

Economic Note 1010 - Policing, Serious & Economic Crime

The measures assessed in this Economic Note for “Policing, Serious & Economic Crime” are listed below in Table 1.

Table 1: Measures included in “Policing, Serious & Economic Crime”

Proposal	Measures Included
Police Accountability/ Efficiency	<ol style="list-style-type: none"> 1. New appeal routes to the Police Appeals Tribunal (<i>Police Appeals Tribunal PAT</i>) 2. Police Accountability Review
Police Powers	<ol style="list-style-type: none"> 3. Drug Testing on Arrest (<i>DToA</i>) 4. Access to Driving Licence Records (<i>DVLA Database</i>)
Proceeds of Crime	<ol style="list-style-type: none"> 5. Reform the confiscation regime in the Proceeds of Crime Act 2002 (<i>Proceeds of Crime</i>) 6. Introducing cost protection for civil recovery (<i>Cost Protection</i>)
Public Order	<ol style="list-style-type: none"> 7. Banning Face Coverings 8. Ban on Pyrotechnics at Protests 9. Ban on climbing on war memorials 10. Powers of Entry to search for and seize stolen property (<i>Powers of Entry</i>)
International Cooperation	<ol style="list-style-type: none"> 11. Implementation of International Law Enforcement Information Sharing Agreements

Economic Note	Number: HO EN 1010
Title of regulatory proposal	Crime and Policing Bill: Policing, Serious & Economic Crime Measures
Lead Department/Agency	Home Office
Expected date of implementation	From Q1 2026
Origin	Domestic
Date	10 February 2025
Lead Departmental Contact	CrimeandPolicingBillTeam@homeoffice.gov.uk
Departmental Assessment(s)	GREEN
<p>Rationale for intervention, objectives and intended effects</p> <p>Measure 1. Appeals Routes to the Police Appeals Tribunal</p> <p>Where chief officers disagree with the finding or outcome of a misconduct hearing, chief officers are currently limited to initiating a judicial review rather than a specific right of appeal. This is expensive and time-consuming. These changes enable rights of appeal to the Police Appeals Tribunal by chief officers as well as local policing bodies and Independent Office for Police Conduct, in specific circumstances. Police officers already have a statutory right of appeal to the Police Appeals Tribunal and therefore this change brings parity to the system.</p> <p>Measure 2. Police Accountability Review</p> <p>These measures enact commitments made by the Secretary of State for the Home Department (Home Secretary) on 23 October 2024 regarding the Independent Office for Police Conduct's (IOPC) processes. The measures will align the referral threshold to the Crown Prosecution Service (CPS) with the referral threshold for members of the public, to enable referral to the CPS prior to completing a final report and put the Victim's Right to Review scheme on statutory footing. This will improve timeliness and public confidence in policing.</p> <p>Measure 3. Drug Testing on Arrest</p> <p>Government intervention is needed to support individuals to confront their drug use. The intervention will support the Health and Safer Streets Missions by supporting individuals, promoting behavioural changes and reducing criminal behaviour. An expansion on the Drug Testing on Arrest (DToA) powers will include an increase in the current list of trigger offences, an expansion to include testing for Class B and C drugs and will enable a wider cohort of offenders to be referred into treatment, supporting them to address their drug using behaviours, and ultimately reduce drug use and reoffending.</p> <p>Measure 4. Access to Driving Licence Records (DVLA Database)</p> <p>Legislation to include organisations and individuals that currently access Driver and Vehicle Licencing Agency (DVLA) driving data, provide access to police complaints bodies and Gibraltar, better align the legislation to the Data Protection Act 2018 and provide for improved future regulations and a Code of Practice. This will unlock the ability through Regulations for the use of DVLA driver data for additional purposes and for greater accountability through a Code of Practice.</p>	

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

These measures for reform will ensure that the confiscation regime operates as efficiently as possible by simplifying court processes, creating realistic and enforceable orders, addressing unpaid confiscation orders to increase the volume of paid orders, and redirecting funds to victims that would otherwise have been paid to the state following where a confiscation order is increased. A reformed confiscation regime will restore confidence in the public sector response to crime as funds are stripped from criminals at a faster rate.

Measure 6. Cost Protection for Civil Recovery

In High Court civil recovery proceedings under Proceeds of Crime Act 2002 (POCA 2002), the general rule is that the “losing party” of a case will be ordered by the court to pay the legal costs of the winning party. This exposes law enforcement and prosecuting authorities to the risk of strains on their budgets, particularly in cases against wealthy elites with costly legal representatives. The government is amending the loser pays principle in civil recovery proceedings to ensure that the court does not make an order for costs against an enforcement authority unless certain tests are met. The reform will increase the confidence of enforcement authorities using POCA 2002 powers as it will remove the barriers that they currently face in being able to pursue criminals with high net-worths.

Measures 7, 8 & 9. Public Order Measures

These measures will make it a criminal offence to climb on specified war memorials, possess pyrotechnics at protests, and wear a face covering to conceal identity at a protest. The objective of the measures is to provide police with the power to prevent individuals from carrying out these behaviours. The climbing of memorials has resulted in distress to the public due to its disrespectful nature. The use of pyrotechnics during protests raises public safety concerns and can create an intimidatory atmosphere. The use of face coverings can allow individuals to potentially commit offences undetected. The police have highlighted concerns about the efficiency of existing powers to prevent this activity. The objective of these measures is to provide police with the necessary powers of prevention. The Home Office also intend for the measure to act as a deterrent against those who may wish to undertake such activity.

Measure 10. Powers of Entry

Advances in technology have made it easier to track stolen items, and electronic devices such as phones often have Global Positioning System (“GPS”) tracking or other location finding applications, so victims of theft can inform the police of the location of their stolen item. However, police have no power of entry to premises solely for the purpose of seizing stolen goods without a warrant from a court.

This measure creates a new police power enabling entry, search and seizure for specific stolen items without a warrant where they are electronically trackable. This will reduce the time taken to retrieve stolen goods and investigate acquisitive crime and to address victim concerns about perceived police inaction on street crime and phone theft.

Additionally, this measure will lead to an increase in charge rates for individuals involved in theft, robbery or handling stolen goods, and a potential reduction in these types of crime

Measure 11. Implementation of international law enforcement information sharing agreements

The government's view is that new domestic legislation is now required, since international partners are likely to require or prefer that agreements have a basis in UK legislation, not in common law, as the common law is not a familiar concept to some.

The UK will need to create secondary legislation with sufficient detail to enable each agreement's implementation; regulations are expected to set out the technical requirements of new international agreements which will enable the operationalisation of those agreements. For example, the IT software to be used, the timescales by which data should be provided, etc.

Operational partners (such as police) will, if they have legislation to follow, be more explicitly aware of their obligations, providing legal assurance that the risk of non-compliance has been mitigated;

Policy options (including alternatives to regulation)

Measure 1. Appeals Routes to the Police Appeals Tribunal

Option 0: 'Do nothing', with a continued option of judicial review route only for appeals.

Option 1: Legislate for rights of appeal to the Police Appeals Tribunal as it will enable parity in the system and support better use of public money. **This is the government's preferred option.**

Non-regulatory options: There are no non regulatory options that meet the government's objective.

Measure 2. Police Accountability Review

Option 0: 'Do nothing'. The government publically announced commitments on 23 October 2024 on police accountability so this is not an option.

Option 1: Commence three measures to align the IOPC referral threshold for CPS referrals for non-police officers, improve timeliness of referrals, and formalise the IOPC's Victims Right to Review scheme. **This is the government's preferred option.**

Non-regulatory options: There are no non regulatory options that meet the government's objective.

Measure 3. Drug Testing on Arrest

Measure 3A. Trigger Offence Expansion:

Option 0: 'Do nothing'. Police would continue using existing powers with the current list of trigger offences and the ability to non-trigger offence test with inspector authority.

Option 1: Expand the trigger offences to include new offences. This will allow the police to drug test a wider range of individuals without requiring inspector authority. **This is the government's preferred option.**

Non-regulatory options: There are no non regulatory options that meet the government's objective.

Measure 3B. Class B and C Expansion:

Option 0: 'Do nothing'. Police would continue using existing powers by only testing for specified Class A drugs.

Option 1: DToA powers to allow testing of specified Class B and C drugs as well as the current list of specified Class A drugs. **This is the government's preferred option.**

Non-regulatory options: There are no non regulatory options that meet the government's objective.

Measure 4. Access to Driving Licence Records (DVLA Database)

Option 0: 'Do nothing': resulting in some operational loss of access or continuing legal risk. No future wider law enforcement purpose use.

Option 1: Legislate to clarify organisations with current access, revert the term "constable" back to its usual meaning, add police staff and other individuals who can be authorised to access this data, clarify the chief officer is required to be accountable and who that officer is, add a small number of organisations and provide for future data protection improvements. **This is the government's preferred option.**

Non-regulatory options: There are no non regulatory options that meet the government's objective.

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

Option 0: 'Do nothing'. Do not reform the confiscation regime in the Proceeds of Crime Act 2002.

Option 1: Reform the confiscation regime in the Proceeds of Crime Act 2002 to provide more efficient, realistic, and fair enforcement of confiscation orders. **This is the government's preferred option.**

Non-regulatory options: Non regulatory options were not considered as they are not applicable. The reforms in this EN must be taken forward in legislation as they amend a regime that already exists in statute.

Measure 6. Cost Protection for Civil Recovery

Option 0: 'Do nothing'. Do not introduce costs protections for enforcement authorities.

Option 1: Introduce costs protections for enforcement authorities in High Court civil recovery proceedings through primary legislation. **This is the government's preferred option** as it meets the policy objective and is a proportionate and cost-effective approach to the risks enforcement authorities face when pursuing civil recovery cases.

Non-regulatory options: Non regulatory options were not considered as they are not applicable.

Measures 7, 8 & 9. Public Order Measures

Option 0: 'Do nothing'. Do not introduce new public order offences.

Option 1: Introduce the new offences of climbing on a war memorial, possession of pyrotechnics at protests, and wearing a face covering that conceals identity at a protest to the Crime and Policing Bill. **This is the government's preferred option.**

Non-regulatory options: There are no non regulatory options that meet the government's objective.

Measure 10. Powers of Entry

Option 0: 'Do nothing'. Do not introduce a new power of entry.

Option 1: Create a new power of entry for search and seizure of stolen items which can be electronically tracked to a particular premises. **This is the government's preferred option.**

Non-regulatory options: There are no non regulatory options that meet the government's objective.

Measure 11. Implementation of international law enforcement information sharing agreements

Option 0: 'Do nothing'. Do not create a new delegated power for implementing international law enforcement data-sharing agreements.

Option 1: Create a delegated power to make regulations implementing international agreements relating to the sharing of information for law enforcement purposes. **This is the government's preferred option.**

Non-regulatory options: There are no non regulatory options that meet the government's objective.

Costs and benefit summary

Measure 1. Appeals Routes to the Police Appeals Tribunal

Costs and benefits could not be calculated due to an absence of information on the length of tribunals and volumes expected.

Measure 2. Police Accountability

The only monetised costs are familiarising IOPC staff and Professional Standards Departments officers with the new measures. A potential increase in use of the Victims Right to Review scheme could not be monetised due to an absence of information. No benefits could be monetised. Non-monetised benefits include CPS cost savings, increased trust from police and victims, and faster investigations. Given there are no monetised benefits the Net Present Social Value is negative in all scenarios.

Measure 3. Drug Testing on Arrest

Total costs of the policy are estimated to be between **£50.6 million and £109.0 million with a central estimate of £71.5 million** discounted over 10 years. It has not been possible to monetise the benefits of this policy due to insufficient data and evidence.

Measure 4. Access to Driving Licence Records (DVLA Database)

This legislation aims to clarify the legal basis for accessing DVLA driver data. It is not expected to change the current levels of access to data. There are no monetised costs or benefits of this measure. There is a non-monetised benefit of a clarifying the legal basis for accessing DVLA driver data.

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

Estimated costs include lengthier court cases from early resolution of confiscation hearings front-loading the system and additional Crown Court resources required to contribute to an increase in the number of complex cases transferred from the Magistrates Court. **Costs lie in a range of £0.8 million to £3.9 million with a central estimate of £1.9 million** discounted over 10 years.

Estimated benefits include increased recoverable debt and increased victim compensation. **Estimated benefits lie in a range of £24.8 million to £129.2 million with a central estimate of £77.0 million** discounted over 10 years.

Measure 6. Cost Protection for Civil Recovery

Estimated costs and benefits of this policy are non-monetisable owing to an absence of available data. Non-monetisable costs include a pure transfer from defendants to government on account of enforcement agencies no longer paying the legal fees for defendants in cases they lose. There are expected to be additional legal costs and civil recovery benefits dependent on the impact on the number of additional civil recovery cases undertaken and/or their success rate.

Measures 7, 8 & 9. Public Order Measures

The costs include the familiarisation of police officers to the legislation and the criminal justice system costs from any prosecutions that occur. There are no monetised benefits. There is a non-monetised benefit of deterrence and reduced harm from pyrotechnics. Given there are no monetised benefits the Net Present Social Value is negative in all scenarios.

Measure 10. Powers of Entry

Set up costs include the construction of prison facilities.

Ongoing costs are associated with the criminal justice system and arise from increased case volumes and include legal aid costs, probation costs, prison place costs and court case costs.

Ongoing benefits are associated with the recovery of stolen property.

Measure 11. Implementation of international law enforcement information sharing agreements

The international law enforcement information-sharing agreements are yet to be negotiated; the scope and requirements of such agreements are unknown. An example of the costs and benefits of an information sharing agreement has been provided in this EN as an example of benefits and costs that could arise through secondary legislation.

Risks

Measure 1. Appeals Routes to the Police Appeals Tribunal

The main analytical risk arises from the unknown costs however, it is anticipated that these are unlikely to be high.

Measure 2. Police Accountability

It is unclear how Victims Right to Review scheme use will change following the intervention. Also, some familiarisation costs could not be monetised. There is uncertainty around total costs.

Measure 3. Drug Testing on Arrest

Police forces have received additional funding over recent years for DToA. Any reduction in this in future could result in reduced DToA volumes and may limit the impact of the expansion.

Measure 4. Access to Driving Licence Records (DVLA Database)

There is a residual risk of legal challenge prior to legislation being enacted.

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

Main risks are driven by the uncertainty in assumptions due to an absence of well evidenced data. These risks are accounted for using scenario analysis and ranges based on Law Commission consultation with confiscation lawyers and colleagues in the CPS.

Measure 6. Cost Protection for Civil Recovery

The overall absence of data means the economic appraisal is highly speculative and it is not possible to conduct monetisable sensitivity analysis. The main source of risk is in the uncertainty over the impact on the overall number and cost of cases.

Measures 7, 8 & 9. Public Order Measures

Any significant changes to protest behaviour could lead to an increase in the number of prosecutions which will increase the court and legal aid costs of this policy, this has been considered in the sensitivity analysis.

Measure 10. Powers of Entry

Volume of offences impacted are underestimated as it is assumed that only mobile phones and vehicles are tracked.

Powers of entry and search without the use of warrants are intrusive and are currently available to the police only in limited circumstances. There are concerns about the police's ability to use the power accurately and the potential risk to public confidence, if mistakes are made.

Measure 11. Implementation of international law enforcement information sharing agreements

The international law enforcement information-sharing agreements are yet to be negotiated and as a result, no benefits or costs have been monetised. A value for money assessment for an agreement under secondary legislation cannot be provided.

Summary of all Measures			
Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
156.36	26.52	0	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
94.3	7.44	0	N/A
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
2025/26	2025/26	10	See Annex B

Departmental sign-off (SCS):		Date: 10/02/25
Chief Economist sign-off:	Tim Laken	Date: 10/02/25
Better Regulation Unit sign-off:	Emma Kirk	Date: 10/02/25

Evidence Base

A. Policy objectives and intended effects

Measure 1. Appeals Routes to the Police Appeals Tribunal

1. The Police Appeals Tribunal (PAT) hears appeals by police officers against the finding or outcome of police misconduct hearings or performance meetings (as well as misconduct meetings, where the officer concerned is a senior officer). The PAT is able to make any decision that the original hearing panel were able – including increasing or reducing the original outcome. These changes will extend the ability to appeal to the PAT to the chief officer and, in specific circumstances, the local policing body (where the officer concerned is a chief officer) and Independent Office for Police Conduct (IOPC) (where it has presented at the misconduct hearing).
2. Police officers are office holders, rather than employees. As such, where they have been dismissed, they cannot pursue unfair dismissal claims at the Employment Tribunal in the majority of cases. Instead, police officers are afforded a statutory right of appeal to the specialist Police Appeals Tribunal. There is no cost to the officer for appealing to the PAT, save for their own legal costs.
3. There is currently no specific appeal right for chief officers where they consider a decision made by a misconduct hearing to be, for example, unreasonable. Chief officers in this position may initiate a judicial review but would need to consider whether it represents a good use of public money.
4. Similarly, local policing bodies are not currently afforded a right of appeal to the PAT where hearings are held in respect of chief officers, despite their role in holding chief officers to account. Nor is there any right of appeal available for the IOPC, despite it having a distinct role in being able to present at misconduct proceedings in a range of circumstances – including where there is a compelling public interest to do so.

Measure 2. Police Accountability Review

5. These three measures will improve the police accountability system. The first two measures will increase timeliness and fairness of criminal investigations into complaints raised against the police by simplifying referral processes from the Independent Office for Police Conduct (IOPC) to the CPS. The rights of victims will be improved by placing the Victims Right to Review Scheme on a statutory footing.
6. The three measures will:
 - Simplify referrals by forces and the IOPC of police officers to the CPS for charging decisions
 - Enable the IOPC to refer cases to the CPS for a charging decision ahead of the completion of their final report, as is currently the case. This will limit delays to investigations which causes distress to all those involved.
 - Provide a statutory right for victims to request a review for a proposed decision by the Director General of the IOPC not to refer a case to the Director of Public Prosecution. The measure will put the IOPC's existing Victims Right to Review scheme¹ onto a statutory footing, which will strengthen victims' rights and the checks and balances in the system.

¹ Information about our victims' right to review scheme, March 2021 | Independent Office for Police Conduct (IOPC): <https://www.policeconduct.gov.uk/publications/information-about-our-victims-right-review-scheme-march-2021>

Measure 3. Drug Testing on Arrest

7. DToA is an important intervention tool to support a reduction in drug misuse and associated criminality contribute to reducing the harms from drug misuse and associated criminality. It aims to identify individuals whose drug use may be associated with their criminality and enable police to refer them into treatment and support services, reducing future offending by supporting individuals to change their behaviour.
8. The primary purpose of DToA is to support individuals to confront their drug use, but in many instances, DToA may also be a safeguarding tool for victims and offenders. For victims, in cases where a crime may not be progressed through the criminal justice system (CJS) or progression is delayed, DToA may act as a safeguard by addressing the drug use that leads to or worsens offending behaviour, presenting an opportunity for that behaviour to be addressed outside of the CJS.
9. Expanding the list of trigger offences for which police can conduct drug tests supports the aim of identifying drug users whose drug use and criminality may be linked, referring them to treatment or support services. It enables a wider cohort of offenders to be referred, supporting them to address their drug using behaviours, and ultimately reduce drug use and reoffending. The expansion also reduces those instances where an Inspector is not available to approve testing for a non-trigger offence, where opportunities for the individual to confront their drug use may be missed.
10. Similarly, the aim of expanding DToA powers to include specified Class B and Class C drugs is to provide opportunities to identify a wider cohort of drug users whose drug use may be associated with their criminality, so that they can be referred to appropriate treatment or interventions. This in turn will allow them to address their drug using behaviours, and ultimately reduce drug use and reoffending.
11. The intended outcomes of the policy proposals are:
 - Increased use of DToA.
 - Increased identification of individuals who use drugs from a wider range of testing for drugs and in relation to more offences.
 - Increased referral of individuals to appropriate treatment or other support services.
 - A reduction in drug use and reoffending.

