The Politics and Pitfalls of Policing High-Volume Crime: Responding to the Shoplifting Epidemic

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Abstract

It has been reported that shoplifting has reached 'epidemic' levels. Comparing police record crime data with industry estimates reveals that potentially just 2.4 per cent of thefts are reported to and recorded by the police. This is creating a large intelligence gap that emboldens thieves, enables organised criminal networks to go undetected, and makes it difficult for the police to prioritise retail crime and detect the most prolific and serious offenders. This article outlines some of the political issues with recording high-volume crime and the resource implications of increased reporting. The article presents the case for the development of a national retail crime intelligence bureau to improve reporting and close the intelligence gap on shoplifting.

Keywords: shoplifting, theft, acquisitive crime, high-volume crime

Introduction

IT'S 'OUT OF CONTROL', the Co-op Food managing director, Matt Hood, stated in relation to increasing levels of crime in their shops in July 2023.[1] This assertion was soon followed by numerous senior retail business representatives adding that they were similarly experiencing 'epidemic' levels of crime in and around their stores.[2] Key concerns focussed not only on the frequency and value of thefts being committed, but also a perceived willingness of offenders to use threats, violence and aggression to deter any intervention by shop staff or security guards, accompanied by a seemingly blasé attitude to being observed by customers, staff or surveillance cameras.[3]

These statements about rapidly rising, and increasingly violent, retail crime were made amidst widespread dissatisfaction with the police response to retail crime, and acquisitive crime more broadly. This article explores some of the pressing issues pertaining to the policing of high-volume retail crime. It documents chronic levels of under reporting, a need for police forces and government to recognise the importance of capturing details on the true levels of crime, and presents the case for the establishment of a national retail crime intelligence bureau.

How big is the problem?

In most cases, police recorded crime data is not a strong indicator of actual levels of crime, and especially not for high-volume non-violent crimes. Owing to concerns over the quality and consistency of crime recording practice, police recorded crime data was assessed against the Code of Practice for Statistics and found not to meet the required standard.[4] As

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[1] M. McHardy, 'Co-op boss warns shop crime is "out of control" as one store is looted three times in one day', *The Independent*, 27 July 2023; https://www.independent.co.uk/news/uk/crime/co-op-looting-shoplifting-crime-b2382264.html

[2] L. Jones, 'Shoplifting an epidemic, says John Lewis boss', *BBC News*, 12 September 2023; https://www.bbc.co.uk/news/business-66784250

[3] E. Taylor, *Stealing with Impunity: The Policing of Prolific Local Offenders and the Impact on Our Shops and Communities*, Aptus, 2024; https://assets.ctfassets.net/5ywmq66472jr/3Re0b6dWQGHGCd1KW5iMDo/

00caf6bc62f8b4062aa92663cd5b11b4/20240206_-_STEALING_WITH_IMPUNITY.pdf

[4] UK Statistics Authority, 'Code of practice for statistics: ensuring official statistics serve the public', Office for Statistics Regulation, 2022; https://code.statisticsauthority.gov.uk/

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such, in 2014 they lost their designation as Official National Statistics. The reliability of police recorded crime data varies by crime type and are thought to give more insight into lower-volume, but higher-harm offences. For example, it is likely that most unlawful killings are reported and recorded by the police, for obvious reasons. However, offences broadly grouped under the banner 'retail crime'—including shoplifting, criminal damage, as well as physical attacks, threats and verbal abuse, some hate motivated, towards shop workers—suffer from chronic under reporting and are not well reflected in police data.

There are many reasons why retail crimes are not reported to the police, including: difficulty of reporting; a belief that nothing will happen; a lack of evidence; fear that it will increase insurance premiums; distrust or lack of confidence in the police; a fear of reprisal from perpetrators; or a perception that the incident was too trivial. A consequence of this is that, over time, perpetrators become emboldened as they see no consequence for their actions. Relatedly, it becomes difficult to make the case that finite police resources should be used to address what appears to be a relatively small-scale problem.[5] This can create a vicious cycle: when crimes go unreported, police forces fail to recognise the extent of the problem, leading to its deprioritisation in the Police and Crime Commissioner's (PCCs) Crime Plan. This further discourages victims from reporting incidents, as they see no benefit in doing so.

