat thefts.

I understand that NFU Mutual, who jointly funded this initiative, has estimated that over £1.7 million worth of machinery has been protected as a result of this initiative.

Consideration is currently being given to the roll out of further initiatives where appropriate.

At a local level, Policing and Community Safety Partnerships in rural areas have, where appropriate, developed tailored solutions to address rural crime more widely. Actions being delivered include Farm Watch schemes, trailer marking, 4 Tier Security schemes, CCTV schemes and Neighbourhood Watch schemes.

AQO 5761/11-15

Mr D McIlveen asked the Minister of Justice for an update on his Department's work in addressing rural and agricultural crime.

11/03/2014

Mr Ford: Action plans, including one focused on business and rural crime, have been developed to deliver the commitments made in the community safety strategy. An update on the delivery of these plans was provided to the Justice Committee on 20 February 2014, and copies of the progress reports for each of the plans are available on my Department's website.

At a strategic level, my Department's work in addressing rural and agricultural crime has included providing funding in partnership with NFU Mutual for a rural crime analyst in the rural crime unit and launching a funding package in crime hotspots for fitting security equipment to farm vehicles.

At a local level, policing and community safety partnerships have developed action plans to address local community concerns, which include the development of tailored solutions to address rural and agricultural crime where appropriate. These include crime prevention initiatives such as trailer marking days, CESAR — construction and agriculture equipment security and registration — marking and Farm Watch schemes.

Mr D McIlveen: I thank the Minister for his answer. I am sure that he will be aware that the recent perceptions of crime survey did not include rural or agricultural crime as part of its questioning. With that in mind, is he minded to carry out some research specifically around the perceptions and fear of crime in rural and agricultural areas because of this blight on our rural communities?

Mr Ford: The fact that the rural crime unit was announced only last year at the Balmoral show and was set up over the summer is an indication that we are at a relatively early stage.

I certainly believe that the work that is being done there will ensure that we have better statistics as we look to the future and seek to ensure the more joined-up approach that I talked about.

AQW 31619/11-15

Mr Paul Givan (DUP - Lagan Valley) To ask the Minister of Justice whether he will liaise with HMRC to name filling stations caught fraudulently selling illicit fuel.

03/03/2014

I have asked for the issue of enforcement action against filling stations to be considered at the next meeting of the Organised Crime Task Force, Cross Border Fuel Fraud sub group, which meets later this month.

I am advised by HM Revenue and Customs that Section 18 of the Commissioners of Revenue and Customs Act 2005 has a tax payer confidentiality clause which makes it an offence to divulge details of anyone in relation to the tax affairs in a civil recovery investigation.

HMRC cannot therefore name those believed to be defaulters of tax in respect of fuel cases. To do so would require a change in the legislation.

AQW 29956/11-15

Mr Gregory Campbell (DUP - East Londonderry) To ask the Minister of Justice to detail the recent discussions he has held with the Chief Constable regarding increases in rural crime and the steps required to combat it.

20/01/2014

I hold regular meeting with the Chief Constable during which we discuss a range of issues including rural crime. You will be aware that reducing the opportunities to commit crime and make rural communities safer is a key strand of the Community Safety Strategy, "Building Safer, Shared and Confident Communities".

A Business and Rural Crime Action Plan is in place and is being delivered by my Department, working in partnership with PSNI and a range of other key statutory and business sector partners. A key outcome of that work has been the establishment of the Rural Crime Unit, an initiative supported by my Department, Police Service of Northern Ireland, the Department of Agriculture and Rural Development and NFU Mutual.

The Rural Crime Unit was formed in a direct response to concerns regarding rural crime and to assist in identifying how best to target resources to reduce crime incidents. The Unit provides a dedicated resource to identify trends and patterns in rural crime to assist District Commanders in making operational decisions and to target their resources and initiatives accordingly.

The information provided by the Unit has also allowed partners from the Rural Crime Unit Steering Group to support crime prevention initiatives aimed at encouraging farmers to take steps to help protect their property. This work was recently evidenced by the announcement of a funding package to encourage farmers in theft hotspots to fit security devices to their machinery.