Measure 4. Access to Driving Licence Records (DVLA Database)

12. The existing Police National Computer (PNC) is due to be fully replaced by the Law Enforcement Data Service (LEDS). The PNC has been in service for 50 years and has grown organically. The transition required a re-evaluation of the policy, documentation and legislation underpinning the data due to be transitioned to LEDS. That re-evaluation found the scope of the legislation does not support all the individuals and organisations that need to or that currently have access to DVLA driving data².
13. The legislation provides for police constables and National Crime Agency officers to have automated electronic access to the DVLA driving licence register³. For the purpose of access to driving licence information, certain police staff are defined as constables. This

² Home Office Internal background briefing note on access the DVLA Driving Database by Police and Law Enforcement.

³ Section 71 of the Criminal Justice and Court Services Act (2000) - www.legislation.gov.uk/ukpga/2000/43/section/71/2013-04-01

measure takes police staff out of the definition of police constable and adds these individuals specifically to the legislation. The measure also makes clear that the chief officer of that organisation is accountable for the access. The measure provides direct access to a small number of additional organisations with access to account for operational changes.

14. Civilian staff of the City of London Police, the Ministry of Defence Police, the Civil Nuclear Constabulary, non-Home Office forces (such as the Mersey Tunnels Police, the Port of Tilbury Police), the Service Police Crime Bureau and IOPC are not currently included in the definition as constables. The statutory or common law basis under which these individuals and organisations have access is unclear. This legislation aims to provide a clear and regulated basis under which these individuals and organisations can have access given their operational need.
15. At present, police forces in the Crown Dependencies (Jersey, Guernsey, and the Isle of Man) have direct access to the DVLA driving register. Under reciprocal legal arrangements a driver can only have one driving licence across the United Kingdom and the Crown Dependencies, however, there is no clear statutory basis under which DVLA driving register is provided to the Crown Dependencies. In their role of policing the border, Customs and Immigration staff within the Crown Dependencies also have direct access to the DVLA driver register. This legislation will provide a clear statutory basis for the Crown Dependencies to continue to have direct automatic access to the DVLA driving register on the same basis as now.
16. UK citizens regularly travel to Gibraltar, which is in the final stages of negotiations with the UK about gaining direct access to the DVLA driving register through the Police National Computer (and in due course LEADS). The policy intention is to provide Gibraltar with access to the DVLA driving register in the same way as the Crown Dependencies do. This measure will also provide a legal basis for independent access to the driving data for police investigation bodies in Scotland, Northern Ireland and within the Ministry of Defence. This will enable those bodies to undertake investigations independently of police forces. It is not anticipated that the volume of data acquired will change as a result of adding these four organisations.
17. This legislation will provide better alignment to data protection. The measure will include legislating for a Code of Practice to provide statutory guidance that organisations will be required to heed. The policy is to broaden the range of policing and law enforcement purposes that driving data can be accessed for. These changes will be implemented through subsequent regulations and a Statutory Code of Practice.

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

18. The policy objective is to provide wholesale reform of the confiscation regime, which has not been significantly amended since it was first introduced over 20 years ago. The measures for reform will ensure that the confiscation regime operates as efficiently as possible by simplifying court processes, creating realistic and enforceable orders, and addressing unpaid confiscation orders.
19. The measures are intended to achieve government objectives to reduce money laundering and increase asset recovery returns to ensure that criminals are deprived of their benefit from crime. A reformed confiscation regime will restore confidence in the public sector response to crime as funds stripped from criminals will be returned to victims and third parties at a swifter rate than the current regime provides for.

20. The measures for reform are intended to:

- Simplify confiscation proceedings by introducing an Early Resolution of Confiscation (EROC) hearing. This will be a forum to narrow the issues in dispute and fast-track agreed orders, which will ultimately save court time.
- Ensure that the test to calculate a defendant's benefit from crime is realistic, as opposed to treating all funds passing through the hands of a defendant as their overall benefit from crime, which the current test does. Reframing the calculation of benefit test will contribute to realistic orders being made and greater defendant compliance, which will subsequently improve asset returns.
- Improve enforcement by introducing "Confiscation enforcement plans", to be imposed by the court when a confiscation order is made, to detail the orders the enforcing court can make in the event the defendant defaults on the payment of their confiscation order.
- Extend the enforcement powers of the Magistrates' Court to the Crown Court. The courts will have powers to transfer proceedings between them based on the facts of each case. This will address delays that frequently occurs in payment of orders and will simplify the enforcement process.
- Place confiscation assistance orders on statutory footing to further improve enforcement by providing for the appointment of an appropriately qualified person to assist a defendant with satisfying their confiscation order. It will also remove barriers to the effective enforcement of confiscation orders and will contribute to a greater recovery of funds.
- Enable the provisional discharge of outstanding confiscation orders with no realistic prospect of recovery in the immediate term, such as instances where a defendant has no realisable assets available to satisfy the order. Powers to provisionally discharge a confiscation order in these instances will limit resources spent on futile attempts to enforce historical orders and could permit such orders to be treated differently when accounting the total confiscation order debt. No enforcement action could be taken to recover sums under the confiscation order, but this would not bluntly write off the debt. The discharge would be provisional so that money could still be recovered in time if an order was revoked.
- Ensure that the restraint of identifiable assets takes place earlier in the confiscation process, which will enable orders to be more easily enforceable against those identifiable assets. This includes placing the "risk of dissipation" test on statutory footing, which is currently applied by courts, but not explicitly mentioned in Part 2 of POCA 2002. Additionally, a non-exhaustive list of factors the courts should consider when hearing applications for restraint will provide the courts with guidance.
- Consolidate existing appeal rights for confiscation into POCA 2002 to ensure that the law is clear, transparent, and easily accessible.
- Redirect funds to victims. Under the current provisions of POCA 2002 and the Sentencing Act 2020, confiscation orders can be uplifted, but compensation orders cannot be. As a result, there is currently no means to direct the additional funds resulting from a POCA 2002, section 22⁴ uplift to victims with outstanding losses. This measure seeks to rectify this, and to replace an operational workaround devised by the CPS. The workaround has functioned as a voluntary reparations

⁴ Proceeds of Crime Act 2002, section 22: <https://www.legislation.gov.uk/ukpga/2002/29/section/22>

scheme, in which defendants agree to pay funds to victims in return for not being subjected to a section 22 uplift.

21. To avoid the need for the CPS operational workaround, this measure creates a process which puts a duty on courts to consider redirecting funds to victims when a section 22 uplift is made.
22. If the measure is used, funds that the defendant would have paid to the state are instead paid to victims (who already have compensation orders) to remedy their outstanding losses. It does not introduce any additional obligation on the defendant. The prosecutor would provide the court with evidence regarding these victims and would provide HM Courts and Tribunal Service with victims' details to enable payment.

Measure 6. Cost Protection for Civil Recovery

23. The policy objective is to introduce costs protections for enforcement authorities in High Court civil recovery proceedings under POCA 2002. In civil recovery proceedings, and civil law generally, the general rule is that the "losing party" of a case will be ordered to pay the legal costs of the winning party. This exposes law enforcement and prosecuting authorities to the risk of strains on their budgets. Expensive litigation is one of the risk factors that enforcement authorities actively consider, which impacts upon their decision to pursue an investigation.
24. The government is amending the "loser pays" principle in civil recovery proceedings to ensure that the court does not make an order for costs against an enforcement authority unless they acted unreasonably, dishonestly or improperly during proceedings or the court believes it just and reasonable to make such an order. This reform will not enable enforcement authorities to resource more cases as staffing numbers will not increase. However, it will increase their confidence in using POCA 2002 powers and removes barriers that they currently face in being able to pursue criminals with expensive legal representation.

Measures 7, 8 & 9. Public Order Measures

25. The objective of these measures is to prevent individuals from climbing on specified war memorials, possessing pyrotechnics at protests, and wearing face coverings that conceal identity at localities where a protest is taking place designated by the police. It will do this by introducing offences that criminalise this behaviour.
26. The government intends this measure to give the police the power to stop individuals from carrying out these actions, as well as to act as a deterrent to those who intend to do so, ordinarily in the course of a protest. With respect to memorials and pyrotechnics, this is intended to resolve the significant distress that climbing on war memorials can cause members of the public and the distress and intimidation the use of pyrotechnics during a protest can cause to others, as well as the associated health risks.
27. With respect to face coverings, currently, the police have the power under section 60AA of the Criminal Justice and Public Order Act 1994 to require individuals to remove or to seize disguises being worn wholly or mainly for the purposes of concealing their identity. They can only use this power where a designation is in place under section 60 of the same Act or where a designation is made under section 60AA.
28. The powers under section 60AA do not prevent individuals from removing a face covering and then placing it back on a later time in a different location within the designated locality.

This measure seeks to improve the police powers by enabling the police to arrest anyone wearing a face covering that conceals identity within a police designated locality, assuming the appropriate conditions in the provisions have been met and they are not wearing a face covering for the medical, religious or work-related purposes.

Measure 10. Powers of Entry

29. The policy objective is to create a new police power enabling entry, search and seizure for specific stolen items without a warrant where they are electronically trackable. This will help reduce the time taken to retrieve stolen goods and investigate acquisitive crime and to address victim concerns about perceived police inaction on street crime and phone theft. Where items can be tracked to specific locations they are often quickly moved on or sold, so this power could allow swift seizure of stolen property and better gathering of evidence to support investigation and arrest.
30. Indicators of success include an increase in charge rates for individuals who are involved in theft, robbery or handling stolen goods. This should then lead to a reduction in such offences being committed, and ultimately a reduction in the economic and social costs of such offences.

Measure 11. Implementation of international law enforcement information sharing agreements

31. Create a delegated power to make regulations implementing international agreements relating to the sharing of information for law enforcement purposes. This will provide powers to implement operational and technical aspects of such international agreements by way of secondary legislation (negative procedure) once the agreements have been negotiated.
32. The implementation of new law enforcement information sharing agreements with international partners will provide law enforcement officers with access to new intelligence to fight crime, increase public protection and reduce the threat of societal harm posed by international criminality.
33. International law enforcement information-sharing agreements are yet to be negotiated; however, the primary indicator of success will be the successful implementation of such agreements. The regulation making power will ensure that operational partners will have complete clarity of new requirements placed upon them, and that regulations can be updated as technology develops. Law enforcement officers will have access to and be able to share new intelligence to fight crime and as a result reduce the harm of crime to individuals and society, in turn, improving public confidence and the international reputation of the UK.

B. Policy options considered, including alternatives to regulation

Measure 1. Appeals Routes to the Police Appeals Tribunal

Option 0 – ‘Do-nothing’

34. A continued option of judicial review route of appeal only for appeals. This avoids bringing parity to the system and means less effective use of public money.

Option 1 - 'Preferred option'

35. Legislate for a specific right of appeal. This option will mean that chief officers, local policing bodies and the IOPC are to use PATs. **This is the government's preferred option**, as it represents better use of public money and parity between chief officers, local policing bodies and police officers in terms of appeal routes.

Non-regulatory options

36. There are no non-regulatory options. This is not possible as police officers are subject to a regulated system of discipline and so any changes to the process require legislative change.

Measure 2. Police Accountability Review

Option 0 – 'Do nothing':

37. Beyond not delivering a public commitment made by the Home Secretary, not legislating would lead to the continuing perception of unfairness when comparing cases referred to the CPS in relation to police officers with cases brought against members of the general public. There would also be continuing delays to the referral process and the Victims Right to Review scheme would not have formal checks and balances.

Option 1 – 'Preferred option':

38. Introduce the three measures to:
- **Measure 2A** – The introduction of measure 2A will align the threshold for an IOPC referral to the CPS, with the threshold the CPS uses for non-police referrals. The IOPC threshold for referral will be raised to "reasonable grounds to believe the person has committed a criminal offence".
 - **Measure 2B** – Measure 2B will enable the IOPC to refer cases to the CPS prior to completing the final report, as currently required. The amendment must be made in legislation as the requirement for a completed report is statutory.
 - **Measure 2C** – This clause will place the IOPC's Victims Right to Review scheme on statutory footing. This will strengthen the system and improve checks and balances for victims.

Non-regulatory options

39. There are no non-regulatory options. The changes to IOPC referral thresholds and processes, and formalising the Victims Right to Review scheme, can only be altered through primary legislation because they are set in primary legislation.

Measure 3. Drug Testing on Arrest

40. As this economic note (EN) covers both the expansion to Class B and C drugs, and the expanded list of trigger offences, the options for each have been set out separately.

Measure 3A. Trigger Offence Expansion

Option 0: 'Do nothing'

41. This would involve no legislative changes. Police powers for drug testing will remain with the current trigger offence list and the ability to drug test for a non-trigger offence with

inspector's authority. This is less likely to further the government's Health⁵ and Safer Streets Missions⁶ as fewer cohorts of drug users will be identified and referred to treatment or support services, leading to less potential behaviour change.

Option 1: 'Preferred'

42. **Legislate to expand the trigger offences to include new offences.** This option allows police to test a wider range of individuals without requiring inspector's authority for each instance. This furthers the government's Health and Safer Streets Missions through supporting more drug users to enter treatment, and by addressing criminality that may be driven by drug use. The inclusion of trigger offences relating to VAWG, anti-social behaviour, and knife crime are particularly relevant to the government's commitments.

Measure 3B. Class B and C Expansion

Option 0 - 'Do nothing'

43. This would involve no legislative changes and DToA continues to only test for specified Class A drugs. This is less likely to achieve the government's Health and Safer Streets Missions, as opportunities will be missed to address drug use and drug-driven criminality.

Option 1 - 'Preferred'

44. **Legislate to expand DToA to specified Class B and Class C drugs.** This will support the government's Health and Safer Streets Missions by referring more drug users into treatment and reducing their reoffending. This also presents an opportunity to, through DToA programme metrics, improve the understanding of the links between drug use and criminality which will provide informed policy choices going forward.

Non-Regulatory Option

45. There are no non-regulatory options, as amending police powers for drug testing on arrest require primary legislation.

Measure 4. Access to Driving Licence Records (DVLA Database)

Option 0 – 'Do-nothing':

46. This would mean those organisations that are not explicitly covered under legislation will have their access removed, and the organisations that are covered by legislation but have individuals that are not specified within the legislation will continue to access the data at risk. This will maintain legal risk. This option also does not provide the legislative framework for greater alignment with data protection legislation through improved regulations. The costs of this option have not been monetised.

Option 1 - 'Preferred option'

47. **Legislate to clarify organisations⁷ that currently access DVLA driving data.** This measure will specify the organisations or types of organisations that will have access. The existing legislation defined access through the term "constable" and National Crime Agency officers. The term constable has different meanings and is therefore the existing legislation is legally ambiguous.

⁵ <https://www.gov.uk/missions/nhs>

⁶ <https://www.gov.uk/missions/safer-streets>

⁷ The organisations that require a more certain legislative basis are Police forces in the: Crown Dependencies of Jersey, Guernsey, and Isle of Man, United Kingdom ports, docks and within the Mersey Tunnels, Ministry of Defence, Royal Navy, Royal Military, RAF, and the Military 'tri-service serious crime unit'. The Independent Police Complaints Commission (England and Wales) also needs a more certain basis.

48. This measure will revert the term “constable” back to its usual meaning in the United Kingdom. The existing legislation defines some police staff as “constables” for the purpose of access to driving data and this measure will remove police staff from the definition of a constable for the purpose of access to driver data.
49. The existing legislation does not apply consistently to many individuals⁸ who currently access the driver data. This measure will specify which police staff and other individuals who can be authorised to access the data. The existing legislation does not detail who is accountable under the Data Protection Act (2018) for ensuring each constable is accessing the data appropriately. This measure will clarify that each chief officer is required to be accountable and will specify who that chief officer is.
50. The measure will provide access to new organisations. These organisations will be the police complaints bodies of Scotland, Northern Ireland and the Ministry of Defence. The measure will also add the civil and military police forces of Gibraltar.
51. The proposed measures will better align the legislation to the Data Protection Act (2018) and provide for future regulations that can have specific and targeted privacy protections. This will include a Statutory Code of Practice. This will unlock the ability through Regulations for the use of DVLA driver data for additional purposes and for greater accountability through a Statutory Code of Practice.
52. The government prefers option 1, as it maintains proportionate access to driving licence records whilst removing legal uncertainty and improves alignment to the Data Protection Act 2018 without impacting operational outcomes.

Non-regulatory options

53. There are no non-regulatory options. Access to DVLA driver data is subject to regulations as the data is collected for a specific legal purpose and so any changes to the process requires legislative change.

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

Option 0 - ‘Do-nothing’

54. Do not reform the confiscation regime in the Proceeds of Crime Act 2002. This does not meet the government’s objectives.

Option 1 - ‘Preferred option’

55. Reform the confiscation regime in the Proceeds of Crime Act 2002 to provide a more efficient, realistic, and fair enforcement of confiscation orders. **This is the government’s preferred option as it meets the strategic and policy objectives** and a proportionate and cost-effective approach to the problem.

Non-regulatory options

56. There are no non-regulatory options. The reforms in the EN must be taken forward in legislation, either primary or secondary, as they amend a regime that already exists in law.

⁸ The individuals that require a more certain legislative basis are: Civilian staff of the City of London Police, the Ministry of Defence Police, the Civil Nuclear Constabulary, non-Home Office forces (such as the Mersey Tunnels Police, the Port of Liverpool Police), the Service Police Crime Bureau, and the Independent Office for Police Conduct.

Measure 6 Introducing Cost Protection for Civil Recovery

Option 0 - 'Do-nothing'

57. Do not introduce costs protections for enforcement authorities. This does not meet the government's objectives of ensuring that the court does not make an order for costs against an enforcement authority unless certain.

Option 1 - 'Preferred option'

58. Introduce costs protections for enforcement authorities in High Court civil recovery proceedings through primary legislation. **This is the government's preferred option as it meets the policy objective** and is a proportionate and cost-effective approach to the risks enforcement authorities face when pursuing civil recovery cases.

Non-regulatory options

59. There are no non-regulatory options. The reform in the EN must be taken forward in legislation, either primary or secondary, as they amend a regime that already exists in law.

Measures 7, 8 & 9 Public Order measures

Option 0 - 'Do-nothing'

60. This would mean that the police would continue to not have the power to prevent individuals from climbing on specified war memorials and possessing pyrotechnics at protests and would have fewer effective powers to deal with the use of face coverings to conceal identity at protests. This would not prevent these harms from occurring nor as act as a deterrent.

Option 1 – Create new public order offences - 'Preferred option'

61. Introducing new criminal offences that allow the police to arrest individuals climbing on specified war memorials, possessing pyrotechnic articles without reasonable excuse or wearing face coverings that conceals identity at protests. This intends to prevent these harms from occurring, and act as a deterrent for the specific offences and the commission of other offences with regard to face coverings.

Non-regulatory options

62. There are no non-regulatory options that achieve the policy objective.

Measure 10. Powers of Entry to search for and seize stolen property

Option 0 - 'Do nothing'

63. This option would entail no further government intervention through legislation to create a new power. Costs and benefits for the other options assessed in this note are measured relative to the 'Do Nothing' position. The option to do nothing would not achieve the desired outcome.
64. The perceived lack of police response to acquisitive crime has been identified by HM Inspectorate of Constabulary and Fire and Rescue and Dame Louise Casey as a driver of low trust and confidence in policing. Charge rates for these offences remain low – whilst

this is the case for all offences, there are some factors driving low charge rates particularly specific to acquisitive crime.

Option 1 - Create a new power of entry for search and seizure - 'Preferred Option':

65. The government intends to create a targeted power of entry for the police which would permit them to enter premises without a warrant for the purpose of searching for and seizing specific stolen goods/property which are electronically trackable to a particular location. This is the government's preferred option as it meets the strategic and policy objectives.

Non-regulatory options

66. There are no non-regulatory options which would meet the stated policy intention.

Measure 11. Implementation of international law enforcement information sharing agreements

Option 0: 'Do nothing'

67. This would entail no government intervention through changes to legislation. The government would be required to either negotiate agreements that do not require legislative implementation or would have to rely on new primary legislation to undertake such implementation which could cause delay. Option 0 does not meet the government's objectives.

Option 1 – 'Preferred Option'

68. Create a delegated power to make regulations implementing international agreements relating to the sharing of information for law enforcement purposes. **This is the government's preferred option** as it will provide powers to implement operational and technical aspects of such international agreements by way of secondary legislation (negative procedure) once the agreements have been negotiated.

Non-regulatory options

69. There are no non-regulatory options. The only way for the desired outcome to be achieved is through the regulatory option given that international partners are likely to require that agreements are implemented through legislation.