The year ending September 2023 saw a 32 per cent increase in the number of shoplifting offences recorded by police compared with the previous year, at 402,482 offences compared with 304,459 offences in the year ending September 2022.[6] However, the British Retail Consortium's (BRC) Crime Survey 2024 estimated that the number of shoplifting offences had reached 16.7 million incidents in the previous year, more than doubling the 8 million incidents of theft the BRC had reported in their 2023 survey.[7] Taking the latest police and BRC figures at face value, it suggests that approximately 2.4 per cent of shoplifting incidents known to retailers were reported to—and recorded by—the police. Furthermore, looking at outcomes data as shown in Table 1, more than half (54.8 per cent) were closed with no suspect identified.[8] As a result, it is not surprising that some commentators assert that shop theft has essentially been decriminalised in England and Wales.

It's important to recognise, as we have with police recorded data, that there are also significant caveats to be placed on industry survey data. The BRC survey is conducted only with its approximately 200 members and a detailed methodology is not included with their report. There are a range of other surveys conducted either *ad hoc*, or periodically, which aim to illuminate trends in retail crime. For example, the Home Office produces an annual Commercial Victimisation Survey (CVS). Since 2019, owing to difficulties in obtaining credible incident data, it has moved away from attempting to measure the *number* of incidents of crime in commercial settings to looking at *frequency*—whether crimes are experienced daily, weekly, monthly, or otherwise. This can provide some indicators of trends, but makes it difficult to benchmark internationally and over time.

There are some other indicative sources that can be drawn upon to produce a 'guesstimate' of the levels of retail theft. There were 314,040 retail businesses operating in the UK as of 1 January 2023.[9] If each of these businesses experienced just one incident per week, that would equate to 16.3 million incidents over the course of twelve months, a similar figure

[5]E. Taylor, *Stealing with Impunity*.

[6]Office for National Statistics, 'Crime in England and Wales: year ending September 2023', 25 January 2024; https://www.ons.gov.uk/peoplepopulation andcommunity/crimeandjustice/bulletins/crimein englandandwales/yearendingseptember2023#:~: text=The%20year%20ending%20September% 202023%20saw%20a%2032%25%20increase%20in, the%20year%20ending%20September%202022.

[7]British Retail Consortium, *Crime Survey 2023*, London, 2023; https://brc.org.uk/media/682083/ crime-survey-report-2023_final_lowres.pdf

[8]Home Office, 'Crime Outcomes in England and Wales Open Data, April 2022 to March 2023', London, Home Office, 2023; https://assets. publishing.service.gov.uk/media/652eb76f6b6fbf 000db75858/prc-outcomes-open-data-mar2023-tables-191023.xlsx

[9]M. Ward, *Retail Sector in the UK*, London, House of Commons Library, 24 May 2024; https:// researchbriefings.files.parliament.uk/documents/ SN06186/SN06186.pdf

Table 1: Crime outcomes for shop theft April 22 to March 23—England and Wales

Outcome	Offences recorded	Percent
Charged/Summonsed	52,072	15.3%
Evidential difficulties (suspect identified; victim supports action)	29,872	8.8%
Evidential difficulties (victim does not support action)	44,323	13.1%
Further investigation to support formal action not in the public interest—police decision	3,408	1.0%
Investigation complete—no suspect identified	185,871	54.8%
Out-of-court (formal)	2,728	0.8%
Out-of-court (informal)	11,036	3.3%
Prosecution prevented or not in the public interest	3,024	0.9%
Responsibility for further investigation transferred to another body	203	0.1%
Taken into consideration	1,434	0.4%
Diversionary, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action	627	0.2%
Not yet assigned an outcome	4,692	1.4%
Total	**339,290**	**100%**

to the BRC's survey estimate. Of course, crime is not equally dispersed geographically or temporally in this way, but it does provide some rough indications of what a realistic figure might look like.