At a local level, Policing and Community Safety Partnerships (PCSPs) have also developed Action Plans to address local community concerns, which include the development of tailored solutions to address rural crime where appropriate. Actions being delivered include Farm Watch schemes, trailer marking, 4 Tier Security Schemes, CCTV schemes and Neighbourhood Watch Schemes

AQW 29387/11-15

Mrs Jo-Anne Dobson (UUP - Upper Bann) To ask the Minister of Justice for his assessment of the effectiveness of the Rural Crime Unit.

11/12/2013

An evaluation of the Rural Crime Unit is scheduled to be undertaken by the Rural Crime Unit Steering Group in Autumn 2014, following the Rural Crime Unit's first year of operation. This evaluation will provide an assessment of the effectiveness of the Rural Crime Unit and help determine the future operation of the Unit.

While I do not think it would be appropriate for me to make an assessment of the Unit's effectiveness prior to the completion of this evaluation, an outcome of the Unit's effective partnership working was recently evidenced when the Minister of Agriculture and Regional Development and I launched an initiative to provide a subsidy to farmers in E and F policing districts to encourage the fitting of security equipment to their farm machinery.

This initiative was informed by the work of the Rural Crime Unit which identified those districts as 'hotspot' areas for the theft of farm machinery.

Data from the unit will primarily be used to assist District Commanders in making operational decisions and targeting deployment of police resources. It will also provide an opportunity for partners from the

Rural Crime Unit Steering Group to support farmers through the development of crime prevention initiatives.

AQW 26958/11-15

Mr Robin Swann (UUP - North Antrim) To ask the Minister of Justice whether there is evidence to suggest that people involved in the illegal cigarette trade are also involved in other criminal activities such as the production/sale of counterfeit goods, drugs smuggling, human trafficking.

09/10/2013

While some organised crime groups focus on one area of activity many are involved in a range of illicit activities.

Experience shows that once an importation route has been opened up by a group for one purpose it can then be used to import a variety of illicit goods.

AQW 22996/11-15

Mr David McIlveen (DUP - North Antrim) To ask the Minister of Justice what links the PSNI currently has with the Cyber Crime Directorate.

13/05/2013

This is a matter for PSNI. I understand, however, that it currently has significant engagement and working relationships with a number of law enforcement agencies engaged in combating cyber crime across the United Kingdom. That includes early engagement with the new National Cyber Crime Unit under the shadow National Crime Agency which will incorporate the former Police e-crime Unit (PeCU) and the Serious and Organised Crime Agency's SOCA Cyber.

AQW 20688/11-15

Mr David McIlveen (DUP - North Antrim) To ask the Minister of Justice whether his Department has a dedicated Money Laundering Task Force to determine the strategy for combating organised crime, using such tools as the Proceeds of Crime legislation.

06/03/2013

I am Chair of the Organised Crime Task Force (OCTF) which comprises law enforcement agencies as well as statutory and non-statutory bodies. The Northern Ireland Organised Crime Strategy 2012-2014 outlines a framework for the work of the OCTF partners. This is to ensure that the resources, information and powers of the OCTF partners are used to maximum effect to disrupt and dismantle organised crime gangs, bring them before the courts, prosecute, remove their assets and support those affected by organised crime.

The OCTF has a number of sub groups including one on criminal finance. The remit of this sub group covers money laundering and issues relating to the operation of the Proceeds of Crime Act 2002 in Northern Ireland. The membership of the group includes representatives from the PSNI, the Serious Organised Crime Agency, the Public Prosecution Service, HM Revenue and Customs and my Department.

AQW 19440/11-15

Mr Michael Copeland (UUP - East Belfast) To ask the Minister of Justice when he last contacted Her Majesty's Revenue and Customs in order to quantify the monetary impact of fuel laundering on the Northern Ireland economy.

06/02/2013

The figures on revenue lost to the UK economy through the use of non United Kingdom duty paid diesel in Northern Ireland are requested from HM Revenue and Customs periodically by my Department. This includes for the Organised Crime Task Force's reports. The Department of Justice also monitors the loss of revenue identified on individual operations.