C. Past evaluations and rationale for government intervention

Measure 1. Appeals Routes to the Police Appeals Tribunal

70. There have previously been concerns of police officers not being dismissed in circumstances where the chief officer considers the decision to have been unreasonable. In October 2024, the government announced a series of reforms to strengthen the police misconduct system⁹, including a presumption of dismissal where gross misconduct is proven. This measure brings helpful parity to the system, enabling a chief officer to uphold

⁹ Police accountability: factsheet - GOV.UK (www.gov.uk): <https://www.gov.uk/government/publications/police-accountability-factsheet>

the interests of both its workforce and the wider public by challenging decisions which, for example, they consider to be unreasonable.

71. It is important that further parity is then brought to the system, to enable appropriate challenge where such disciplinary decisions are made in respect of chief officers themselves, or in circumstances where the IOPC has investigated and subsequently presented at the misconduct proceedings. To mirror the changes allowing chief officers to challenge decisions in respect of officers under their direction or control, local policing bodies (in most circumstances, the Police and Crime Commissioner), will be given a limited right of appeal to the PAT in respect of the chief officer only.
72. This will replicate those provisions being introduced for police officers and ensure there is appropriate accountability in place. The IOPC will be given a right of appeal in circumstances where it has presented.

Measure 2. Police Accountability

73. On 24 September 2023, the Home Office launched a review of investigatory arrangements which follow police use of force and police driving related incidents.¹⁰ This followed concerns from policing that the accountability system had lost the confidence of officers, deterring some from carrying arms or taking other actions necessary to protect the public.
74. A main finding of this work to date was that investigations take too long, causing distress to those involved and undermining public confidence. Timely justice and accountability are in the interest of both officers and the public. The measures together aim to improve the timeliness and fairness of investigations and the rights of victims.
75. Measure 2A will adjust the threshold for the Independent IOPC to refer police cases to the CPS. The measure will adjust the threshold for referral, so that it aligns with police charging decisions, improving fairness.
76. Measure 2B will remove restrictions placed on IOPC so that they can refer cases to the CPS without completing their final report, improving the timeliness in the referral process.
77. Measure 2C will place the IOPC's Victims Right to Review scheme on a statutory footing.¹¹

Measure 3. Drug Testing on Arrest

78. DToA has been used by police forces over a number of years. An evaluation of the 2010 Drug Strategy, published in July 2017, noted some positive impacts of the then Drug Intervention Programme¹² (of which DToA was a main component) including that reoffending rates were lower for a significant proportion of the cohort. That evaluation drew on independent evaluations published in 2007 and 2009.

¹⁰ Announcement of review of investigation after police use of force:
<https://www.gov.uk/government/publications/review-of-investigations-after-police-use-of-force-terms-of-reference>

¹¹ Information about our victims' right to review scheme, March 2021 | Independent Office for Police Conduct (IOPC): <https://www.policeconduct.gov.uk/publications/information-about-our-victims-right-review-scheme-march-2021>

¹² An evaluation of the Government's Drug Strategy 2010:
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/628100/Drug_Strategy_Evaluation.PDF

79. The 2021 drug strategy¹³ included aims of delivering a “world-class treatment and recovery system”, and “achieving a generational shift in the demand for drugs”. DToA was identified at that time as one intervention that could support those aims and investment was made in DToA over that period.
80. DToA supports the government’s Safer Streets mission by addressing the drug use that drives some criminality. The government supports the continued use of DToA by forces and intends to reform the legislation to enable testing to take place more widely to support individuals to enter into treatment or intervention opportunities where appropriate to address their drug misuse.
81. Expanding the trigger offences as outlined directly supports the aims within the mission to reduce violence against women and girls, address antisocial behaviour, and reduce knife crime, as well as wider violent crimes that are linked to drug use. DToA supports drug users to enter treatment, providing an opportunity to change behaviour and ultimately reduce drug use and drug-related deaths.
82. Treatment and support services can play a critical role in addressing drug use and related harms and criminality. Research has demonstrated that treatment can reduce offending by almost a quarter, while opiate users who successfully complete treatment reduce their offending by almost 40 per cent¹⁴. DToA has been previously identified as a potential means of identifying drug users and referring them to treatment¹⁵. Indicative data from police forces between March 2023 and March 2024 suggests that the majority of positive tests result in an initial assessment, and that, where data is available, nearly half of assessments result in a referral to treatment¹⁶.
83. Current legislation contains 21 trigger offences, meaning police/custody suite officers can drug test without further approval when an individual has been arrested or charged for one of these trigger offences. Police can test an individual for a non-trigger offence, although this requires an Inspector’s authority. This may decrease the likelihood of a drug test taking place due to lack of availability of an Inspector – particularly relevant for crimes that may take place in the night-time economy – or increase the time taken to process the individual, which could lead to the drugs being undetectable in the sample by the time one is taken. Increasing the number of trigger offences will provide additional flexibility to officers and increase the number of drug tests carried out.
84. The policy aim in expanding DToA beyond Class A drugs is to identify a wider cohort of drug users whose drug use may contribute to their criminality and divert more individuals to treatment and support services. The expansion of DToA seeks to protect the health of the individual, address their drug use by diverting them into treatment or support services, and ultimately reduce drug-related offending, preventing disorder and crime.
85. HM Treasury granted £5 million for FY 2022/23, £6 million for FY 2023/24 and £1 million for FY 2024/25 for the expansion of DToA. The majority of this funding was offered to

¹³ From harm to hope: a 10-year drugs plan to cut crime and save lives:

https://assets.publishing.service.gov.uk/media/629078bad3bf7f036fc492d1/From_harm_to_hope_PDF.pdf

¹⁴ Review of Drugs - evidence relating to drug use, supply and effects, including current trends and future risks(publishing.service.gov.uk):

https://assets.publishing.service.gov.uk/Government/uploads/system/uploads/attachment_data/file/882953/Review_of_Drugs_Evidence_Pack.pdf Review of Drugs - evidence relating to drug use, supply and effects, including current trends and future risks(publishing.service.gov.uk):

https://assets.publishing.service.gov.uk/Government/uploads/system/uploads/attachment_data/file/882953/Review_of_Drugs_Evidence_Pack.pdf

¹⁵ Drug testing on arrest—who benefits? | Health & Justice (biomedcentral.com):

<https://healthandjusticejournal.biomedcentral.com/articles/10.1186/s40352-019-0103-z>

¹⁶ Drug Testing on Arrest Programme Data Data): <https://www.gov.uk/Government/publications/drug-testing-on-arrest-dtoa-programme-data/data-drug-testing-on-arrest-dtoa-programme-accessible>

police forces to set-up or expand existing DToA operations, and forces have been using this funding to expand their use of DToA under the existing legislation.

Measure 4. Access to Driving Licence Records (DVLA Database)

86. The existing Police National Computer (PNC) is due to be fully replaced by the LEDS. The PNC has been in service for 50 years and has grown organically. The transition required a re-evaluation of the policy, documentation and legislation underpinning the data due to be transitioned to LEDS. That re-evaluation found the scope of the legislation does not support all the individuals and organisations that need to or that currently have access to DVLA driving data¹⁷.
87. This is causing some legal uncertainty and risks intervention from the Information Commissioner's Office. That intervention might take the form of fines or a requirement to stop processing the DVLA driving information for the affected organisations and for the Home Office and Department for Transport as processor and controller (respectively) of the systems used for that access. The previous government brought forward legislation to remediate the gap. That legislation fell with the dissolution of Parliament in June 2024. This measure continues that legislation option to regularise access to DVLA driver data, and to improve alignment to the Data Protection Act 2018 . Access to DVLA driver licence records by constables was originally permitted by the Criminal Justice and Court Services Act 2000. This enabled the DVLA to provide data to the then Police Information Technology Organisation (PITO) for inclusion on the Police National Computer (PNC). The use of the data provided to PITO and placed on the PNC was restricted, by the Motor Vehicles (Access to Driving Licence Records) Regulations 2001, to Road Traffic Act 1988 enforcement and a few related purposes.
88. The Criminal Justice and Court Services Act 2000 was amended to enable the civil staff of some police forces to access the driver data as well as constables. The legislation changed the definition of constable to add certain police civil staff for the purpose of access to DVLA driver information. The practical effect of this was to designate police staff as constables, but without any of the powers of a constable and purely to permit police staff to access driver data.
89. The access was further widened to Crown Dependencies and other law enforcement bodies by the National Policing Improvement Agency using powers contained within Schedule 1 of the Police and Justice Act 2006.¹⁸ However, the legal basis of this further widening is uncertain.
90. These clauses will specifically provide a legal basis for existing access in the following organisations:
 - a. Police Forces in the Crown Dependencies of Jersey, Guernsey, and Isle of Man,
 - b. Police Forces in United Kingdom Ports and Dock areas,
 - c. The Police Force operating within the Mersey Tunnels,
 - d. The Ministry of Defence Police, the Royal Navy Police, the Royal Military Police, the RAF Police, and the Military 'tri-service serious crime unit', and,

¹⁷ Home Office Internal background briefing note on access the DVLA Driving Database by Police and Law Enforcement.

¹⁸ Paragraph 3(3) of Schedule 1 permitted to provide services to the Crown Dependencies and other law enforcement bodies. Paragraph 1(e) f Schedule 1 provided the NPIA with the power to provide support to police forces in relation to "Information Technology" and further with "services"
<https://www.legislation.gov.uk/ukpga/2006/48/schedule/1/2013-04-01>

- e. The Independent Office for Police Conduct (England and Wales).
91. These clauses will add the following organisations to list of those with access to the DVLA driving database:
- a. The Royal Gibraltar Police,
 - b. The Gibraltar Defence Police
 - c. The Police Ombudsman for Northern Ireland,
 - d. The Independent Commission for Reconciliation and Information Recovery
 - e. The Police Investigations and Review Commissioner (Scotland), and,
 - f. The Service Police Complaints Commissioner (Ministry of Defence Police).
92. These clauses will specifically provide a legal basis for existing access by the following individuals which are not included in the current definition of “constables”:
- a. Civilian staff of the City of London Police,
 - b. Civilian staff of the Ministry of Defence Police,
 - c. Civilian staff of the Civil Nuclear Constabulary,
 - d. Civilian staff of non-Home Office forces (such as the Mersey Tunnels Police, the Port of Tilbury Police),
 - e. the Service Police Crime Bureau,
93. Currently data provided automatically is mostly limited to Road Traffic Act 1988 purposes. This means, for example, that police can use automated systems to quickly obtain driver data to confirm the identity of a driver of a vehicle who might have been speeding. However, police are not able to use the same automated systems to obtain the identity of a driver who has been found unresponsive in a vehicle if this is not linked to a road traffic incident. Currently, police officer would have to contact the DVLA and convince the DVLA of the case for releasing the data.
94. The policy aim is to broaden the purposes for which automatically provided data can be used by law enforcement. The legislation will also provide powers to make regulations and issue a code of practice to implement the more detailed governance arrangements in relation to training, audit oversight and inspection necessary to ensure the data is used appropriately.
95. The legislation also clarifies and simplifies the descriptions of who can have access to DVLA driving licence data for law enforcement and policing purposes and requires that the most senior person in charge of each organisation will be responsible for ensuring compliance. All staff of the organisation in appropriate roles will be eligible to use DVLA data for prescribed policing and law enforcement purposes subject to ongoing training and audit provisions being in place.
96. The previous government brought forward legislation to remediate the gap. That legislation fell with the dissolution of Parliament in June 2024. This measure continues that legislation option to regularise access to DVLA driver data, and to improve alignment to the Data Protection Act 2018.

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

97. Complexities and perceived problems with the confiscation regime have been well documented. Successive reviews of the confiscation regime undertaken by the National Audit Office, the Public Accounts Committee and the Home Affairs Select Committee expressed concerns regarding the complexity of the regime and identified problems with enforcement.¹⁹
98. Confiscation cases are among the most litigated areas of jurisprudence. Since the powers in POCA 2002 commenced in 2003, there have been over 100 appellate decisions²⁰ regarding the calculation of benefit alone, which is a single provision within the regime. During the three-year period ending on 30 September 2023, 90 appellate decisions on confiscation orders were recorded, together with 19 High Court decisions and 2 Crown Court decisions. Extensive litigation in the courts has also been required to clarify points of interpretation due to the complexities of the legislation.
99. Confiscation orders are usually made by criminal judges in the Crown Court at the conclusion of criminal proceedings. The orders are made in relation to the purported benefit from criminal activity and the value of the defendant's assets at the time of the order. Government intervention is required to address the following;
- a. When the enforcement order is remitted to the Magistrates Court, very little information is passed on about the criminal matter or the basis for the confiscation order. The lack of efficient mechanisms for calculation and enforcement is a constraint to the operation of the confiscation system. Government intervention is required to identify and legislate for an improved procedure. This will improve the availability of confiscation information and ensure information is accurately exchanged between defendants and prosecutors in confiscation hearings.
 - b. Enforcement proceedings are often complex and protracted. Reforms to the confiscation regime will simplify and speed up the process for making and enforcing confiscation orders. This will ensure that the calculations of the figures that form the basis of a confiscation order are realistic, which will provide greater clarity in the courts relating to the interpretation of the legislation.
 - c. The current confiscation regime is also often reliant on defendant compliance. Improving the process by which orders are calculated and the mechanisms relating to the restraint and realisation of assets, will reduce this reliance and limit the ability of defendants to frustrate the enforcement process. This will contribute to the swifter resolution of confiscation proceedings in all cases, resulting in capacity and efficiency savings across the whole CJS, in addition to providing faster and greater returns for victims and third parties.

Measure 6. Cost Protection for Civil Recovery

100. The previous government committed in the Economic Crime Corporate Transparency Act 2023, to carry out a review of the payment of costs by enforcement authorities in High

¹⁹ Confiscation-Book (nao.org.uk): <https://www.nao.org.uk/wp-content/uploads/2013/12/10318-001-Confiscation-Book.pdf>, Confiscation orders: progress review (parliament.uk): <https://publications.parliament.uk/pa/cm201617/cmselect/cmpublicacc/124/124.pdf>
Proceeds of crime (parliament.uk): <https://publications.parliament.uk/pa/cm201617/cmselect/cmhaff/25/25.pdf>

²⁰ Appellate decisions refers to the process of changing earlier court decisions.

Court civil recovery proceedings in England and Wales and to publish a report before Parliament.²¹

101. To inform this report, an engagement exercise ran between 12 January 2024 and 8 March 2024 asking whether it would be appropriate to restrict the court's power to order legal and court fees payable by an enforcement authority in civil recovery cases in the High Court. The engagement exercise also asked for views on the appropriate mechanism for implementing such changes. The exercise was targeted at key stakeholders across law enforcement, the judiciary, civil society, legal profession, Devolved Governments, and other government departments that would be affected by the introduction of costs protections.
102. There was a strong consensus amongst consultees that a form of costs protections for enforcement authorities in the High Court would be appropriate to encourage the use of civil powers under Part 5 of POCA 2002. Consultees felt that primary legislation mirroring the costs protections amendments made to the Unexplained Wealth Order (UWO) regime in Part 8 of POCA 2002 would be most appropriate to provide consistency with the UWO regime. The report concluded that the government could see merit in introducing costs protections and would consider making amendments in law.
103. Following extensive stakeholder engagement, the government has concluded that intervention is required to amend the law to introduce costs protections in civil recovery cases. The risk of adverse costs is a major barrier to enforcement authorities prosecuting high-end money laundering cases, including those involving kleptocrats and other wealthy individuals. While the proposed reform would not be limited to those cases, it would provide enforcement authorities with the confidence to pursue high-harm cases without the risk of expensive litigation. Costs protections would provide a positive step forward for the UK's broader goal of dealing with kleptocracy and other economic crime.

Measures 7, 8 & 9. Public Order Measures

Measure 7. Face Coverings

104. Regarding face coverings, the existing powers allow police to require individuals remove disguises or to seize disguises being worn wholly or mainly for the purposes of concealing their identity. They can only use this power where a designation is in place. However, these powers do not prevent individuals from removing a face covering when required to by police and then placing it back on at a later time in a different location within the designated locality.
105. The use of face coverings to conceal identity can cause distress to members of the public and makes it difficult for the police to identify individuals engaged in criminal activity. This measure seeks to improve the police powers by allowing them to arrest anyone wearing a face covering within a police designated locality, assuming the appropriate conditions in the provisions have been met and they are not wearing a face covering for religious, medical or work-related purposes.

Measures 8 & 9. War Memorials and Pyrotechnics

106. There is currently no law that prohibits individuals climbing on war memorials nor possession of pyrotechnics during protests. This has resulted in reported cases of individuals climbing on key memorials during protests or during the aftermath of protest

²¹ Costs protections in civil recovery proceedings - GOV.UK: <https://www.gov.uk/government/publications/costs-protections-in-civil-recovery-proceedings>

activity, such as the Royal Artillery Memorial²², and individuals carrying flares in crowds with the police unable to intervene, causing alarm to members of the public. The new offences will target this problem by prohibiting individuals from climbing on specified war memorials, such as the Cenotaph, and banning the possession of pyrotechnics at protests allowing the police to take preventative action where necessary.

Measure 10. Powers of Entry

107. Concerns are frequently raised by victims, the media and police themselves that victims of theft or robbery are able to track stolen devices or vehicles, using GPS trackers or apps such as 'Find my iPhone', but on reporting the crime and sharing this information police are not always able to take action.
108. Police currently have no general power to enter and search premises solely for the purpose of searching for and seizing stolen property without a warrant. They can apply to the courts for a warrant, however, feedback has shown that during this time the goods have often been moved on to another location where they can be sold or used to commit other crimes. This new power should have an additional economic effect by preventing some of these crimes from taking place.

Measure 11. Implementation of international law enforcement information sharing agreements

109. The government envisages that under future international agreements law enforcement information will be shared between UK law enforcement agencies, particularly, police forces, the NCA and Border Force and equivalent organisations in the relevant third countries. The data will likely be shared using a new IT platform.
110. UK police forces, the NCA and Border Force already have the ability to share law enforcement data with international partners, using their existing statutory or common law powers.
111. The government's view is that new domestic legislation is now required, since:
 - a. the UK will need to create secondary legislation with sufficient detail to enable each agreement's implementation;
 - b. operational partners (such as police) will, if they have legislation to follow, be more explicitly aware of their obligations, providing legal assurance that the risk of non-compliance has been mitigated;
 - c. international partners are likely to require or prefer that agreements have a basis in UK legislation, not in common law, as the common law is not a familiar concept to some.
112. New law enforcement information sharing agreements with international partners will provide law enforcement officers with access to new intelligence to fight crime. This measure enables the swift implementation of these new agreements, thereby providing UK law enforcement agencies with additional capabilities at the earliest point possible to help keep the public safe from the threat posed by international criminality, cross-border crime and help protect vulnerable people. These new agreements will set the parameters for the sharing of law enforcement data between the UK and a third country, including the technical specifications relating to how data will be shared.

²² BBC, More powers to protect war memorials from protesters considered 18 November 2023: <https://www.bbc.co.uk/news/uk-67442917>

113. International agreements for the exchange of law enforcement information can vary in terms of their specific aims. One example envisaged, is an agreement enabling the reciprocal exchange of law enforcement alerts. Such alerts would contain information about a particular person or object that are of interest or under investigation by law enforcement authorities.
114. Such agreements could help to enhance international law enforcement cooperation, enabling them to work together more effectively in combating crime that transcends national borders, including OIC. Sharing data internationally may also allow law enforcement agencies to access broader and more diverse sources of intelligence.
115. This can lead to faster and more accurate threat assessments, and, in turn, quicker and more targeted responses to emerging criminal activities. With more comprehensive, real-time data, law enforcement can engage in proactive crime prevention. They can detect criminal trends, identify potential threats earlier, and act before crimes escalate.