Challenges with recording high-volume crime

The chasm between police recorded retail crime and the true number of incidents is problematic for many reasons, not least because it results in a large intelligence gap that offenders—particularly prolific offenders—can use to their advantage to avoid detection, prosecution and/or appropriate sentencing. There is research evidence to suggest that offenders are becoming more organised, networked and mobile as the retail sector has become a high reward and low risk proposition.[10]

Although shop theft is often regarded as 'petty theft', the reality is that retail crime, particularly incidents involving violence, not only affects a business's ability to operate safely and profitably, it also causes serious harm to shop workers, both physically and mentally, and to communities that suffer persistent offending. Furthermore, the proceeds of shop theft are well known to fund drug addiction and

other illicit activities. The annual spend of someone using both heroin and crack has been estimated to be approximately £19,000—although many offenders report far higher usage than this.[11] Those using shop theft to support their drug addiction report that they typically generate around one-third to a half (33–50 per cent) of the recommended retail price (RRP) when they sell stolen goods. In other words, stolen items worth £30 would typically sell for between £10 and £15. To generate enough money to purchase £19,000 worth of drugs per annum, they would therefore need to steal at least double, and possibly triple, that amount, around £38,000–£57,000 worth of goods per year.[12]

There is also growing evidence of organised crime groups (OCGs) increasingly targeting retail businesses because they perceive it as a low risk, high reward venture. The introduction of the 'Pegasus' partnership underscores

[10]E. Taylor, *Stealing with Impunity*.

[11]C. Black, *Review of Drugs—Evidence Relating to Drug Use, Supply and Effects, Including Current Trends and Future Risks*, London, Home Office, 2020; https://assets.publishing.service.gov.uk/media/5eafffedd3bf7f65363e4fda/Review_of_Drugs_Evidence_Pack.pdf

[12]E. Taylor, *Offender to Rehab Programme: A Process Evaluation of the Birmingham Pilot*, Birmingham, West Midlands Police, 2022.

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this point.[13] The partnership involves several major retailers providing funding to Opal, the national intelligence unit focussing on serious organised acquisitive crime (SOAC), to develop an organised retail crime capability.

For police to understand the retail crime picture, they need to be in receipt of more crime data, which means greater levels of reporting. There are some challenges to this from a police perspective, not least political disincentives to highlight the true volume of crime. For example, in the last financial year, the police recorded approximately 5.5 million crimes across all crime categories. As explored above, there were an estimated 16.7 million shop thefts over a similar period. If it were possible to record every shop theft, this could potentially quadruple police recorded crime overnight. Clearly, this is an unpalatable political outcome, even if it could be conveyed that the *actual number* of offences had not increased.

Below we flag three key challenges that need to be overcome if police reporting on high volume crimes such as shop theft is improved: i) police performance measures; ii) police resource; and iii) technological issues that will arise if reporting dramatically increases under the current system:

(i) **Police performance measures.** A key element of police performance is the 'detection rate'. Detected crime is a grouping of several specific outcomes, broadly where one or more persons have been charged or summonsed, there have been formal out of court resolutions and informal out of court resolutions—police schemes, and crimes where prosecution was not in the public interest. The detection rate can be influenced by multiple factors beyond the control of the police. For example, in 2022–23, 13.1 per cent of reported shop thefts were closed because the victim didn't support a prosecution (Table 1). On the assumption that retailers currently focus their attention on those incidents where there is a suspect, the additional crimes reported might have a higher likelihood of not having a suspect, which would usually be closed with no detection—as is already the case in over half of reports outlined above. This would result in the detection rate falling to a fraction of 1 per cent. The police will record an incident as a crime based on the balance of probability that the circumstances reported by the victim amount to a crime defined by law, and there is no credible evidence to the contrary immediately available. This being the case, incidents such as a removed security tag found in a changing room, or missing and unaccounted stock from a shelf, could amount to a crime. These types of incidents provide very little, if any, opportunity for the police to identify an offender, yet if reported in sufficient volumes could unfairly impact on successful outcomes data. This raises the question of how best to record and assess police performance in relation to crimes such as shop theft where there is no CCTV or witnesses to the crime.