The most recent figures are available in the HM Revenue and Customs publication "Measuring tax gaps 2012 Tax gap estimates for 2010- 11" which can be viewed at <http://www.hmrc.gov.uk/statistics/tax-gaps/mtg-2012.pdf>

There are, of course, other costs to the Northern Ireland economy associated with fuel laundering, namely the clean up cost in respect of the waste product from laundering plants and the cost to legitimate businesses.

AQW 17387/11-15

Mr David McClarty (IND - East Londonderry) To ask the Minister of Justice what plans he has to work with the Minister of Enterprise, Trade and Investment to reduce the smuggling of counterfeit goods.

28/11/2012

As Chair of the Organised Crime Task force (OCTF), I can advise that intellectual property crime is one of the major organised crime threats. The OCTF has a dedicated Intellectual Property Crime (IPC) sub-group which acts as a forum for law enforcement agencies and business partners to develop strategies to deal with issues associated with intellectual property crime, including the smuggling of counterfeit goods. The Department of Enterprise, Trade and Investment is represented on the IPC sub-group.

AQO 2233/11-15

Mr Alastair Ross (DUP - East Antrim) To ask the Minister of Justice what steps his Department is taking, in conjunction with the PSNI and HMRC, to tackle the issue of counterfeit tobacco.

14/06/2012

Tackling the issue of counterfeit tobacco is primarily a matter for HMRC and UK Border Force. In 2011/12 reporting year 23 million counterfeit and smuggled cigarettes were seized in Northern Ireland.

HMRC officers seized 2 million counterfeit and smuggled cigarettes and 350 kg of hand rolling tobacco with a value of £828,000, and UK Border Agency officers seized 21 million cigarettes and 500 kg of hand rolling tobacco.

Intellectual Property Crime, including the sale of counterfeit tobacco has been identified by the Organised Crime Taskforce (OCFT) as a key threat. The Organised Crime Task Force has a dedicated Intellectual Property Crime Subgroup which acts as a forum for law enforcement agencies and a number of business partners to develop strategies to deal with a range of issues associated with intellectual property crime including the sale of counterfeit tobacco.

The OCTF is also tackling the demand side in terms of the support given by the public, knowingly or otherwise, that allows tobacco fraudsters to operate. The OCTF is embarking on a new communications initiative entitled "Changing the Mindset" which will seek to engage better with the public to inform individuals about the impact of all types of organised crime, including counterfeiting and seek their support to reduce the demand for the products and services provided by organised crime.



25th June 2012

1. Mr Dunne asked the Minister of Justice what plans he has to tackle the problem of agrcrime in rural communities. (AQO 2224/11-15)

5. Mr Irwin asked the Minister of Justice how many people have been charged, prosecuted or convicted for the theft of agricultural machinery in the last 12 months. (AQO 2228/11-15)

Mr Ford (The Minister of Justice): With your permission, Mr Deputy Speaker, I will take questions 1 and 5 together.

Building safer rural communities is an important issue for my Department, and tackling the issue relies on strong partnership working across and beyond government. I will shortly launch a new community safety strategy, which will outline the importance of partnership working, to support efforts to make rural communities safer through preventing and reducing rural crime.

Members of the Agriculture Committee and Department of Agriculture and Rural Development officials had the chance to consider the content of the community safety strategy before it went to the Executive, and their views have been taken on board. The newly formed policing and community safety partnerships will have a key role in the local delivery of the strategy and in addressing local issues of concern. I encourage those affected by agrcrime to take this opportunity to engage with their partnerships to ensure that their views and needs are reflected in local action plans, which are currently being developed.

Members will be aware of the range of local initiatives, such as Farmwatch and trailer and tractor marking schemes, which have been developed to prevent people from becoming a victim of agrcrime. I encourage individuals to fully avail themselves of those services.

Statistics cannot be provided on the number of people charged, prosecuted or convicted for the theft of agricultural machinery, as statistical data cannot identify thefts of specified items. However, the PSNI has prepared the following information: in 2011, quad theft amounted to 147 incidents, which is a decrease of 26.5% from 200 in the previous year; trailer theft increased by 5.3% in 2011, up from 514 to 541; and the theft of tools increased by 6.3% in 2011, up from 395 to 420.