D. Appraisal

General assumptions and data for all measures

116. The following general assumptions are used in this EN which is in line with the guidance set out in HM Treasury (2022) Green Book²³:
 - a. The appraisal period used is 10 years, 2025/26 to 2034/35.
 - b. The price base year used is FY 2025/26.
 - c. The present value base year is FY 2025/26.
 - d. The HM Treasury GDP deflator, 2024²⁴

Measure 1. Appeals Routes to the Police Appeals Tribunal

General assumptions and data

117. The legislation is expected to increase the overall number of appeals to the PAT. This is expected to form a wider set of legislative reforms, including a presumption for dismissal for gross misconduct and that conviction of certain offences will automatically amount to gross misconduct. These wider reforms may have some limiting effect on the number of cases which chief officers may choose to use their new route of appeal.
118. The legislation aims to remove the need for judicial review applications by chief officers in relation to misconduct panel decisions on the outcome or sanction issued in respect of members of that force, by allowing a statutory route to the PAT. This excludes circumstances where the chief officer decides to challenge a decision of the PAT, which can only be challenged via judicial review.

²³ <https://www.gov.uk/Government/publications/the-green-book-appraisal-and-evaluation-in-central-Government/the-green-book-2020>

²⁴ GDP deflators at market prices, and money GDP - GOV.UK (www.gov.uk): <https://www.gov.uk/Government/collections/gdp-deflators-at-market-prices-and-money-gdp>

119. Overall, by moving cases that may otherwise have gone to judicial review to the PAT process will generate cost savings. These savings have not been monetised due to uncertainty around volumes and costs.
120. Whilst impacts have not been included in any NPSV calculations, Home Office will monitor the impact of this legislation through the annual collection and publication of data from police forces, as part of its police misconduct statistical bulletin.

Costs

Set up costs

121. The PAT is an existing process so there are no set up costs for this measure.

Ongoing costs

122. There are no monetised ongoing costs. For a discussion of potential costs and scenarios, see the below Value for Money section.

Benefits

Set up benefits

123. There are no monetised setup benefits

Ongoing benefits

124. There are no monetised ongoing benefits

Non-monetised benefits

125. By providing chief officers with a route to appeal, which is a less costly and burdensome process than judicial review, the measure aims to result in greater public confidence that unreasonable or unduly lenient decisions at misconduct hearings can be challenged. This should lead to greater trust and confidence that misconduct is acted on appropriately.
126. The benefits of this measure are aimed at improving trust and confidence in policing and as such have not been monetised.
127. This position provides parity to the system, which already affords the officer concerned a right of appeal, but not the chief officer, who is held to account on the standards and culture within their force. This is intended to reassure the public that, where an officer hasn't been dismissed – and the chief officer considers that this decision is unreasonable – it has the ability in law to challenge that decision in a way which is fair, timely and represents good value for money. Standards in policing has been frequently called into question in recent years, following a number of high-profile cases and critical reviews. These measures, supported by wider reforms to the police discipline, performance and vetting systems, aim to raise the bar on standards.

NPSV, BNPV and EANDCB

128. The costs associated with this measure will be the cost of appeals going to the PAT. The cost of an appeal to the PAT varies depending on whether it goes to a full tribunal. Appeals can be ruled out early without going to a full panel tribunal, this happens where there is no likelihood of success. This is determined by the PAT Chair alone and, whilst the applicable fees may vary, they can typically range from £1,000 to £2,000 in these circumstances.
129. For a non-senior officer appealing a full tribunal requires a wider panel consisting of a senior officer and a lay member. For senior officers appealing, a full tribunal requires a wider panel consisting of; His Majesty's Chief Inspector of Constabulary or a nominated

HM Inspector and the Permanent Secretary of the Home Office or nominated Director. Additional costs of a full tribunal include expenses and venue accommodation.

130. Costs of a tribunal, including fees, are met by the local policing bodies. The Home Office will pay the employer contribution for PAT Chair pensions. Existing tribunal costs including fees are met by local policing bodies. Data is unavailable on these costs.
131. It is assumed that the cost of panel members is the majority of the cost of a full tribunal. PAT Chairs earn £511.56 per day. There are currently no confirmed plans to increase it in 2025/26. With no other information it is assumed that the costs of other panel members is similar and most likely less. The estimated maximum cost per day of a tribunal is £2,322.74. Whilst not yet established for PAT Chairs, this calculation includes employer pension contributions equivalent to those within the Judicial Pension Scheme 2022 (51.35%).
132. The full costs of judicial reviews, instead of which appeals may be made to the PAT, are not known. However, the costs of a judicial review are expected to be significantly higher than a PAT. A PAT is procedurally simpler than applying for a judicial review. In addition, the appellant at a PAT has the right to be represented by a relevant lawyer, whereas judicial review hearings will often involve two or more counsel. Due to the higher legal costs and administrative burdens, it is assumed that judicial reviews will be substantially more expensive than an appeal to the PAT.
133. The number of cases likely to be brought to the PAT is unknown. It would be expected that cases that would otherwise have gone to judicial review would now go to PAT. Evidence to the Home Office review into police officer dismissals²⁵ suggested that, since 2016, there had, at that stage, been a total of 18 cases (eight unsuccessful, four successful and six on-going).
134. This suggests two to three cases per year. As appeals to the PAT will be less costly and time consuming compared to judicial review, it could be assumed that the volumes would increase. However other measures are currently being implemented, which include making dismissal the presumptive outcome for proven gross misconduct. This measure may impact the necessity for appeal by chief officers in some cases.
135. If it is assumed that the minimum length of a tribunal is one day with three cases per year. This would result in a total yearly cost of £6,968. If it is assumed that the length of a tribunal is one week with three cases per year. The total yearly cost would be £34,841.
136. In the absence of information on the length of tribunals and volumes expected, if a panel was to convene for every working day in a year the maximum total cost would be £604,000 per year. This is an exaggeration, and the actual costs are expected to be substantially lower. However, this demonstrates that the total costs of this measure are minimal.
137. In addition, given the expectation that judicial reviews are more expensive, as long as there is not a significant increase in PATs, it is expected that Option 1 will always have a positive NPV compared to Option 0.

Measure 2. Police Accountability Review

General assumptions and data

138. Data and assumptions have been drawn from several sources including:

²⁵ Police officer dismissals: Home Office review - GOV.UK: <https://www.gov.uk/Government/publications/police-officer-dismissals-home-office-review>

- a. IOPC familiarisation cost inputs were provided by the IOPC.
- b. Professional Standards Departments (PSD) staff and officer numbers are from Police workforce open data tables²⁶.
- c. PSD salaries are Home Office internal estimates.
- d. The Readingsoft calculator is used in calculating familiarisation costs²⁷.

Costs

Monetised Costs

139. The only monetised costs calculated are all set up costs including:

- a. Familiarisation costs (both drafting and reading guidance).
- b. Training costs.

Familiarisation Costs.

140. Once the measures come into force, staff at the IOPC and officers in PSD will need to become familiar with the changes. Familiarisation costs have been calculated for IOPC staff and PSD officers. The costs of familiarising civilian PSD staff could not be monetised, as noted in the non-monetised costs section (see paragraphs 153-157).

Drafting the guidance

141. Amendments will need to be drafted into the IOPC operations manual. Information on the staff time cost of drafting guidance for each of the three accountability measures was provided by the IOPC. Calculations take into account the salaries of guidance writers and content coordinators and the estimated time taken to draft guidance.

142. The total cost of drafting guidance for the IOPC is estimated to be £5,600 (PV). The cost of drafting PSD guidance could not be monetised as staff costs were not available.

Reading the guidance

143. To calculate the costs of reading any guidance, the estimated reading time of the information documents are multiplied by the labour costs of those required to read them.

144. It is estimated that the amendments will add between 5 and 25 pages, with a central estimate of 15, pages to total IOPC and PSD guidance documents. At 500 words per page, it is estimated that the new codes of practice will be between 2,500 and 12,500, with a central estimate of 7,500 words. Using the Readingsoft²⁷ calculator, it is estimated to take each staff member between 4 and 89 minutes, with a central estimate of 31 minutes to read all information documents.

145. There are 1,752 PSD officers, excluding British Transport Police²⁸. Home Office internal estimates suggest that between 30 and 40 per cent of these will need to familiarise themselves with the new measures. PSD officer numbers and average salaries used to calculate familiarisation costs can be seen in Table 32 below:

²⁶ Police Workforce open data tables, March 2024: <https://www.gov.uk/government/statistics/police-workforce-open-data-tables>

²⁷ Free Speed Reading Test: How fast do you read? (readingsoft.com): <https://readingsoft.com/>

²⁸ Police Workforce open data tables, March 2024: <https://www.gov.uk/government/statistics/police-workforce-open-data-tables>

Table 2: Data used to calculate Familiarisation costs of PSD Officers (£, price year 2025/26)

Officer rank	Number of officers	Average salary	Hourly labour cost
Chief Officer	6	204,700	113.74
Chief Superintendent	16	122,500	68.03
Superintendent	50	99,400	55.22
Chief Inspector	84	84,000	46.67
Inspector	183	78,400	43.56
Sergeant	343	69,500	38.58
Constable	1070	59,500	33.04

Source: Home Office Internal Analysis, 2024.

146. The total cost of IOPC staff and PSD officers reading their respective guidance is estimated to be between £2,700 and £66,500 **with a central estimate of £21,400 (PV)**.
147. Total familiarisation costs are estimated to be between £8,300 and £72,100 with a **central estimate of £27,100 (PV)**.

Training Costs

148. There are not expected to be any training requirements for PSD staff or officers. IOPC staff training is expected to be a one-off occurrence, with costs being incurred in year one. In person training costs are made up of the following:
- Staff time costs of those being trained.
 - Staff time costs of those delivering the training.
 - Costs of preparing training materials.
 - Costs of the venues used for training purposes.
149. The total costs of training are outlined in Table 3 below:

Table 3: Total in-person training costs by cost group (£, Price year 2025/26, PV)

	Cost of undertaking training	Cost of delivering training	Cost of preparing training materials	Cost of training venues	Total Cost
All Staff	346,200	177,400	53,100	78,000	654,800

Source: IOPC data, 2024. Figures rounded to the nearest 100.

150. The cost of in-person training is estimated to be £654,800.
151. Face to face training will be converted into online training via the IOPC's internal platforms. A cost estimate of £41,000 for converting and administering the training was provided by the IOPC Head of Learning and Development. Calculations take into account staff time costs.
152. Total training costs are estimated to be **£695,800 (PV)**.

Total Costs

153. The total cost across the 10-year appraisal period includes only familiarisation and training costs incurred in year 1. A breakdown of costs is provided in Table 4 below.

Table 4: Total costs breakdown (£, Price year 2025/26, PV)

Cost group	Low estimate	Central estimate	High estimate
Drafting the guidance	5,600	5,600	5,600
Reading the guidance	2,700	21,400	66,500
In-person training	654,800	654,800	654,800
Online training	41,000	41,000	41,000
Total Cost	704,100	722,900	767,900

Source: Home Office Analysis, 2024. Figures rounded to the nearest 100.

154. Total costs are estimated to be between £704,100 and £767,900 with a **central estimate of £722,900 (PV)**.

Non-Monetised Costs

Increased use of Victims Right to Review scheme:

155. Measure 2A raises the threshold for referrals to the CPS, which may reduce the number of initial referrals to the CPS. This may lead to an increase in the use of the Victims Right to Review scheme.
156. Measure 2C places Victims Right to Review scheme on a statutory footing. This may increase confidence in the scheme, which could lead to more victims using the scheme
157. It is possible that the amendments will lead to an increase in use of the scheme. However, it was not possible estimate the magnitude of this increase. Additionally, it was not possible to access any data on costs for a Victims Right to Review scheme so this cost could not be monetised.

Future training

158. It is possible that in future, further face-to-face training will be required to teach new starters and to refresh existing staff at the IOPC. There is no information on the costs or the frequency of future training sessions. In addition, it is likely that this could be absorbed into other existing training. This cost could not be monetised at this point in time.

PSD Civilian Staff familiarisation

159. It is likely that some civilian staff at the PSD will need to become familiar with the amendments. Published Home Office police workforce data shows 1752 full-time equivalent (FTE) police officers and 1741 FTE police staff (including designed officers) spend the majority of their time working in the 'Professional Standards' functions as of 31 March 2024, in England and Wales (excluding the British Transport Police). It is expected that the only familiarisation necessary would involve the reading of guidance documents, with no training required. Staff salaries were not available, so these costs could not be monetised.

Benefits

Monetised Benefits

160. There are no monetised benefits. It has not been possible to measure the expected effects of these measures due to an absence of information.

Non-Monetised Benefits

Reduction in IOPC initial referrals to the CPS

161. It is possible that there will be a reduction in the number of IOPC referrals initially made to the CPS, as some will be unlikely to meet the higher threshold applied by the CPS in Measure 2A. This would result in cost savings for the CPS. It is not known to what extent this would occur, so this benefit could not be monetised.

Increased trust and confidence from the police

162. Measure 2A is expected to improve police confidence in the supporting evidence of cases where criminality is suggested. Aligning the threshold for police and non-police referrals to the CPS should not diminish police accountability given the CPS ultimately decide whether or not to prosecute based on the full code test.

Increased trust and confidence from victims

163. Measure 2C places IOPC's Victims Right to Review scheme²⁹ on a statutory footing. The scheme is currently set out in non-statutory guidance and the amendment placing this right in legislation will provide the public with confidence that this right will remain, signalling that the government supports victims' rights and checks and balances in the review system.

Welfare benefits from quicker investigations

164. Measure 2B amends the restrictions on the IOPC to enable them to refer cases to the CPS without completing the final report. It is possible that this change in restrictions will allow some referrals to happen more quickly when the evidential threshold has been met, but a final report has not been drafted.

165. This would reduce the overall length of time of the investigation, benefitting both the police officer(s) under investigation and the complainant. Resource savings are not anticipated as the final report still has to be completed, this just allows the CPS investigation to commence at an earlier stage.

NPSV, BNPV and EANDCB:

166. The monetised costs have no impact on business, so both the Business Net Present Value (BNPV) and the equivalent annual net direct cost to business (EANDCB) are zero.

167. The total costs and NPSVs are shown in Table 5 below.

Table 5: Total Costs and NPSVs (£, Price year 2025/26, PV)

	Low	Central	High
Familiarisation costs	8,300	27,100	72,100
Training costs	695,800	695,800	695,800
Total Costs	704,100	722,900	767,900
Total Benefits	0	0	0
NPSV	-704,100	-722,900	-767,900

Source: Home Office Analysis. Figures rounded to the nearest 100.

²⁹ Information about our victims' right to review scheme, March 2021 | Independent Office for Police Conduct (IOPC): <https://www.policeconduct.gov.uk/publications/information-about-our-victims-right-review-scheme-march-2021>

168. The NPSVs range from -£767,900 in the high-cost low-benefit scenario, and -£704,100 in the low-cost high-benefit scenario, **with a central estimate of -£722,900 (PV)**.
169. Whilst the NPSV for option 1 is negative in all scenarios, there are several non-monetised benefits.
- a. Resource savings derived from a reduction in IOPC initial referrals to the CPS
 - b. Increased trust and confidence from police and victims
 - c. Welfare benefits from quicker investigations

Measure 3. Drug Testing on Arrest

170. The impacts of the preferred option (Option 1) are relative to the counterfactual 'Do nothing' baseline. This EN quantifies the potential impact of this legislative package, notably the impact of expanding DToA, monetising costs, and benefits where possible. Costs presented are in 2025/26 prices and have been discounted over a 10-year appraisal period. The appraisal period begins in 2025/26, and the policy is assumed to come into force in 2026/27.
171. The baseline for the volumes of DToA assumes drug testing for all Class A drugs in alignment with legislation. The volumes of drug testing in the baseline range between 86,000 and 112,000 with a central estimate of 101,000 annual tests.
172. The increase in tests as a result of this legislation is modelled assuming a gradual increase to a steady state when the number of drug tests is assumed to have a relatively constant yearly average. This yearly average assumes between 98,000 and 127,000 additional tests, with a central estimate of 114,000.
173. The model assumes 43 police forces will carry out drug testing on arrest, this is based on the number of police forces that have accepted Home Office DToA funding or are known to conduct DToA without Home Office funding. This legislation is not expected to change the number of forces accepting funding, although a sensitivity test has been carried out to assess the impact of fewer forces carrying out DToA.

Costs

Set-up costs

Set-up cost 1: Familiarisation costs to police officers and legal professionals.

174. It is likely that police officers, legal professionals, lawyers, and solicitors will need to spend some time familiarising with the updated legislation. It has been assumed that between one to five³⁰ senior police officers³¹ per force for the 43 police force areas and between 1,500 to 10,700 lawyers/solicitors will need to read and understand the legislation changes.

³⁰ This is an internal Home Office estimate in the absence of any other evidence of how many officers would need to read the change.

³¹ A Senior Officer is an officer who leads a team of officers within a force. Senior police officer includes ranks Inspector, Chief Inspector and Superintendent.

175. Gross hourly wages for both police officers³² and legal professionals³³ were then multiplied by the numbers required to read and the estimated time taken to read the legislation to estimate the total familiarisation cost. Table 6 shows the total costs of familiarisation costs for legal professionals and police staff.

Table 6: Total familiarisation costs for police forces and legal professionals, £, 2025/26

Familiarisation Costs	Police	Legal Professionals	Total
Low	2,200	800	3,000
Central	13,400	8,400	21,700
High	33,400	52,800	86,100

Source: Home Office, 2024

Total familiarisation costs

176. The total familiarisation costs range between £3,000 and £86,000 with a central estimate of £22,000. These set-up costs are incurred in the first year of implementation, that is. 2026/27.

Set-up cost 2: Capital Investment - Drug testing machines

177. Following expansion of drug testing to specified Class B and C drugs, police forces may have to purchase new drug testing machines to test for the additional substances. Each drug testing machine is assumed to have a unit cost of around £900³⁴. Adding in the costs of printers, cables and cartridges, along with an optimism bias of 20 per cent, gives an estimated unit value of £1,500.

178. Home Office drug testing purchasing figures were used to estimate how many drug testing machines each police force would need to purchase. It is assumed that each force would require 2 to 10 drug testing machines, with a central estimate of 6 machines. The number of drug printing machines a police force requires was multiplied by the proxy unit cost to get a per police force capital cost. This figure was then multiplied by 43 to get the capital investment cost for whole of England and Wales.

$$\text{Number of machines police forces} \times \text{£1450 (unit cost per machine)} \times 43 \text{ (number of police forces conducting DT to A)}$$

179. Table 7 summarises the preceding calculations.

Table 7: Total drug machine costs for police forces, £, 2025/26

	Machines per PF	Cost per PF	Cost for all PFs
Low	2	3,000	128,300
Central	6	8,900	384,800
High	10	14,900	641,400

Source: Home office, 2024

³² Hourly wage is based on the average salary of Inspector, Chief Inspector and Superintendent. Data is from internal Home Office modelling. This includes an uplift for non-wage costs.

³³ Wages for legal professional were uplifted for non-wage costs using the 22 per cent recommended here: Eurostat - Data Explorer (europa.eu): https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=lc_lci_lev&lang=en

³⁴ Based on the cost of machines provided by the current supplier of drug testing equipment for police forces.

180. To calculate the costs over the 10-year appraisal period, the expected lifespan of the machines needs to be accounted for. Based on the assumption that each drug testing machine will have an equipment life of approximately seven years (this is the average life of industrial printer)³⁵, it is assumed that police forces would need to replace the drug testing equipment every seven years. The costs of drug testing machines are accrued in the first and eighth year of the implementation period and have been discounted as per Greenbook guidance³⁶.

Total Drug testing machine cost

181. Total drug testing machine capital costs are estimated to lie in a range of **£221,000 to £1.09 million** with a central estimate of **£664,000** over 10 years, in 2025/26 prices.

Set-up cost 3: Training costs for police officers

182. In order for the police to understand, enforce and collect drug testing data for specified Class B and C drugs effectively, officers will be required to undertake training. These costs are associated with custody officers who are required to attend a training course to learn how to use the new drug testing equipment and how to process the drug testing data.

183. Police workforce data³⁷ has been used to estimate the number of custody officers per police force. Data for the 39 out of 43 police forces in England and Wales which are conducting or expected to conduct DToA and expand to specified Class B and C drugs, was used to calculate the lower quartile, median and upper quartile of custody officers, to provide the low, central and high estimates respectively.

184. It is also assumed that police forces can pick one training course type and only 12 police officers can attend per training session. The cost per session varies depending on the number of sessions booked and the number of officers attending.