(ii) **Resource.** Each crime needs to be manually reviewed so that it is allocated a crime classification, for example, is it a shop theft or is it a robbery. The rules for crime classification can be quite complicated and this is currently beyond any automated process. Allowing retail crime to be reported directly from a business's own crime reporting systems, or their third party provider, could potentially quadruple existing levels of total reported crime. To support this, there would need to be a significant increase in investment for technology and supporting staff to cater for the extra demand just to record and process the crimes.

(iii) **Technology.** Similarly, technological capability is relevant to the collection of evidence such as CCTV. The majority of forces are now able to collate CCTV remotely. However, there are still a number of national retailers who are unable to support this approach, which necessitates police having to physically collect the CCTV on a USB pen or DVD disc. This presents a large time burden that is not achievable with current police resources.

Despite the challenges above—some practical, some political—it remains beneficial to

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[13]Opal, 'Opal: tackling serious and organised acquisitive crime (SOAC)', National Police Chiefs' Council, 2023; https://www.npcc.police.uk/our-work/work-of-npcc-committees/Crime-Operations-coordination-committee/opal/

the police, industry and public to gain a more comprehensive picture of retail crimes than we currently have. This would enable the current police strategy, as outlined in the Retail Crime Action Plan, to gain more traction and, importantly, be measurable against its core performance indicators. It is to the action plan that we now turn our attention.

The Retail Crime Action Plan

In October 2023, the National Police Chief's Council (NPCC) published the Retail Crime Action Plan.[14] The document outlines guidance for retailers on how to report crimes either online or by phone. It also outlines commitments by the police to attend incidents where an offender has been identified or to those that involve violence. There are three key commitments within the action plan that address specific concerns relating to serious, violent, and prolific offenders. These are:

(1) **Prioritising police attendance** at the scene where violence has been used, an offender has been detained, or where evidence needs to be promptly secured.

(2) **Pursuing all reasonable lines of enquiry** when investigating an offence. In line with the College of Policing guidelines, all material and potential evidence should be considered when there is information to suggest the offender could be identified. For example, CCTV (or other) footage (and checking it against the Police National Database), clear eyewitness evidence, forensic opportunities, and where property is stolen with unique features, such as a serial number, police will seek to recover it and obtain evidence.

(3) **Focussing on repeat offenders** to target resources at those who cause the most harm by using ancillary orders such as Community Protection Notices (CPNs) and Criminal Behaviour Orders (CBOs).

Although the action plan is clearly a step in the right direction and was supplemented in April 2024 with 'More Action', it is difficult to see how it can be fully implemented without a more strategic data-driven approach at its core.[15] The action plan states that police activity 'will be subject to a THRIVE risk assessment (threat, harm, risk, investigation, vulnerability, engagement)'.

Historically, we know that there has been a societal presumption that shoplifting is a petty crime, one that perpetrators argue is relatively victimless, and that it has been considered by police as an issue for businesses to resolve themselves. While this prevailing narrative has shifted somewhat, it is still hard to envisage how the commitments in the plan to tackle retail crime can be upheld given the current level of police resource available. Even with a growing recognition that many crimes in a retail setting are accompanied by threats of violence or even actual violence, with too few resources, police time will be prioritised elsewhere. For example, some forces have already announced they will no longer deal with what they consider to be minor crimes. Of course that is not without controversy.

Furthermore, it is challenging for police to measure their performance against the commitments in the action plan without changing the way that they record crime. For example, if a shop worker is assaulted while at work, it is currently not possible to distinguish that it occurred in a retail setting as opposed to any other location. There is no code or flag in place to highlight that the offence took place in a retail environment.