Mr Dunne: I thank the Minister for his answer. Will he clarify what actions are being taken to reduce the risk to elderly people living on isolated farms, where the problems of agrcrime are relatively high?

Mr Ford: I am not sure that I agree with the Member that what he appears to be hinting at — attacks on elderly people — necessarily constitutes agrcrime. The reality is that those living in rural areas are less likely to be the victim of a crime such as burglary than those who live in urban areas. It is something like a third of the number compared with urban areas. There is no doubt that existing provisions being carried through by a number of policing and community safety partnerships in the way of provision of aids and alarms and in providing that sort of back-up assistance to more vulnerable members of the community is helping to reduce crimes against them and the fear of such crime.

Mr Irwin: I thank the Minister for his answer. I am disappointed that the Minister had no statistics for the number of people prosecuted or convicted. Given the fact that much of the agricultural machinery and equipment is taken by highly organised crime gangsters and sold across Europe and the Republic of Ireland, does the Minister believe that enough is being done to stop it?

Mr Ford: I agree that there is a particular issue with the way in which statistics are compiled, but we currently operate on the basis of UK national statistics, which do not differentiate between particular types of goods subject to theft. I understand that discussions are going on at national level, so that may change in the coming years.

There is no doubt that there is a significant issue, particularly regarding some items of machinery, including tractors and quads, where organised crime is at work. However, there is also no doubt that the activities that we have seen in the way of the marking of machinery are having a significant effect. In particular, those who own valuable machinery are putting trackers on them, and, in a number of cases, we have been able to ensure that stolen goods have been recovered.

Mr Hazzard: Does the Minister have any idea if those involved in agricrime are members of organised crime gangs? If that is the case, what is being done to target that specifically?

Mr Ford: Mr Hazzard has put his finger on it. While, undoubtedly, some small-scale issues may well be opportunistic theft, there is no doubt that the more serious crime directed against valuable machinery is almost certainly done on an organised basis. That issue is being handled across the Organised Crime Task Force by a number of agencies in co-operation. One of the key issues is to ensure that those who own such agricultural machinery take the necessary precautionary steps to prevent its being stolen. Unfortunately, it is still the case that valuable, five-figure tractors are left sitting in farmyards with keys in the ignition. That is not a particularly smart move. Unfortunately, people need to realise that, while we should not exaggerate the number of thefts in rural areas, some of that valuable machinery is significantly vulnerable.

Mr Dallat: The Minister mentioned collaboration between agencies. Does he agree with me that the Neighbourhood Watch schemes are one way in which the PSNI and other agencies can become involved in raising awareness in rural areas? Will he outline to the House what steps his Department has taken to have a real input to that?

Mr Ford: I thank Mr Dallat for the question. The recent development of the Farmwatch scheme in Omagh, which I helped to launch a few weeks ago, is a classic example of how what was the predominantly urban Neighbourhood Watch scheme can have particular applications. One of those who helped found that scheme, by good co-operation with his local neighbourhood policing team and a group of neighbours, had ensured that those responsible for a number of thefts of machinery, who had travelled a significant distance into their area, were apprehended and suitably prosecuted. That is the kind of work that I hope to see going forward. It builds on the good work done by a number of community safety partnerships (CSPs) in the background to continue to promote that kind of activity through the new PCSPs. Certainly the Department will continue to provide backup where appropriate. I have absolutely no doubt that the police will continue to be involved.

AQW 8434/11-15

Mr Alex Easton (DUP - North Down) To ask the Minister of Finance and Personnel to detail the cost of fuel smuggling to the economy in each of the last three years.

17/02/2012

Fuel smuggling in Northern Ireland imposes a revenue loss to the UK Exchequer and adversely affects local fuel retailers. HM Revenue and Customs take the lead on fuel smuggling and fraud, working closely with the Irish authorities. The Organised Crime Task Force, which is chaired by the Northern Ireland Justice Minister, estimated in its 2011 threat assessment that there is an annual tax loss of £200 million from fuel fraud and legitimate cross-border fuel shopping. This is significantly down from a 2005 estimate of £280 million – likely due to changes in exchange and duty rates, which have made smuggling less profitable. I would suggest however, that for further clarification you may wish to redirect your question to the Justice Minister or the Organised Crime Task Force.