185. The training costs represent the minimum amount of training sessions required in each scenario. The values used to estimate the police training cost are presented in Table 8 and calculated as:

- *Number of custody staff and officers per police force / 12 = number of sessions required*
- *Cost per training course x Number of training sessions required per police force x43*

Table 8: Police training cost calculations, £, 2025/26

	Custody staff and officers requiring training	No. sessions required	Cost for all 43 police forces (£)
Low	2,395	200	122,300
Central	3,521	294	168,100
High	7,003	584	320,800

Source: Home Office estimates, 2024.

³⁵ Using the human pharmaceutical and medicinal product manufacturing depreciation rate from the ATO Depreciation Rates 2021: <https://www.depreciationrates.net.au/printer>

³⁶ The Green Book (2022) - GOV.UK (www.gov.uk): <https://www.gov.uk/Government/publications/the-green-book-appraisal-and-evaluation-in-central-government/the-green-book-2020#valuation-of-costs-and-benefits>

³⁷ Police workforce, England and Wales: 31 March 2022 - GOV.UK (www.gov.uk): <https://www.gov.uk/Government/statistics/police-workforce-england-and-wales-31-march-2022/police-workforce-england-and-wales-31-march-2022>

Total training costs

186. Total training costs are estimated to lie in a range of **£122,300 to £320,800** with a central estimate of **£168,100** in year 2 only, in 2025/26 prices

Set-up cost 4: Prison places set-up costs

187. Expansion of DToA to cover additional trigger offences and Class B and Class C drugs may lead to a need for additional prison places. If an individual either refuses to take a drug test, fails to attend, or fails to stay for the initial or follow up assessments; committing any of these three non-compliance offences³⁸ may result in a custodial sentence.

188. The low, central and high estimates use a ratio of the number of individuals who receive a custodial sentence to the number of prosecutions for DToA related offences, and these rates were applied to the expected increase in prosecution volumes as a result of the increase in DToA testing under Option 2.

189. An estimated one-off cost of £630,000 (in 2025/26 prices and including a 20% optimism bias) is applied to any additional 1 FTE prison place associated with the policy change. The number of additional prison places is adjusted for prison time served, which is assumed to be 50 per cent of the custodial sentence given. This translates in a range from 4.9 to 6.3 with a central estimate of 5.7 additional annual prison places, with one-off set-up prison place cost estimated from £3.1 million to £4.4 million with a central estimate of £3.8 million.

Total set-up costs

190. The total, discounted set-up costs are estimated to range between £3.5 million and £6.4 million with a central estimate of £4.9 million. These set-up costs are incurred in the first year of implementation, which is the second year of the appraisal period that is, 2026/27, with the exception of the recurring costs of equipment in year nine of the appraisal.

Ongoing and total costs (Private and Public)

Ongoing cost 1: Drug testing equipment and police time:

191. Direct costs to police include the costs the materials needed to conduct the tests and the cost of detention officer time. Unit costs of drug testing materials were derived based on previous costs and uplifted to 2025/26 prices. A 20 per cent optimism bias was applied due to the current uncertainty around future price levels.

192. This leads to an estimated unit cost for each drug test of around £19 in 2025/26 prices. This includes printer paper roll and confirmation test costs for each test. The drug test unit cost includes taking the sample and testing the sample.

193. In addition to the costs of drug testing materials, detention officer time per test was also calculated. From a survey of police forces, it was estimated that current average police time per test was approximately an hour, with many responses citing instances that took much longer or shorter and varying numbers of staff involvement (accounting for multiple staff conducting a test over a shorter period) a low scenario of half this time has been applied, whilst in the high scenario the time is doubled.

194. The average salary for detention officers was determined from job postings and recruitment information from 25 police forces. Salaries are uplifted to 2025/26 prices and

³⁸ The three non-compliance offences are 19348 - Failure to provide a sample, 19353 - Failure to attend or stay for the duration of an initial assessment following test for Class A drug and 19354 - Failure to attend or stay for the duration of a follow up assessment following test for Class A drug. An individual can only be charged a maximum of twice for these offences per instance of being tested on arrest.

subject to a 22 per cent non-wage cost uplift. This gives an hourly labour cost of around £26. The total additional drug testing costs for Option 2 are the sum of the cost of materials and the ongoing drug testing costs minus these costs in the baseline. They are presented in Table 9.

Table 9: Annual ongoing police testing costs for option 2 (at steady state), £, 2025/26

	Cost per test (£)	Additional Tests	Total Costs (£m)
Low	33	98,000	3.3
Central	48	113,800	5.4
High	76	126,600	9.6

Source: Home office, 2024

Ongoing cost 2: Laboratory confirmation tests

195. Lab data shows a small amount (4% to 6%)³⁹ of positive tests are sent to the lab for confirmation at an average cost of £18.25. This proportion and price are applied to the volumes of expected additional positive tests in each scenario (see Table 10).

Table 10: Total yearly laboratory testing costs, £, (At Steady State), 2025/26

Lab Costs	Number of Additional Tests to Lab	Total cost of Tests to Lab (£)	Total cost of Tests to Lab, 10-year period (£)
Low	4,600	83,000	606,000
Central	5,300	96,000	701,000
High	5,900	107,000	780,000

Source: Home Office, 2024

Total drug test costs

196. The total discounted costs associated with equipment, detention officer time, materials, and lab tests for the 10-year appraisal period range between £24.4 million and £70.9 million, with a central estimate of £40.0 million.

Ongoing cost 3: Criminal justice system costs:

197. There are a number of ongoing costs associated with the CJS. These include legal aid, court costs, and prison costs. These are included in the model as there are three offences associated with DToA. Committing any of these offences can lead to a prosecution, being taken to court, and may lead to a custodial sentence or penalty notice outcome.

198. The three offences, using Home Office offence codes, are:

- a. 19348 – Failure to provide a sample (FTP)
- b. 19353 – Failure to attend or stay for the duration of an initial assessment following a test for Class A drug (FTAI)
- a. 19354 – Failure to attend or stay for the duration of a follow up assessment following a test for Class A drug (FTAF)

199. Following the proposed expansions, similar offences will be introduced for Class B and Class C drugs. It is likely that the number of committed offences would increase, as the

³⁹ A proportion was calculated using internal Home Office DToA data and data from commercial DToA partners.

volume of tests completed are expected to increase due to both expansions, so additional ongoing costs would be incurred. The failing to attend offences are linked to the increase in positive tests⁴⁰.

200. The model estimates around 2 per cent of positive tests lead to a prosecution for failing to attend an initial assessment, whilst 1 per cent lead to a prosecution for failing to attend a follow up assessment, based on the average proportion of positive tests to prosecutions between 2015/16 and 2019/20⁴¹.

201. The formula used:

Annual predicted number of DToA X percentage of positive tests X (the average proportion of prosecutions to positive tests)

202. The estimated increased number of proceeded against for each offence is shown in Table 11.

Table 11: estimated annual increase in prosecutions by offence at steady state

Increased number of Individuals Proceeded Against	FTAI	FTAF	FTP	Total
Low	1,996	1,003	343	3,342
Central	2,318	1,164	398	3,880
High	2,578	1,295	443	4,317

Source: Home Office, 2024

203. Data from MoJ CJS statistics⁴² indicate that 100 per cent of cases for all three offences go to Magistrates' Court first, with only one per cent of these cases going onto the Crown Court for trial per year. The figure of one per cent to Crown Court is only applied to the high estimate.

204. An estimate of between 0.5 per cent and 1.3 per cent, with a central estimate of 0.8 per cent is used for the number convicted at Magistrates' Court and committed for sentencing at the Crown Court based on data from cases in previous years.

Legal Aid

205. The estimated prosecution volumes were used to estimate the number of offenders requiring legal aid and costs for the Magistrates' Court and the Crown Court. The eligibility rate or take up rate and the unit cost estimates for legal aid in each court were obtained from MoJ and Legal Aid Agency officials.

206. 55 per cent of offenders are assumed to be eligible in Magistrates' Court cases and 100 per cent in the Crown Court cases for legal aid. It is estimated that legal aid cost per eligible offender is £650 at the Magistrates' Court and £2,370 at the Crown Court⁴³ This also includes the 20 per cent optimism bias.

207. Table 12 shows the total legal aid costs over the 10-year appraisal period by both crown and magistrate court.

⁴⁰ For the failing to provide a sample offence, since there is no direct link to positive tests, the model uses proportion to completed tests instead.

⁴¹ For the baseline and expansion prosecutions volumes, MoJ criminal courts data 2017 to 2022 was used. <https://www.gov.uk/Government/statistics/criminal-justice-system-statistics-quarterly-december-2022>

⁴² Criminal Justice System statistics quarterly: June 2022 - GOV.UK:

<https://www.gov.uk/Government/statistics/criminal-justice-system-statistics-quarterly-june-2022>

⁴³ These figures are taken from the legal aid cost assumptions from MoJ for specified Class B and C drug offences.

Table 12: additional legal aid costs by magistrate and crown courts, £, PV, 2025/26

	Magistrates' Court	Crown Court	Total Legal Aid Expansion Costs
Low	7,230,000	250,000	7,480,000
Central	8,370,000	460,000	8,820,000
High	9,320,000	1,430,000	10,750,000

Source: Home Office, 2024

Court Costs

208. The unit costs for Magistrates' Court and Crown Court are £410 and £2,830 respectively (in 2025/26 prices with a 20 per cent optimism bias). These unit costs are multiplied by the prosecution volumes to estimate the ongoing court costs in low, central and high scenarios over the 10-year appraisal period.

Table 13: Total additional court costs, £m, PV, 2025/26

Additional Court Costs	Total
Low	10.5
Central	12.4
High	15.2

Source: Home Office, 2024

Prison costs

209. The number of individuals custodially sentenced as a result of both expansions is calculated using CJS data on the number of prosecutions leading to custodial sentences (Table 14) and the expected volume of additional prosecutions.

Table 14: The number of individuals sent to custody following prosecution for failure to comply, split by offence, MoJ statistics, 2023

Average of Proceeded Against FTP to Sentence:	2015/16	2016/17	2017/18	2018/19	2019/20	Average
Proceeded Against	345	345	246	221	182	
Individuals sent to custody	35	36	27	13	9	
Proportion from the total proceeded against	10%	10%	11%	6%	5%	8%
Average Custodial Sentence in months	1.5	1.1	0.9	0.0	0.0	0.3
Average of Proceeded Against FTAI to Sentence:	2015/16	2016/17	2017/18	2018/19	2019/20	Average
Proceeded Against	1028	1239	988	804	767	
Individuals sent to custody	69	95	45	32	29	
Proportion from the total proceeded against	7%	8%	5%	4%	4%	5%
Average Custodial Sentence in months	0.9	0.8	0.9	0.5	0.6	0.4
Average of Proceeded Against FTAF to Sentence:	2015/16	2016/17	2017/18	2018/19	2019/20	Average
Proceeded Against	660	692	542	308	267	
Individuals sent to custody	33	36	30	14	6	
Proportion from the total proceeded against	5%	5%	6%	5%	2%	5%
Average Custodial Sentence in months	0.8	0.6	0.6	0.2	0.0	0.2

Source: MoJ Criminal Justice Statistics, 2023. Average Custodial Sentence row, Average column includes 50 per cent reduction per MoJ Guidance for time served.

FTP – Failure to provide.

FTAI – Failure to attend and stay for the duration of initial assessment.

FTAF – Failure to attend and stay for the duration of a follow up assessment.

210. The estimated number of individuals sent to custody are in turn multiplied by the average custodial sentence given (with a 50 per cent reduction as per MoJ guidance to represent time released from prison and spent on licence), to give the annual additional prison places required as in Table 15 below.

Table 15: Estimated increase in annual prison places at steady state, 2024/25

Additional Annual Prison Places	FTP	FTAI	FTAF	Total
Low	0.8	3.3	0.8	4.9
Central	0.9	3.8	0.9	5.7
High	1.0	4.2	1.0	6.3

Source: Home Office, 2024

211. This number of places is multiplied by the annual cost of a prisoner indicated by MoJ data to be £52,000 in 24/25 prices. This cost is uplifted to 25/26 prices with a 20 per cent optimism bias applied to give a cost of around £64,000 per prisoner annually.

Total Prison Costs

212. The total 10-year appraisal period ongoing cost for prisoners lies between £2.3 million and £2.9 million with a central estimate of £2.6 million.

Probation costs

213. There are two types of costs associated with probation time; costs for those released on licence and costs for offenders serving community sentences.
214. The additional probation cost for offenders serving community sentences is estimated by multiplying the number of offenders sentenced to community sentences for the three DToA offences by the MoJ unit cost of probation. The modelling results in an annual ongoing cost of £363,000, with a range between £314,000 and £404,000.
215. The additional probation time for offenders released on licence is estimated based on the average custodial sentence length (ACSL) of the three offences, assuming that 50 per cent of the sentence, equivalent to 0.2 to 0.4 years, will be served in custody, with the entirety of the remaining 50 per cent served on probation, that is there is no re-offending or breach of probation.
216. The associated probation cost for those released on licence is calculated by multiplying the number of offenders sentenced to custody by the additional probation time and then applying MoJ unit costs. The modelling results in an annual ongoing cost of £27,000, with a range between £23,000 and £30,000.

Total Probation Costs

217. The combined probation impacts above are estimated to have an ongoing annual cost of £390,000, with a range between £340,000 and £430,000. The total 10-year appraisal period costs of probation lie between £2.4 million and £3.2 million with a central estimate of 2.8 million.

Court fines

218. As per HM Treasury Green Book guidance⁴⁴ fines are treated as economic transfers between individuals and the state and are excluded from the NPSV calculations.
219. For transparency though, the costs associated with fines borne by one party were estimated using data on court fines (as a proportion of yearly estimated prosecutions) and average fine.

⁴⁴ The Green Book (2022) - GOV.UK: <https://www.gov.uk/Government/publications/the-green-book-appraisal-and-evaluation-in-central-Government/the-green-book-2020>

Table 16: Additional fine volumes, annually at steady state

Additional Fine Volumes	FTP Fines	FTAI Fines	FTAF Fines	Total
Low	153	1,004	481	1,638
Central	178	1,166	558	1,902
High	198	1,297	621	2,116

Source: Home Office, 2024

220. Multiplying these volumes by the average custodial fine value for each offence⁴⁵ leads to an estimated economic transfer ranging between £158,700 and £205,000 with a central estimate of £184,300 annually at steady state.

Total CJS Costs

221. The total, discounted CJS costs across the 10-year appraisal period are between £22.8 million and £32.1 million with a central estimate of £26.7 million.

Total Ongoing Costs

222. The total discounted ongoing costs across the 10-year appraisal period are between £47.1 million and £102.9 million with a central estimate of £66.7 million.

Total Monetised Costs

223. The estimates for the total ongoing and set-up costs range between £50.6 million and £109.3 million with a central estimate of £71.6 million across the 10-year appraisal period (table 17).

Table 17: Total monetised costs over the 10-year appraisal period (PV), £m, 2025/26

	Transition	Ongoing	Total	Yearly average (undiscounted)
Low	3.5	47.1	50.6	5.6
Central	4.9	66.7	71.6	7.9
High	6.4	102.9	109.3	12.2

Source: Home Office, 2024

Non-monetised costs

224. Several non-monetised costs have been identified. These are non-monetised costs as there is insufficient data to quantify or the cost is considered an economic transfer and would not be included in the net present social value figure (NPSV).

Non-monetised cost 1: Additional Drug Treatment costs

225. The additional number of positive tests will likely lead to an additional increase in drug referrals. This would mean an increase in the number of individuals being referred to treatment and entering drug treatment which could have an effect on drug treatment costs and waiting times. These additional drug treatment costs per individual are not quantified due to uncertainty surrounding the attendance and completion of treatment.

226. For illustrative purposes, a break-even sensitivity analysis was undertaken to show the required number of drug users successfully completing treatment to net off the overall costs of the intervention. This is explained further in the NPSV section and shows that a treatment referral rate of between 1.0 and 1.6 per cent is required to break even.

⁴⁵ Criminal Justice System statistics quarterly: December 2022 - GOV.UK (www.gov.uk): <https://www.gov.uk/Government/statistics/criminal-justice-system-statistics-quarterly-december-2022>

227. There are other potential non-monetised costs relating additional drug treatment, for example, increased strain on treatment services. These risks are thought to be mitigated with increased funding and cross-departmental collaboration.

Non-monetised cost 2: Additional caseload by police officers:

228. The police officer that handles an individual's arrest offence (such as the trigger offence) then conducts and processes the DToA. If required, the test may go to the laboratory too. Additional caseload may arise if the individual commits a DToA non-compliance offence such as refusing to take the drug test. The police officer may need to spend additional time processing this new offence alongside any other offence(s) to allow all this information to go through the CJS.

229. This additional impact could not be quantified due to insufficiently granular data on specific cases and the associated police work time. It is also difficult to disentangle police time from the arrest and conducting DToA and the additional police time spent on processing the non-compliance offence. It is expected that the cost associated with this to be negligible.

Non-monetised cost 3: Cost of wasted drug tests:

230. Drug tests have a "use by" date beyond which they would have to be thrown away, hence leading to some potential waste disposal costs. There is huge uncertainty around this. Police forces are attempting to mitigate this risk by effectively ordering drug tests over time, ensuring that they waste as little as possible whilst ensuring they have enough drug tests to facilitate drug testing on arrest.

Benefits

Benefits: Non-monetised benefits

231. There is good evidence to suggest that drug treatment carries social and economic benefits. However, the realisation of these benefits depends on a host of external factors such as treatment capacity in the system and individual level of attendance and completion of treatment. At this stage, although the evidence base is improving, it remains insufficient to solely rely on the quantitative benefits of the programme.

232. Focusing on non-monetised benefits provides a more transparent reflection of DToAs' contributions. These benefits—such as increased referrals to treatment, harm reduction efforts, improved police practices, and better understanding of drug-crime dynamics are observable and demonstrate value even without monetary estimates. This approach maintains credibility by aligning with available evidence while still justifying the programme's success and potential for long-term impact.

233. Firstly, it is important to highlight the economic theory around how benefits are monetised from this legislation. DToA is another mechanism to identify problematic drug users and can divert individuals towards drug treatment. The logic is laid out in the following steps:

- A proportion of people who have committed specific crimes are drug tested.
- Of those people that have been drug tested, a proportion of those people will have a positive result.
- The people that have tested positive will have an initial assessment by a drug worker. They will determine the next steps from their assessment outcome and decide on the level of support that individual would need.
- Of those assessed, a proportion will enter specialist drug treatment.

- After 3 months of treatment, those that result in successful treatment may lead to monetized social and economic benefits.
- Of those people that have entered specialist treatment, 47 per cent lead to a successful result⁴⁶.

Non-monetised benefit 1: Referrals to drug treatment

234. Drug treatment completed as a result of a DTOA referral is widely expected to have a net benefit, with one Government research report from 2009⁴⁷ estimating a £2.5 return for every £1 spent on drug treatment. Data from those police forces that have supplied data to the Home Office on treatment referrals between March 2023 and March 2024 indicates that around 51 per cent of 4,360 initial assessments following a positive test resulted in a referral to treatment⁴⁸. The numbers are based on a small sample of total tests reported by police forces and there is ongoing work to improve the data collection for DTOA to provide more complete data.

235. The drug treatment provided detainees with harm reduction advice, risk and care planning, and referrals to services addressing broader needs like housing and health. These benefits were seen as valuable even for individuals who did not pursue long-term treatment.

Non-monetised benefit 2: Potential reduction in drug use and in reoffending

236. Some drug users commit crimes to fund their drug habit or commit crime whilst under the influence of drugs. Nearly half of acquisitive crimes in England (excluding fraud) were estimated to be associated with drug use.⁴⁹ Substance use treatment plays a significant role in addressing drug use and related harms and criminality. Research linking treatment and CJS data systems has demonstrated that treatment can reduce offending by almost a quarter, while opiate users who successfully complete treatment reduce their offending by almost 40 per cent.⁵⁰

237. MoJ analysis of the impacts of community-based drug and alcohol treatment found that such treatment provision could reduce reoffending by up to a third⁵¹. More individuals directed to treatment could increase chances of more people completing treatment successfully and could lead to a reduction in crime related to drug use. Successful treatment could also result in reduced healthcare and CJS costs due to reduced drug consumption.