This issue also impacts on the ability to identify if Section 156 of the Police, Crime, Sentencing and Courts Act 2022 (PCSCA 2022) has been applied during sentencing. Section 156 outlines that sentencers must treat assaults committed against those who provide a service to the public as an aggravating factor. However, there is currently no way of distinguishing these cases from other assaults to measure the frequency with which sentencers apply the new legislation.

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[14]National Police Chiefs' Council, *Retail Crime Action Plan*, October 2023; https://nbcc.police.uk/images/2023/News%202023/Retail%20Crime%20Action%20Plan%20-%20October%202023.pdf

[15]J. Cleverly and C. Philp, *Fighting Retail Crime: More Action*, London, Home Office, 2024; https://www.gov.uk/government/publications/fighting-retail-crime-more-action#:~:text=This%20plan%20builds%20on%20the,prevent%20and%20detect%20retail%20crime

The solution? A national retail crime intelligence bureau

Retail crime is currently high on the agenda and there are multiple initiatives being introduced to tackle it. Any strategy needs to be based on reliable, comprehensive and actionable data. There are many things that could be put in place to assist with building the data lake available to the police and industry, but here we outline the development of a national retail crime intelligence bureau as the key overarching strategy required. To make this case, we look to another high-volume crime type—fraud—and the government and police response to it.

As incidents of fraud escalated in conjunction with a growing digital landscape, it became clear that a different response was needed beyond traditional policing tactics. In 2006, structures were created which were designed to provide a more coordinated and nationally consistent response to fraud. The City of London Police became the national lead force for fraud, with responsibility for the National Fraud Intelligence Bureau (NFIB) and the Home Office created the National Fraud Reporting Centre. In 2009, the National Fraud Reporting Centre was renamed Action Fraud.

Action Fraud provides the central point of contact for the reporting of fraud and online crime. It receives crime reports and information reports in one of four ways: directly from members of the public by telephone or online; directly from police forces, or other law enforcement agencies on behalf of victims; and directly from businesses using an online bulk reporting tool. The NFIB then processes the information received by Action Fraud and, following analysis, the bureau provides the police and other law enforcement agencies with individual crime packages that identify viable opportunities to undertake a criminal investigation: victim profiles; force profiles with statistical analysis of crime trends; crime types and emerging crime techniques used by offenders within force areas; and monthly threat updates outlining current and emerging trends.

Replicating this already existing, tried and tested model developed for fraud and applying it to retail crime would improve reporting, enable the collation and analysis of multiple data sources and provide actionable intelligence on repeat, prolific and organised offenders. A national intelligence bureau would also remove the potential of overwhelming the police with the sheer volume of shop theft incidents and target resource to those with 'solvability factors'—in essence the bureau would establish whether there is a realistic prospect of identifying the offender before passing to the police. The National Fraud Intelligence Bureau and Action Fraud are funded by the Home Office, and it is suggested that given the scale of retail crime and associated issues—such as violence towards shop staff and the criminal exploitation of vulnerable adults—that funding could similarly be provided to support a national retail crime intelligence bureau. However, it is notable that retailers have been willing to financially support policing operations such as the retail strand of Opal, the serious organised acquisitive crime unit, and so there is potential for finance from the sector if it assists to reduce the scale and severity of crime that they experience.

Getting a grip on shoplifting

For a range of reasons, not least insufficient resources, the police in England and Wales have lost grip on the scale and severity of retail crime. This, in turn, has led retailers to lose confidence in the police and wider criminal justice system, resulting in chronic underreporting of incidents that occur in a retail setting. While initiatives such as the retail crime strand of Opal seek to gain information and intelligence on organised crime, it is just one part of the broader picture. There are many local offenders who target retail and commit considerable levels of harm, and these are not currently being sufficiently tackled. In part, this is because there is a lack of intelligence and data to drive a police response. The police action plan is welcomed and has served to shine a light on the scale of the issue. We argue here that before 'More Action' is taken, we need to get a better picture of the nature and scale of offending. The establishment of a national retail crime intelligence bureau, mirroring that of the National Fraud Intelligence Bureau structure, will provide for a targeted response and enable finite resources to be

utilised where they will be most effective and cost-effective.

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