⁴⁶ Adult substance misuse treatment statistics 2023 to 2024: report - GOV.UK; Available at: <https://www.gov.uk/Government/statistics/substance-misuse-treatment-for-adults-statistics-2023-to-2024/adult-substance-misuse-treatment-statistics-2023-to-2024-report>

⁴⁷ Research report 25 - The Drug Treatment Outcomes Research study: Cost-effectiveness analysis 2nd Edition : <https://webarchive.nationalarchives.gov.uk/ukgwa/20110218141228/http://rds.homeoffice.gov.uk/rds/pdfs/09/horr25c.pdf>

⁴⁸ Drug Testing on Arrest Programme Data - GOV.UK (www.gov.uk): <https://www.gov.uk/Government/publications/drug-testing-on-arrest-dtoa-programme-data/data-drug-testing-on-arrest-dtoa-programme-accessible>

⁴⁹ Carol Black Review evidence pack at PowerPoint Presentation (publishing.service.gov.uk) (slide 91), https://assets.publishing.service.gov.uk/Government/uploads/system/uploads/attachment_data/file/882953/Review_of_Drugs_Evidence_Pack.pdf

⁵⁰ Review of Drugs - evidence relating to drug use, supply and effects, including current trends and future risks (publishing.service.gov.uk), slide 92: https://assets.publishing.service.gov.uk/Government/uploads/system/uploads/attachment_data/file/882953/Review_of_Drugs_Evidence_Pack.pdf

⁵¹ The impact of community-based drug and alcohol treatment on re-offending (publishing.service.gov.uk), https://assets.publishing.service.gov.uk/Government/uploads/system/uploads/attachment_data/file/674858/PHE-MoJ-experimental-MoJ-publication-version.pdf

Non-monetised benefit 3: Better understanding of geographical differences of drug use and criminality

238. By offering the additional funding to all police forces for DToA, the Home Office is addressing any geographical information disparities or any possible resource incompleteness. Some regions in England and Wales may be adversely affected by a particular crime related to drug use. Increased drug testing to additional offences may evidence issues within areas and aid police focus to on a certain issue.

Non-monetised benefit 4: Improved police practices

239. The expansion of DToA presents an opportunity for Home Office and police forces to better understand drug users committing crime whilst under the influence of drugs and they could learn best practices on how to deal with this cohort of people. This can inform decisions on future policy options from the Home Office and more efficient operations within police forces. The lessons learnt could be disseminated across the police forces. Additional innovation is beneficial as it could lead to cost savings in the future, sharing best practice amongst police forces and enabling more forces to expand if necessary.

NPSV, BNPV and EANDCB

240. As it has not been possible to monetise the benefits, the NPSV is equal to the overall costs of the policy, that is -£71.6 million. The only estimated costs to business are the familiarisation costs to legal professionals, which are a transition cost only, estimated to be around £8,000, with a range between £1,000 and £53,000. There are no expected ongoing costs to business, therefore the BNPV is -£0.01m and the EANDCB is zero.

241. Instead, analysis was conducted to estimate the volumes of treatment referrals needed to break even with the estimated costs. As outlined in The Drug Treatment Outcomes Research study (DTORS)⁵² the overall net benefits associated with structured drug treatment are equal to £6,527 over a 51-week period. This includes savings in health and social care, as well as savings from reduced future offences. Uplifting into 2025/26 prices, this gives a net benefit of approximately £10,000.

242. Compared against the total undiscounted costs under each of the low, central, and high scenarios, the number of individuals benefiting from treatment as a result of referral by DToA, to reach a break-even point, ranges between 5,500 and 12,000 with a central estimate of 7,800. That is equivalent to between 1.0 and 1.6 per cent of all positive tests estimated over the 10-year appraisal period, with a central estimate of 1.2 per cent required to break even.

Measure 4. Access to Driving Licence Records (DVLA Database)

General assumptions and data:

243. This legislation aims to clarify the legal basis for accessing DVLA driver data. It is not expected to change the current levels of access to data. There are no monetised costs or benefits of this measure.

Costs/Benefits

244. There are no monetised costs/benefits.

⁵² Research report 25 - The Drug Treatment Outcomes Research study: Cost-effectiveness analysis 2nd Edition : <https://webarchive.nationalarchives.gov.uk/ukgwa/20110218141228/http://rds.homeoffice.gov.uk/rds/pdfs09/horr25c.pdf>

Non-monetised benefits

245. There is a non-monetised benefit of a clarifying the legal basis for accessing DVLA driver data. The measures in this legislation have been introduced to clarify the existing legislation and are not expected to impact current access levels of DVLA data. However, the measures will enable future regulations to be pursued that will aim to introduce additional purposes for access and use of the DVLA driver data by the police and law enforcement bodies. Given future regulations are not yet defined and are separate to this legislation the impacts of this have not been monetised.
246. Future secondary legislation will define the law enforcement and policing purposes and how the data will be used for those purposes. While the benefits that accrue from this will be difficult to quantify until the regulations have been finalised, the business justifications provided by law enforcement organisations have indicated that automated and faster access to the Driver Data would benefit their operations in at least the following areas:
- a. Protecting life, for example seeking to identify high risk missing persons,
 - b. Safeguarding of individuals, for example where having an image of a person can help the police identify that person and keep them from harm,
 - c. Vehicle enabled crime, for example where having driving images available will help the risk assessment of pre-planned vehicle stops and identify people found in a stopped vehicle, and,
 - d. Common law duties including those around death notifications, for example notifying families of the death of a loved one before the family hears about the death through other sources such as social media.
247. The regulations that are intended to be made under the new legislation will provide further details on bolstering the governance regime.

NPSV, BNPV, EANDCB

248. As there is no impact to business, both the Business Net Present Value (BNPV) and the net cost to business (EANDCB) is zero. There are no overall changes to investigative activity or outcomes forecasted as a result of this measure therefore the NPSV is also zero.

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

Costs

Set-up costs

249. Set up costs are expected to include new forms of guidance (imposing costs in terms of time taken to draft new guidance) as well as costs associated with admin support in facilitating virtual hearings where necessary. **Across the appraisal period, set-up costs are estimated to be negligible and have not been quantified.**

Ongoing costs (Public)

Lengthier crown court proceedings

250. Crown Court hearings in connection with confiscation orders will often include third party interests. The legislation proposes that the determination of such interests (including appeals) should occur early in the process. Effectively front-loading the system will mean longer hearings but with better recovery.

251. Several assumptions are made to estimate the cost of lengthier Crown Court proceedings:
- High value confiscation orders which are £50,000⁵³ or more are most like to be complex and require lengthier hearings.
 - Average number of hearings are based on the average number of outstanding confiscation orders valued more than £50,000.⁵⁴
 - Additional one-hour long hearings required: 2 in the central case, with a range of 1 to 3 in low and high estimates respectively. Based on Law Commission assumptions⁵⁵ of the likely magnitude of impact of measures.
 - Percentage of cases with longer hearings: 25 per cent in the central case, with a range of 15 per cent to 35 per cent in the low and high cases. Based on Law Commission assumptions⁵⁶ drawing on practical insight of confiscation lawyers.
 - Optimism bias of 20 per cent is applied for court costs.

Table 18: Annual cost of lengthier Crown Court proceedings, £s

	Low estimate	Best estimate	High estimate
Average No. of outstanding confiscation orders valued >£50k	507	507	507
Percentage with longer hearings	15%	25%	35%
Average hourly Crown Court sitting cost, 2025/26 prices	399	399	399
Additional No. of hearings @ 1 hour	1	2	3
Optimism Bias	20%	20%	20%
Total cost	36,389	121,295	254,720

Source: Home Office Internal Analysis. Figures may not sum due to rounding.

252. **The total estimated present value cost over the 10-year appraisal period of lengthier court proceedings will be £1.04 million in the central case, with high and low cases of £2.19 million and £0.31 million respectively.**

Increased number of crown court cases

253. Currently, enforcement of confiscation orders occurs within the Magistrates' Court. The proposal calls for more complex cases including those involving third party interests to remain within the Crown Court. More Crown Court resources will be required to facilitate these hearings. The total annual cost is calculated by multiplying the number of cases with longer hearings and the additional costs which result from cases remaining in the Crown Court as opposed to the Magistrates Court.
254. Assumptions of the average number of hearings and optimism bias are consistent with those applied above to estimate lengthier crown court proceedings. Assumptions of

⁵³ Based on data from Liverpool Crown Court reported in the Law Commission Impact Assessment: <https://s3-eu-west-2.amazonaws.com/cloud-platform-e218f50a4812967ba1215eaece923f/uploads/sites/30/2022/11/Confiscation-Impact-Assessment-Final-Doc.pdf>. Data shows that where the recoverable amount is less than £50,000, the rate of completion is at it's greatest; 94 per cent on average compared with 72 per cent for orders greater than £50,000. One reason for this is the increased prevalence of "hidden assets findings" made in orders over £50,000.

⁵⁴ Based on Home Office Asset recovery statistics

⁵⁵ Confiscation Under Part 2 of the Proceeds of Crime Act 2002 – Law Commission: [Confiscation-Impact-Assessment-Final-Doc.pdf](#) – page 26, Table 9

⁵⁶ Confiscation Under Part 2 of the Proceeds of Crime Act 2002 – Law Commission: [Confiscation-Impact-Assessment-Final-Doc.pdf](#) – page 26, Table 9

additional one-hour long hearings and the percentage of cases with longer hearings are outlined in Table 19 below. These exceed the assumptions listed in the lengthier Crown Court proceedings section as it is assumed that a larger proportion of complex cases in the Magistrates Court will be transferred to the Crown Court.

Table 19: Annual cost of increased number of Crown Court cases, £s

	Low estimate	Best estimate	High estimate
Average No. of hearings	507	507	507
Percentage with longer hearings	40%	50%	60%
Average hourly Crown Court sitting cost, 2025/26 prices (£)	399	399	399
Average hourly Magistrates cost, 2025/26 prices (£)	291	291	291
Additional No of hearings @ 1 hour	2	3	5
Optimism Bias	20%	20%	20%
Total cost (£)	52,407	98,264	196,527

Source: Home Office Internal Analysis. Figures may not sum due to rounding.

255. **The total estimated present value cost over the 10-year appraisal period of increased number of court cases will be £0.85 million in the central case, with high and low cases of £1.69 million and £0.45 million respectively.**

Benefits

Set-up benefits

256. There are no set-up benefits associated with the policy.

Ongoing and total benefits (Private and Public)

Increased Recoverable debt

257. The amount of debt recoverable is estimated to increase due to the increased number of restraint orders granted early in the process. Other factors such as enhanced management of confiscation cases will further increase returns.
258. Data is sourced from the Home Office published Asset recovery statistical bulletin⁵⁷. Expected benefits are predicted to occur from greater resolution of complex confiscation cases which are valued at least £50,000. Evidence from the Law Commission⁵⁸ suggests these cases are currently more difficult to solve, and that the early resolution framework will speed up and make their resolution more efficient.
259. The uplifts to current confiscation of 2 per cent in the low case, 6 per cent in the central case, and 10 per cent in the high case are used to model the increased confiscation potential because of the policy. Uplifts are based upon forensic identification and discussion of all policy proposals between the Law Commission and external partners, including lawyers experienced in confiscation cases, to assess the likely effect on recoverable debt and produce a value in line with the likely scale.

⁵⁷ Asset recovery statistical bulletin: financial years ending 2019 to 2024 - GOV.UK: <https://www.gov.uk/government/statistics/asset-recovery-statistics-financial-years-ending-2019-to-2024/asset-recovery-statistical-bulletin-financial-years-ending-2019-to-2024>

⁵⁸ Confiscation Under Part 2 of the Proceeds of Crime Act 2002 – Law Commission: [Confiscation-Impact-Assessment-Final-Doc.pdf](#) – page 3, Risk 2

260. Other policy proposals such as those aimed at enforcement are expected to bring additional benefits. For individuals released on license (prohibition), maintaining license terms subject to co-operation on payment plans impose an incentive towards regularised payments. The court requirement for defendants to provide a full statement of their financial circumstances provides fuller information on which the Judge can base an order; and changes in lifestyle assumptions will increase the number of offenders in the potential asset pool.

Table 20: Increased recoverable confiscation, £ millions

	Low estimate	Best estimate	High estimate
Average yearly confiscation receipts 2017/18 to 2023/24, £m	144.14	144.14	144.14
Annual Percentage recovered	2%	6%	10%
Annual recovery, £m	2.88	8.65	14.41

Source: Home Office Internal Analysis. Figures may not sum due to rounding.

261. The **total estimated present value benefit over the 10-year appraisal period of increased recoverable debt will be £74.44 million in the central case, with high and low cases of £124.07 million and £24.81 million respectively.**

Increased victim compensation

262. Further benefits are associated with the introduction of a new legal measure to redirect funds from the state to victims following an uplift in the amount the defendant pays towards a confiscation order under section 22 of the Proceeds of Crime Act 2002. This is assumed to represent a pure transfer from the government to the victim and as such is excluded from the benefits figure and the overall estimate of NPSV.

263. The CPS has so far relied upon an operational workaround to redirect funds to victims. Since the commencement of the voluntary scheme in October 2022, the CPS Proceeds of Crime Division has reported 72 finalised and 75 live cases (147 in total across three years) with paid receipts of approximately £4.2 million (although around £2.0 million of these receipts came from one case). This suggests an average of 49 cases per annum with an average compensation value of £30,400 when excluding the one large case. Actual compensation will vary from this average - corporate victims typically receive higher compensation compared with individual victims.

264. As the scheme is currently based on voluntary cooperation by defendants, the government expects that the introduction of a legal measure will result in an increase in compensation cases and victim compensation. Anecdotal evidence from the CPS suggests that currently less than five per cent of defendants refuse to engage with the process. Further, reported figures for the voluntary scheme are believed to be an underestimate of the true number of compensation cases that existed at the time. This is driven by a transition period where applications for compensation cases were momentarily stopped, in addition to police officers not pursuing compensation cases as they believed they could not target these until a legal measure was introduced.

265. As such, estimates of future compensation cases are extremely uncertain. Scenario analysis is applied to account for this uncertainty. The low scenario assumes no uplift or negligible uplift in future compensation cases, the central scenario assumes a 20 per cent uplift whilst the high scenario assumes a 40 per cent uplift. Multiplying the future number of expected cases by the average value per compensation, based on data from the voluntary scheme, provides estimates of potential benefits.

266. Benefits related to an increase in recoverable debt are derived from greater resolution of pre-existing complex confiscation orders. These benefits are assumed to be, on the most part, separate from the benefits related to an increase in victim compensation following an uplift in a confiscation order.
267. The government expects that there may be some duplication in benefits in a small number of cases, whereby pre-existing confiscation orders are subsequently uplifted and have an associated compensation order. This proportion is assumed to be extremely low, so the risk of double counting in benefits is assumed to be negligible. Sensitivity analysis has been undertaken in Section G to evaluate any potential effect on total benefits.
268. **The total estimated present value benefit over the 10-year appraisal period of increased victim compensation will be £2.56 million in the central case, with high and low cases of £5.12 million and £0.00 million respectively.**

Non-monetised benefits

Reduced number of Crown Court hearings

269. The Early Resolution of Confiscation hearings (EROC) process could reduce the number of Crown Court hearings as settlements can be negotiated early. The front-loading of the court system is expected to have a better recovery rate, meaning additional court hearings to determine settlements are no longer required. This benefit has been explored and is possible but following Law Commission consultation⁵⁹ with lawyers it is deemed to be unquantifiable.
270. As enforcement hearings will also be occurring within the Crown Court, this increase is expected to balance any reduction in confiscation hearings. The impact of fewer court cases was assessed and deemed negligible (see Risks, section G).

Quicker redress of confiscation to victims

271. Through the early resolution process of the reform, not only are more funds expected to be confiscated, but this will occur at a faster rate. This efficient process will maintain confidence in the government and legal system as victims' losses are minimised or reversed and they feel a sense of justice. These benefits are non-monetised because they focus on feelings and are difficult to analytically measure with confidence.

Deterring future crime

272. Due to the increased compensation and faster redress processes, the legal system will be viewed by the public and criminals as more legitimate. This is expected to have a knock-on effect in preventing further crime as rulings have higher recovery rates, reducing perceived benefits of criminal activity and deterring further crime. There is insufficient evidence as to the strength of this effect, so it has not been possible to quantify.

⁵⁹ Confiscation or the proceeds of crime after conviction: a consultation paper: https://cloud-platform-e218f50a4812967ba1215eaecede923f.s3.amazonaws.com/uploads/sites/30/2020/09/6.6837_LC_Confiscation-consultation-paper_FINAL_180920_WEB3.pdf

NPSV, BNPV and EANDCB

Table 21: Summary costs, benefits, NPSV, BNPV and EANDCB (£ million PV) 10 years, 2025/26

Summary	Low	Central	High
Costs			
Total Set up Costs	0.0	0.0	0.0
Total Ongoing Costs	0.8	1.9	3.9
Total Costs	0.8	1.9	3.9
Benefits			
Ongoing Benefits	24.8	74.4	124.1
Total Benefits	24.8	74.4	124.1
NPSV	24.1	72.6	120.2
BNPV	0.0	0.0	0.0
EANDCB	0.0	0.0	0.0

Source: Home Office Internal Analysis. Figures may not sum due to rounding.

Measure 6. Cost Protections for Civil Recovery

General assumptions and data

273. The estimated costs and benefits of this policy are split into two categories: a pure transfer from individuals to government, and an economic cost and benefit dependent on the impact on the number of civil recovery cases undertaken and/or their success rate. No relevant data is available to monetise either and as such, costs and benefits for this policy are articulated in non-monetisable terms below.

Costs

274. There are two non-monetisable costs associated with this policy. These include costs for individuals who win civil recovery cases against the government and now incur full legal fees - in other words, the sum of defence legal fees in any civil recovery cases the Government loses. However, this is a transfer completely offset by a corresponding benefit to Government.

275. Further costs include the additional resources used in civil recovery cases the Government would otherwise not have taken on, regardless of case outcome. This cost can be thought of as the sum of legal fees for both enforcement agencies and defendants in those additional cases. The extent of this cost is dependent on the behaviour of enforcement agencies and their likeliness to pursue additional cases.

Benefits

276. The estimated benefits of the policy are the inverse of costs outlined above. The first benefit of the proposal is that government will avoid having to pay the sum of defence legal fees in unsuccessful civil recovery cases. However, as mentioned, this is purely a transfer and is offset by a corresponding cost to the defendant.

277. The second benefit are those proceeds from seizing and liquidating assets of successful cases that would not have occurred otherwise. These are treated as a benefit to the government without being considered a cost to the defendant. As above, the extent of this

benefit is dependent on the behaviour of enforcement agencies and the probability of success.

NPSV, BNPV and EANDCB

278. As stated above, it has not been possible to monetise costs and benefits due to a lack of data. However, the net costs are dependent on the number of additional cases pursued while the net benefits are dependent on the number of additional successful cases. Two mechanisms will impact this: firstly, the degree to which the reduced risk to the public purse encourages investigators to pursue cases they would otherwise have avoided due to a possibility of losing, and secondly the possibility that defendants will be incentivised to spend less on defence efforts given the certainty of having to pay, which could increase the rate of successful cases.

Measures 7, 8 & 9. Public Order Measures

General assumptions and data

279. Data and assumptions have been drawn from several sources including:

- a. Police Labour costs are derived from the most recent Home Office internal data
- b. Police workforce statistics published by the Home Office⁶⁰.
- c. The Readingsoft calculator is used in calculating familiarisation costs
- d. Conviction rates and sentencing outcomes have been derived from the MoJ's Outcomes by Offence data tool⁶¹.

Costs

Familiarisation Costs

280. Once the new public order offences are created police officers will need to become familiar with the new legislation. It is currently estimated that the guidance document will be between 2000 and 3000 words long with a central estimate of 2,500⁶². To calculate the cost of familiarisation the estimated reading time of the information document was multiplied by the labour cost of those required to read it.

281. Table 22 shows the estimates and data used to calculate the familiarisation costs.

⁶⁰ Police workforce, England and Wales: 31 March 2024 - GOV.UK (www.gov.uk):

<https://www.gov.uk/Government/statistics/police-workforce-england-and-wales-31-march-2024>

⁶¹ Outcomes by Offence data tool: June 2024, Ministry of Justice Criminal Justice System statistics quarterly:

June 2024 - GOV.UK: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-june-2024>

⁶² Estimated provided by Police Powers Unit, Home Office

Table 22: Estimates used to calculate the Familiarisation costs (Price year 2025/26)

Officer Type	Estimate	Number of staff	Proportion of staff who will be reading	Hourly rate	Time spent reading (hours) ⁶³
				(£)	
Constables	Low	114,976	50%	27.98	0.03
	Central	114,976	75%	27.98	0.13
	High	114,976	100%	27.98	0.32
Sergeants	Low	22,091	25%	41.09	0.03
	Central	22,091	50%	41.09	0.13
	High	22,091	75%	41.09	0.32
Senior officers	Low	10,064	10%	52.63	0.03
	Central	10,064	17.5%	52.63	0.13
	High	10,064	25%	52.63	0.32

Source: Home Office Internal Analysis, 2024

282. The total familiarisation costs can be seen in Table 23 below. All costs are assumed to be incurred in year zero (2025/26).

Table 23: Total Familiarisation Costs (£m, PV base year 2025/26, Price year 2025/26)

Scenario	Constables	Sergeants	Senior officers	Total
Low	0.10	0.03	0.02	0.14
Central	0.42	0.12	0.07	0.61
High	1.03	0.29	0.17	1.49

Source: Home Office Internal Analysis, 2024

283. The total familiarisation cost is estimated to be between £0.14 million and £1.49 million with a **central estimate of £0.61 million (PV)**.

Criminal Justice System Costs

Offence Numbers

284. To estimate CJS costs the number of future offences expected has been estimated. It was not possible to estimate the number of future offences for possession of pyrotechnics as there is no data on this type of protest behaviour and no appropriate proxy offence.

285. Climbing on War Memorials: There is currently no official data recording incidences of climbing on war memorials. Based on reports in the media, there have been two incidents of climbing on war memorials in the last 14 years, one in 2010 and one in November 2023 during the Israel-Gaza protests⁶⁴. In the central scenario it is estimated that there is one offence every seven years.

⁶³ The estimated reading time for each document was found by using reading time calculator from readingsoft.com

⁶⁴ BBC, More powers to protect war memorials from protesters considered, 16 November 2023: <https://www.bbc.co.uk/news/uk-67442917>

286. Given the limited evidence base, a high and low scenario have been used to account for a level of uncertainty. In the low scenario, no offences occur and in the high scenario there is one offence each year.

Wearing face coverings that conceal identity at protests:

287. Section 60AA of the Criminal Justice and Public Order Act 1994 gives police the power to require individuals to remove their disguises where an authorisation is in place. The government assumes that it is likely that Section 60AA offences will occur at similar rates to the new offence of wearing face coverings that conceal identity at protests.

288. Data from a freedom of Information request to Metropolitan Police Service⁶⁵ containing section 60AA arrests at Palestine Demonstrations in a 160-day period from 7 October 2023 to the 15 March 2024, has been used as a basis to estimate future arrests. A central scenario estimate for offences has been constructed by assuming the number of arrests for the 160-day period would be representative of the rate seen across the year.

289. To account for a high level of uncertainty the number of offences has been increased and decrease by 50 per cent to create high and low scenarios.

290. It should be noted that protest activity significantly varies year on year with both the scale and type of behaviours seen depending on a multitude of factors. Whilst the number of offences could vary from the estimates produced using the proxies, they should approximately indicate likely scale of the impacts of introducing these offences in an average year.

291. Table 24 below shows the estimated number of charges for each offence.

Table 24: Estimated offences

Offence	Scenario	Year											
		0	1	2	3	4	5	6	7	8	9	Total	
Climbing on War Memorials	Low	0	0	0	0	0	0	0	0	0	0	0	0
	Central	0	0	0	0	0	0	0	0	1	0	0	1
	High	1	1	1	1	1	1	1	1	1	1	1	10
Wearing face coverings for the purpose of concealing identity at protests	Low	3	3	3	3	3	3	3	3	3	3	3	30
	Central	5	5	5	5	5	5	5	5	5	5	5	50
	High	8	8	8	8	8	8	8	8	8	8	8	80

Source: Home Office Internal Analysis, 2024

Magistrates' Court costs

292. When estimating court costs, it has been assumed that all charges are proceeded against. The prosecution rate is the number of arrests the rate that prosecutions result in a conviction. To estimate the prosecution rate for this new offence, the category of summary offences (excluding motoring) was used as a proxy.

⁶⁵ Freedom of information request on section 60AA Arrests: https://www.whatdotheyknow.com/request/section_60aa_arrests_on_palestin

293. Summary offences are criminal offences that are tried in Magistrate’s Court. Using the MoJ Outcomes by Offence data tool⁶⁶, the average prosecution rate for summary offences (excluding motoring) for the years 2019 to 2023 was used as a proxy and is 82 per cent.

294. The estimated annual total Magistrates’ Court cost lies in the range of £1,348 and £3,595, with a central estimate of £2,247. The total Magistrates’ Court cost lies in the range of £0.01 and £0.03 million (PV), with a **central estimate of £0.02 million (PV) over 10 years.**

Legal Aid

295. In the absence of specific data, it is assumed that 50 per cent of the new cases that are tried in a Magistrates’ Court will be eligible for legal aid. It is also assumed that 50 percent of those arrested will require legal aid at the police station.

296. The cost of legal aid at police stations has been estimated at between £3,000 and £10,000 with a central estimate of £6,000 (PV) over 10 years.

297. The cost of legal aid in Magistrates’ Court has been estimated at between £7,000 and £21,000 with a **central estimate of £12,000 (PV) over 10 years.**

Total CJS Costs

298. Table 25 below summarises CJS costs listed in the previous sections.

Table 25 – Criminal Justice System Costs (£, Price year 2025/26, PV Base year 2025/26)

Total CJS costs	Low	Central	High
Magistrate's Court costs	12,000	20,000	35,000
Legal Aid - Police Stations	3,000	6,000	10,000
Legal Aid - Magistrate's Court	7,000	12,000	21,000
Total	22,000	37,000	66,000

Source: Home Office Internal Analysis, 2024

299. The total CJS costs have been estimated to be between £22,000 and £66,000 with a **central estimate of £22,000 (PV) over 10 years.**

Total Costs

300. The total cost across the 10-year appraisal period includes familiarisation costs incurred in year one and magistrate’s court and legal aid costs across the appraisal period. Table 26 shows the annual discounted costs for the 10-year appraisal period. Table 27 shows the total 10-year costs (nominal).

Table 26 - Total Nominal Costs (£, Price year 2025/26)

Year	0	1	2	3	4	5	6	7	8	9
Low	142,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000
Central	609,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000	4,000
High	1,497,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000	8,000

Source: Home Office Internal Analysis, 2024

⁶⁶ Ministry of Justice Outcomes by Offence data tool: June 2024: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-june-2024>

Table 27 - Total 10-year Discounted Costs (£ million, Price year 2025/26, PV base year 2025/26)

Scenario	Total Cost
Low	0.16
Central	0.64
High	1.56

Source: Home Office Internal Analysis, 2024

301. The 10-year total discounted costs are estimated to be between £0.16 million and £1.56 million with **a central estimate of £0.64 million.**

Monetised Benefits

Income from Fines

302. Using the MoJ Offence Outcomes Tool and summary offences (non-motoring) as a proxy, the rate at which those sentences would go to immediate custody is just 2.2 per cent. This means that with such low offending rates there are no anticipated prison sentences that result from this measure.

303. The majority of sentences for summary offences (non-motoring) are fines. The income from fines has been estimated but it is not included in NPSV calculations as fines represent a transfer. The average fine for summary offences of £220 (2025/26 prices) was used as the low scenario, the maximum fine of £1024 (2025/26 prices) was used as the high scenario, and the mid-point of those figures was used as the central scenario.

304. The income from fines is estimated to be between £4,000 and £71,000 with **a central estimate of £17,000 (2025/26 prices)**

Non-Monetised Benefits

Deterrence

305. It is expected that the creation of all three of these offences will result in some level of deterrence of both the behaviour itself as well as further disorder. It has been noted that the use of flares and other pyrotechnics leads to a further sense of disorder during processions and assemblies. As a result, action to prevent their use could lead to less disorder at large protests. It is not possible to estimate to what level deterrence will occur. Protest behaviours is especially hard to predict as it is dependent upon a large number of factors.

Preventing harm from pyrotechnics

306. Once a pyrotechnic article is ignited, it is a hazard to those in the vicinity, especially in large crowds. Giving the police the ability to proactively take action against individuals who bring these dangerous items to protests enables the police to ensure public safety is maintained. Given there is no data on current possession of pyrotechnics or the harm they cause once lit it is not possible to monetise this benefit.

NPSV, BNPV and EANDCB:

307. The monetised costs have no impact on business, so the Business Net Present Value (BNPV) and the equivalent annual net direct cost to business (EANDCB) are zero.

308. The total costs and NPSVs are shown in Table 28 below.

Table 28 – Total Costs and NPSVs (£, Price year 2025/26, PV base year 2025/26)

Scenario	Low	Central	High
Fine Incomes (not included in NPSV)	0.00	0.02	0.07
Familiarisation Costs	0.14	0.61	1.49
Legal Aid Costs	0.01	0.02	0.03
Magistrate Court Costs	0.01	0.02	0.03
Total Costs	0.16	0.64	1.56
NPSV	-0.16	-0.64	-1.56
EANDCB	0.00	0.00	0.00
BNPV	0.00	0.00	0.00

Source: Home Office Internal Analysis, 2024

309. The NPSVs range from -£162,000 the low scenario, and -£1,555,000 in the low-cost high-benefit scenario, **with a central estimate of -£642,000 (PV)**.
310. Whilst the NPSV is negative, there is a non-monetised benefit of the deterrence and reduction of harm. Option 0 of a 'Do nothing' approach would not provide this protection or deterrence, so would not meet the objectives of this policy.

Measure 10. Powers of Entry

General assumptions and data

311. Costs of crime. The Home Office economic and social costs of crime published report will be used to estimate benefits throughout.
312. The government assumes that all offences relevant to this proposal will be mobile phone theft offences and theft of a motor vehicle offences, as these items are most likely to have electronic trackers that could enable the police to locate them if they are stolen and subsequently use these new powers.
313. Mobile phone theft offence volume:
- The estimated range of reported mobile phone theft was calculated using published Crime Survey of England and Wales (CSEW) and Police Recorded Crime (PRC) data, and Management Information data.
 - The lower bound was calculated by multiplying the estimated number of mobile phone owners experiencing theft⁶⁷ (196,000, CSEW, year ending March 2023), by the proportion of victims that report mobile phone theft to police (63%).
 - The upper bound was calculated by extrapolating the number of mobile phone incidents recorded by the Metropolitan Police (MI data, PRC, year ending March 2023), to an estimate for England and Wales, based on the Metropolitan Police's share of mobile phone related crime.
 - The central estimate is the midpoint between the upper and lower bound.
314. Volume of mobile phone offences impacted by the proposal:

⁶⁷ ONS, Property crime tables, September 2023
<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/focusonpropertycrimeappendixtables>

- a. Mobile phone theft offences most commonly result from theft from the person (37%), other personal theft (31%) and robbery (31%). (MI data, CSEW year ending March 2023).
 - b. PRC charging outcomes data for an equally weighted combination of theft from the person, other personal theft, and robbery, shows that 74 per cent of these offences have an outcome where the investigation is completed with no suspect identified. Due to these new powers, some of these outcomes should result in charges. This will be possible where tracking devices are available.
 - c. Management Information data from the CSEW (year ending December 2022) shows that 38 per cent of mobile phone owners have installed an app to track their device remotely. This gives a figure for eligible offences to be charged.
315. Theft of a motor vehicle offence volume was obtained from the PRC data (135,361, year ending March 2023⁶⁸). Volume of vehicle theft offences impacted by the proposal:
- a. PRC charging outcomes data for theft of a vehicle shows that 77 per cent of vehicle theft offences have an outcome where the investigation is complete with no suspect identified. Due to these new powers, some of these outcomes should result in charges. This will be possible where tracking devices are available.
 - b. Published CSEW data (year ending March 2020⁶⁹) on the nature of crime shows that 16 per cent of vehicle owners have a tracking device installed on their vehicle. This gives a figure for eligible offences to be charged.
316. Charge rates and Sensitivity:
- a. PRC charging outcomes data shows that the charge rate for theft from the person, other personal theft, and robbery combined is 1.9 per cent. This charge rate has been applied to volume of mobile phone offences that are impacted by the proposal, in the central scenario. To account for the uncertainty in the charge rate, sensitivity analysis has been employed at 50 per cent above and below the central estimate.
 - b. The charge rate for theft of a vehicle is 2.4 per cent. This charge rate has been applied to volume of vehicle theft offences that are impacted by the proposal, in the central scenario. To account for the uncertainty in the charge rate, sensitivity analysis has been employed at 50 per cent above and below the central estimate.
 - c. This gives us 852 additional charges for mobile phone theft and 412 for vehicle theft.
317. The government assumes all offenders apprehended under the new police power will be charged with handling of stolen goods. The conviction rate for handling of stolen goods is 86 per cent (five-year average). This has been applied to all cases and results in 737 convictions for mobile phone theft and 356 for vehicle theft, and subsequently the sentencing outcomes for 'handling stolen goods' are applied to these convictions.
318. Split in cases between the Magistrate's Court and Crown Court:
- a. The Magistrate's court data tool (year ending December 2023)⁷⁰ shows that for the 'offence code 54 – handling of stolen goods', 75 per cent of cases went for trial at the Magistrate's Court, and 25 per cent at the Crown Court (five-year average).

⁶⁸ Police Recorded Crime: <https://www.gov.uk/government/statistics/police-recorded-crime-open-data-tables>

⁶⁹ CSEW: <https://www.ons.gov.uk/releases/crimeinenglandandwalesyearendingmarch2020>

⁷⁰ <https://assets.publishing.service.gov.uk/media/664611bef34f9b5a56adc962/magistrates-court-tool-2023.xlsx>

- b. The Home Office believes that outcomes for handling stolen vehicles are represented accurately by the handling of stolen goods outcomes data, as sentencing guidelines show that vehicles are a medium/high value stolen item.
- c. Sentencing guidelines show that mobile phones are low value stolen item, so the general outcomes for handling of stolen goods would overestimate the severity with which handling stolen mobile phone offenders would be treated.
- d. Proxy offences of theft from the person and other personal theft (equal weighting) are used to estimate the likely split between Magistrate's and Crown Court for handling stolen mobile phones. This is 87 per cent and 13 per cent respectively (five-year average) and shows that the likelihood of going to the Crown Court for handling a stolen mobile phone is 50 per cent of that for handling a stolen vehicle.

319. Sentencing outcomes:

- a. Sentencing outcomes for handling of stolen goods (five-year average) show there is a 30 per cent likelihood of receiving a custodial sentence upon conviction, with a 33 per cent and 15 per cent likelihood of receiving a community or suspended sentence, respectively.
- b. Given that vehicles represent a medium/high value stolen item, it is estimated that sentencing outcomes for handling stolen vehicles will be in line with the sentencing outcomes for handling stolen goods, in the central scenario. To account for the uncertainty in the sentencing outcomes, sensitivity analysis has been employed at 25 per cent above and below the central estimate.
- c. As mobile phones represent a low value stolen item, it is estimated that general outcomes for handling of stolen goods would overestimate the severity of which handling stolen mobile phone offenders would be treated. The government estimates that offenders sentenced for handling stolen mobile phones would receive sentencing outcomes at 50 per cent the level for handling of stolen goods in the central scenario, in line with the Crown Court split.
- d. There is expected to be a 15 per cent likelihood of receiving a custodial sentence upon conviction, with a 16 per cent and 7 per cent likelihood of receiving a community or suspended sentence, respectively. To account for the uncertainty in the sentencing outcomes, sensitivity analysis has been employed at 25 per cent above and below the central estimate.
- e. This gives an estimated 105 custodial sentences for vehicle theft and 109 for mobile phone theft.

320. Average custodial sentence length (ACSL):

- a. The expected ACSL is based on sentencing guidelines for handling of stolen goods, and MoJ data (outcomes by offence).
- b. It is assumed those given a custodial sentence will only serve 50 per cent of the sentence length awarded.
- c. The guidelines suggest that those charged with handling stolen mobile phones and given a custodial sentence will likely be given a custodial term anywhere between six months and one year (central estimate nine months). To ensure the ACSL data on handling stolen goods is representative of handling stolen mobile phones, all offenders awarded a sentence above one year were removed from the upper bound estimate, and an average ACSL was obtained based on all offenders given up to one year. This was done to remove any outlying offenders (who might have stolen an item much more valuable) from the dataset. The same was done for the lower bound and central estimates.
- d. The guidelines suggest that those charged with handling stolen vehicles and given a custodial sentence will likely be given a custodial term anywhere between six months and three years (central estimate 18 months).
- e. This generates 24 prison places for vehicle theft and 17 for mobile phone theft.

321. Legal aid: 60 per cent will take up free legal aid at police station stage; 55 per cent will qualify for legal aid at Magistrates Court; 100 per cent of Crown Court cases will qualify for legal aid.

Costs

Set up costs

Private sector

322. Set up costs to the private sector are expected to be minimal and have not been monetised.

Public sector

Familiarisation costs to police

323. This proposed police power will be executed in the same way as existing powers of entry, either with a search warrant or without. Authorisation will be sought from officers ranked inspector or above, rather than a magistrate, but this is also similar to existing police processes such as authorisation of stop and search under section 60 of the Criminal Justice and Public Order Act 1994. Familiarisation costs to the police are expected to be negligible as those authorising the searches will already be familiar with the existing process as part of their current role (for example, what constitutes reasonable grounds under the search warrant process).

Prison place set up costs

324. To account for the current low prison capacity, a set up cost of £628,904 is estimated to account for the building of a new prison place. These costs only apply in year one of the appraisal period as a prison place can be reused in future years, and the capacity will not be required until year two (when prison places required will reach steady state). Based on the prison place estimates, the total number of additional prison places required is between 9 and 107, with a central estimate of 40. The set-up costs of additional prison places needed is between £5.6 million and £67.4 million, with a central estimate of £25.4 million.

Ongoing costs

Private sector

325. Ongoing costs to the private sector are expected to be minimal and are not monetised.

Public sector

Magistrates' Court costs

326. There are estimated to be between 438 and 1836 additional Magistrates' Court cases per year in the steady state, with a central estimate of 1050. It is estimated that the cost of additional Magistrates' Court cases will be between £2.7 million and £11.2 million, with a central estimate of £6.4 million (PV) over 10 years.

Crown court costs

327. There is estimated to be between 94 and 360 additional Crown Court cases per year in the steady state, with a central estimate of 214. It is estimated that the cost of additional Crown Court cases will be between £4.3 million and £16.5 million, with a central estimate of £9.8 million (PV) over 10 years.

Legal aid costs

328. It is assumed that 100 per cent of Crown Court cases and 55 per cent of Magistrates' Court cases will be eligible for legal aid, and that 60 per cent of cases will be eligible for police station legal aid. Legal aid costs associated with additional cases are estimated to be between £6.6 million and £25.9 million, with a central estimate of £15.2 million over the appraisal period.

Prison place costs

329. There is estimated to be between 9 and 107 additional prison places required per year in the steady state for this proposal, with a central estimate of 40. The CJS will incur additional costs associated with these prison places. It is estimated that the cost of additional prison places will be between £3.94 million and £47.12 million, with a central estimate of £17.78 million (PV) over 10 years.

Probation costs

330. There is estimated to be between 114 and 725 additional probationary sentences per year in the steady state, with a central estimate of 346, as a result of this proposal. The CJS will incur additional costs associated with these probationary sentences. It is estimated that the cost of additional probationary sentences will be between £4.5 million and £28.5 million, with a central estimate of £13.6 million (PV) over 10 years.

Benefits

Setup benefits

331. There are no monetised setup benefits.

Ongoing benefits

Recovery of stolen property

332. For every stolen item recovered, there will be benefits associated with returning the stolen item to its owner, equivalent to the value of the stolen item. The assumed value of a stolen vehicle is £5,611.24, taken from the unit value of property under the 'theft of vehicle' crime

type from the Home Office economic and social costs of crime report.⁷¹ The assumed value of a stolen mobile phone is £560.22, based on the weighted average of the unit value of property stolen under the 'robbery' crime type and the unit value of property stolen under the 'theft from the person' crime type. The weighting is based on the proportion of mobile phone theft these crime types account for.

333. Home Office analysts have assumed that one charge under Option 2 leads to one item of property recovered and returned to its owner. This is considered a conservative estimate, as there are likely to be cases where an item is recovered with no suspect or charge attached, and other cases where one suspect is charged for multiple stolen items which are recovered.
334. It is estimated that the benefits of additional stolen items of property recovered and returned will be between £9.53 million and £31 million, with a central estimate of £19.87 million (PV) over 10 years.

Non monetised benefits

Improved victim satisfaction/ positive view of police

335. There may be improved victim satisfaction among high volume crimes, as a result of the increased capability for police to follow all lines of enquiry, and increased likelihood of obtaining a positive charging outcome.

Opportunity for pro-active policing

336. This power affords increased opportunities for intelligence gathering and disruption, which could lead to earlier intervention with prolific offenders, and generally a more proactive approach to policing.

Further seizures

337. Warrantless entries will likely lead to an increase in the number of properties searched, which increases the likelihood of discovering and seizing additional stolen goods or prohibited items such as weapons. This could lead to further recovery of stolen goods and prevention of crime.

Value for money

338. Table 29 presents the monetised costs and benefits identified over the 10-year appraisal period, including the NPSV. The NPSV is indicative, as the monetised benefits are likely to be underestimated as the assumption on number of stolen goods recovered and returned is conservative, and the time/efficiency savings to Magistrates' Courts have not been monetised/ quantified.
339. The figures in Table 29 also do not include non-monetised benefits such as increased victim satisfaction and opportunities for proactive policing, which should be considered when assessing the value for money of the legislation. As there is no impact to business, both the Business Net Present Value (BNPV) and the net cost to business (EANDCB) are zero.

NPSV, BNPV and EANDCB:

340. The NPSV is estimated to be between -£17.9 million and -£163.4 million with a central estimate of -£67.5 million over the appraisal period. This is summarised in Table 29 below.

⁷¹ Home Office <https://assets.publishing.service.gov.uk/media/5b684f22e5274a14f45342c9/the-economic-and-social-costs-of-crime-horr99.pdf>

Table 29: Summary CBA, NPSV, BNPV and EANDCB, £ million (PV) over 10 years

Costs	Low	Central	High
Total set up costs	5.6	25.4	67.4
Total ongoing costs	27.5	62.8	129.3
Total costs	27.5	87.4	194.4
Benefits	9.5	19.9	31.0
Total benefits	9.5	19.9	31.0
NPSV	-17.9	-67.5	-163.4
BNPV	0	0	0
EANDCB	0	0	0

Source: Home Office Internal Analysis, 2024

Measure 11. Implementation of international law enforcement information sharing agreements

Non-monetised Costs

- 341. The international law enforcement information-sharing agreements are yet to be negotiated; the scope and requirements of such agreements will inform the detail of subsequent secondary legislation. Any international agreements established and subsequent secondary legislation resulting from these will be assessed accordingly for economic impact at such juncture.
- 342. While the impacts of this specific legislation are minor on its own, the potential impacts arising from an international information agreement can be substantial.
- 343. Potential Costs: International information sharing agreements could result in implementation and infrastructure costs, as well as training and ongoing operational costs.
- 344. To illustrate the impact of an international information sharing agreement, below is the estimated impact from the International Law Enforcement Alerts Platform (I-LEAP) Programme. It is important to note this is just one example envisaged of the implementation of an international agreement. The potential impact of these clauses is thus uncertain.
- 345. The I-LEAP programme will provide new alerting digital platform capabilities to police and Border Force officers in the UK, and to their equivalents in partner countries, enabling increased opportunities at the national border or within country to identify persons and objects of interest to law enforcement agencies. The I-LEAP programme will be delivered through two distinct phases:
 - a. Phase one: will deliver connectivity to the fixed INTERPOL’s network database (FIND) system, providing real-time access to INTERPOL nominal data to UK policing, whilst expanding access to other INTERPOL datasets. These services are being rolled out nationally to policing, the UK Border Force, and the NCA.
 - b. Phase two: will expand the I-LEAP service to provide reciprocal access to international alert data exchange with international partners, initially focussing on a multilateral solution with the EU followed by bilateral agreement with other partner countries.

I-LEAP Costs

346. The analysis of Phase two represents the potential costs that would be delivered through the implementation of a multilateral agreement with the EU. This analysis was produced for a Business Case in 2023.
347. This measure intends to enable such an implementation, where secondary legislation is required to implement operational and technical aspects of an agreement.
348. Main costs include capital costs (costs related to the build of I-LEAP) and resource costs (costs related to the annual sustainment and running costs of I-LEAP).
349. These costs have been modelled on a number of assumptions concerning the scope of the multilateral agreement, type of law enforcement information that would be exchanged and potential future encounters and interventions that would occur as a result of the agreement.
350. The I-LEAP Business Case (November 2023) suggests that with an EU multilateral agreement, Phase two would result in total costs of £34.4 million (PV, 2023/24 prices), conditional on Phase one being delivered. These figures are based on the impact of a single multilateral agreement with the EU, and do not consider the costs associated with any other potential agreements.

Potential Benefits

351. International information sharing agreements could help to encourage cooperation between law enforcement agencies from different countries, enabling them to work together more effectively in combating crime that transcends national borders, including organised immigration crime.
352. Sharing data internationally may also allow law enforcement agencies to access broader and more diverse sources of intelligence. This can lead to faster and more accurate threat assessments, allowing for quicker and more targeted responses to emerging criminal activities.
353. With more comprehensive, real-time information, law enforcement can engage in proactive crime prevention. They can detect criminal trends, identify potential threats earlier, and act before crimes escalate.
354. As a result, the key benefit of an international law enforcement information sharing agreement would be to reduce the harm of crime to individuals and society, in turn, improving public confidence and the international reputation of the UK.

I-LEAP Benefits

355. Please see paragraphs 346 to 350 for background context on the I-LEAP programme.
356. The analysis of Phase two represents the potential benefits that would be delivered through the implementation of a multilateral agreement with the EU. This measure intends to enable such an implementation, where secondary legislation is required to implement operational and technical aspects of an agreement.
357. These benefits have been modelled on a number of assumptions concerning the scope of the multilateral agreement, type of law enforcement information that would be exchanged and potential future encounters and interventions that would occur as a result of the agreement.
358. The I-LEAP Business Case (November 2023) suggests that with an EU multilateral agreement, Phase two would result in total benefits of £126.1 million (PV, 2023/24 prices),

conditional on Phase one being delivered. These figures are based on the impact of a single multilateral agreement with the EU, and do not consider the benefits associated with any other potential agreements.

359. The main benefits are the harm avoided, both by detecting international criminals, and preventing harm to missing persons. Non-monetised impacts include additional opportunities to identify international offenders, additional opportunities to share information on missing persons abroad, and improved public confidence and international reputation.
360. The analysis of Phase two represents the potential value for money and impacts provided by an international agreement which may be implemented by the delegated power to make regulations under this measure. These figures do not feature in this IA's total NPSV as a result.

NPSV, BNPV and EANDCB:

361. There are no monetised costs or benefits, meaning the net present social value of this measure is zero over the 10-year appraisal period.
362. There are no monetised costs or benefits that impact businesses. As a result, the Business Net Present Value (BNPV) and Equivalent Annual Net Direct Cost to Businesses (EANDCB) are zero.

E. Wider impacts

Measure 1. Appeals Routes to the Police Appeals Tribunal

363. These changes are limited to very specific circumstances in which a police officer has been subject to misconduct proceedings. There are no foreseen wider impacts.

Measure 2. Police Accountability

364. The changes may impact on perceptions of how police are held to account. Trust in policing has fallen⁷², these measures may have a further detrimental impact on those who have low trust in the police. There could be a perception that changing the referral threshold for cases to go the CPS may result in fewer cases being considered for criminal charges. This could be seen as an adverse outcome by some with protected characteristics, such as male members of the black community who already have lower levels of confidence in the police.
365. On balance, the impact of bringing the Victims Right to Review scheme on a statutory footing should provide a safeguard to ensure families can challenge a IOPC non-referral decision - and overall - only cases with a reasonable prospect of conviction will go forward meaning delays to outcomes and unrealistic expectations are avoided.

⁷² Trust in Government, UK - Office for National Statistics:
<https://www.ons.gov.uk/peoplepopulationandcommunity/wellbeing/bulletins/trustinggovernmentuk/2023#public-services>

Measure 3. Drug Testing on Arrest

366. As the expansion of DToA as per Option 1 is not expected to have a business impact, there is no expected material impact on smaller businesses, trade, or investment within the UK.
367. There are also no expected implications to households and individuals, and there will be minimal impact on the overall cost of living. Similarly, there are no anticipated impacts on the environment or on wealth distribution as a result of this policy.

Measure 4. Access to Driving Licence Records (DVLA Database)

368. These changes are limited to very specific circumstances of access to DVLA driver data. There are no foreseen wider impacts.

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

369. This policy is expected to lead to more successful cases of confiscation and improve public satisfaction rates as victims' losses are minimised or reversed. This is expected to deter future crime as confiscation hearings have higher recovery rates, meaning criminals recognise the risks of larger compensation payments which were introduced by this policy. As a result, the legal system will be viewed as more legitimate and any reduction in criminal behaviour benefits wider society.

Measure 6. Cost Protection for Civil Recovery

370. It is not expected that there will be any wider impacts as a result of this policy.

Measures 7, 8 & 9. Public Order

371. Regarding memorials and pyrotechnics, very limited wider impacts due to the narrow scope of the offence. A prohibition on the use of face coverings to conceal identity in a particular locality could have an indirect impact on those with protected characteristics, such as those who wear face coverings for religious or medical purposes. However, the offence has been designed to explicitly exempt those who wear face coverings for religious, medical or work-related reasons. In general, certain protests, depending on the cause they represent, may be represented by a higher-than-average proportion of people with a particular protected characteristic.

Measure 10. Powers of Entry

372. These measures are concentrated on police operational systems and have no wider impacts.

Measure 11. Implementation of international law enforcement information sharing agreements

373. The policy is not expected to have any wider impacts.

F. Sensitivity

374. None of the measures in this EN are regulatory provisions as defined under the Better Regulation Framework. The equivalent annual net direct costs to the public sector are less than +/- £20 million, so an IA is not required.

Measure 1. Appeals Routes to the Police Appeals Tribunal

375. Given the measures could not be appraised in full no sensitivity analysis could be conducted.

Measure 2. Police Accountability

376. Sensitivity analysis has been conducted on the length of all guidance documents read by IOPC and PSD staff. These estimates affect staff time spent reading the guidance. It is currently estimated that both IOPC and PSD guidance will be between 2,500 and 12,500, with a central estimate of 7,500 words. A scenario is modelled in which the number of words increases by 20 per cent.

377. In this scenario, total familiarisation costs would rise to between £704,600 and £781,000 with a central estimate of £727,100. This represents a rise of 0.58 per cent in the central scenario. Hence, overall costs and NPSV are not very sensitive to the estimates for length of guidance documents.

378. Training costs make up 96.3 per cent of the total monetised costs for these measures in the central estimate. Hence, total costs and NPSV are particularly sensitive to these costs changing.

Measures 7, 8 & 9. Public Order Measures

379. Sensitivity analysis was undertaken on the level of legal aid anticipated. It's currently estimated that 50 per cent of cases will require legal aid. Two other scenarios were examined. One using a lower rate of 25 per cent and one using a rate of 100 per cent to examine the maximum.

380. Tables 30 and 31 show the results of this sensitivity analysis:

Table 30 – Total Costs and NPSVs with 25 per cent cases requiring legal aid (£, Price year 2025/26, PV base year 2025/26)

Scenario	Low	Central	High
Fine Incomes	0.00	0.02	0.07
Familiarisation Costs	0.14	0.61	1.49
Legal Aid Costs	0.01	0.01	0.02
Magistrate Court Costs	0.01	0.02	0.03
Total Costs	0.16	0.63	1.54
NPSV	-0.16	-0.63	-1.54
EANDCB	0.00	0.00	0.00
BNPV	0.00	0.00	0.00

Source: Home Office Internal Analysis, 2024

Table 31 – Total Costs and NPSVs with 100 per cent cases requiring legal aid (£, Price year 2025/26, PV base year 2025/26)

Scenario	Low	Central	High
Fine Incomes	0.00	0.02	0.07
Familiarisation Costs	0.14	0.61	1.49
Legal Aid Costs	0.02	0.04	0.06
Magistrate Court Costs	0.01	0.02	0.03
Total Costs	0.17	0.66	1.59
NPSV	-0.17	-0.66	-1.59
EANDCB	0.00	0.00	0.00
BNPV	0.00	0.00	0.00

Source: Home Office Internal Analysis, 2024

381. The impact on NPSVs of changing the expected proportion of legal aid is very minimal. With a rate of 50 per cent of cases requiring legal aid the NPSV was -£640,000 (PV). When the rate is decreased to 25 per cent this changes to -£630,000 (PV). Even in the maximum scenario the increase is relatively low with a central estimate of -£660,000 (PV).
382. This suggests that even if the estimate is substantially above or below the actual number of cases requiring legal aid, the impact on NPSV is relatively small.

G. Risks

Measure 1. Appeals Routes to the Police Appeals Tribunal

383. The key analytical risk is that the costs cannot be monetised due to the absence of information on the length of tribunals and volumes expected. This has been mitigated the appraisal section where it is show that even in an unrealistic maximum scenario, costs remain relatively low. This means there is not likely to be any substantial increase in costs to the public sector from an increase in Police Appeals Tribunals.

Measure 2. Police Accountability

384. **Uncertainty around future use of Victims Right to Review scheme:** There is uncertainty around how much Victims Right to Review scheme use will increase by following the amendments. The costs of using the Victims Right to Review scheme are also unknown, hence this cost has been included in the non-monetised section. If Victims Right to Review scheme use increases, then there could be significant costs to the police that have not been monetised.

Measure 3. Drug Testing on Arrest

385. **Uncertain Testing Uptake:** A number of police forces are reliant on additional funding to conduct DToA. There is a risk that a reduction in future funding will reduce the volumes of test conducted and may limit the impacts of the expansion under Option 2. To mitigate this risk, analysis was conducted to test the sensitivity of the results to the number of forces taking up DTOA funding (assumed to be 43). This alternative analysis based on the average number of tests currently reported to the Home Office.
386. Under the sensitivity analysis, volumes of additional tests are expected to average 53,000 per year, with around 47,000 of those positive, compared to 114,000 overall and 101,000 positive tests in the central scenario. Total costs of Option 1 are estimated to fall by around 28 per cent in the central scenario, from £71.6 million over 10 years to £50.5 million. The estimated break even rate in the reduced participation scenario is slightly higher, with 1.4 per cent of individuals needing to benefit from treatment to break even, compared to 1.2 per cent in the central scenario.
387. **Inaccurately predicted DToA volumes:** The estimation of the number of drug tests conducted per year is based on historic drug testing figures. This is a projection, and given the uncertainty, it is possible that drug testing figures may differ significantly from the predicted range. Certain factors may exacerbate this risk, such as uncertainty around funding, or operational differences in forces' use of DToA. Forces may target their use of DToA, for instance, using it at specific events or at times when some crimes are more prevalent than others. This risk has been mitigated by applying a range to the testing estimates.
388. **Incomplete data for all police forces in England and Wales:** As some of the 43 police forces in England and Wales are still setting-up DToA, or are expected to in the future, the dataset will have missing or incomplete data. This means that assumptions have been made to estimate future costs and spends on DToA. To mitigate these risks, ranges have been devised to show all possibilities of costs with a low, central, and high estimate.
389. **Variation in Tested Cohorts:** The analysis assumes that the application of treatment benefits, and non-compliance rates are consistent across drug users regardless of the crime through which they are identified and tested. If this assumption fails, it is possible that a new cohort of users is identified through the expansion of trigger offences that have higher non-compliance rates and fail to engage in treatment to higher degrees than existing drug users, as such incurring additional CJS and treatment costs but yielding reduced benefits.

Measure 4. Access to Driving Licence Records (DVLA Database)

390. No analysis was possible and this presents an analytical risk.

391. The measures in this legislation have been introduced to clarify the existing legislation. They are intended to reduce the risk of legal uncertainty associated with the current legislation. Future regulations made under these proposed measures aim to introduce additional purposes for access and use of the DVLA driver data by the police and law enforcement bodies.

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

392. The introduction of the Early Resolution of Confiscation hearings (EROC) is modelled to improve confiscation rates within this policy. The risk of this not occurring is estimated to be extremely low with evidence obtained by the Law Commission suggesting that settlements are being reached within EROC hearings. However, if these hearings are unsuccessful, this would result in this policy's benefits being overstated.

393. The proposed reduction in court hearings was left non-monetised as any reduction in confiscation hearings induced by the early resolution process is expected to be balanced by more enforcement hearings occurring. If the number of court hearings reduced by two per cent to five per cent, this would result in a benefit increase of between £558 and £3,253 a year, undiscounted. As this increase does not impact the policy model outputs across the whole appraisal period, the risk of understated benefits is low. A negligible impact also occurs for a 10 per cent reduction in court hearings.

394. The policy benefits are derived from improved resolution of complex confiscation cases which are valued at least £50,000. There is a risk that some confiscation orders which are valued below the £50,000 threshold could be complex if they involve multiple defendants or third-party interests. If more orders for cases valued below the £50,000 threshold occur, this would reduce the expected benefits of this policy. The risk of the benefits for complex case resolution being overstated within this policy are expected to be low with evidence obtained from the Law Commission suggesting these cases are the most difficult to solve. The law commission found that 95 per cent of defendants settled cases when confiscation values were less than £50,000.

395. The increased confiscation potential as a result of the policy is estimated using uplifts of 2 per cent [low], 6 per cent [central], 10 per cent [high]. The uplifts are based upon forensic identification and discussion of all policy proposals between the Law Commission and external partners to assess which the likely impact on recoverable debt, meaning the uplifts are based upon the most reliable data sources available for the IA. The values take a relatively broad range from 2 per cent to 10 per cent. If the uplifts are overly optimistic, the policy benefits could be overstated and the realised benefits could be closer to the lower bound estimate.

396. The increased victim compensation as a result of the policy is estimated using uplifts of 0 per cent, 20 per cent and 40 per cent in low, central, high scenarios. The uplifts are based upon CPS judgement and as such are significantly uncertain. If the uplifts are either overly optimistic or pessimistic, the policy benefits could be over or understated. Further, a portion of benefits associated with victim compensation may be reflected within increased recoverable debt benefits. Since the operation of the voluntary scheme in October 2022, 147 cases were identified to be in scope of the victim compensation measure. This compares with approximately 6,000 confiscation order impositions between financial years 2022/23 to 2023/24.⁷³ This suggests that approximately 2 per cent of victim compensation benefits may be captured by increased recoverable debt benefits however,

⁷³ Asset recovery statistical bulletin; financial years ending 2019 to 2024: [Asset recovery statistical bulletin: financial years ending 2019 to 2024 - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/100000/asset-recovery-statistical-bulletin-financial-years-ending-2019-to-2024.pdf)

exact proportions are highly uncertain. When accounting for potential double counting the policy would still achieve an NPSV of £73.6 million.

Measure 6. Cost Protection for Civil Recovery

397. The overall absence of data means the economic appraisal is highly speculative. It also means it is not possible to conduct monetisable sensitivity analysis. The main source of risk is in the uncertainty over the impact on the overall number and cost of cases.

Measures 7, 8 & 9. Public Order Measures

398. The main risk to the analysis would be if there is a significant change in protest activity leading to an unexpected high number of offences leading to high CJS costs and a more negative NPSV. As with any protest related offences, the number of future offences and charges is dependent on the behaviour of protestors. The analysis assumes that these measures will create a deterrence to this behaviour. However, if there were to be one very large protest or an organised campaign of protests there could be an unanticipated spike. Whilst a range of offending levels has been explored in the sensitivity analysis, this remains an analytical risk.

399. The most significant analytical risk is if the immediate custody rate or the total number of offences is higher leading to there being prison sentences and the resulting costs associated with a prison place. This would likely drive up CJS cost substantially and lead to an even more negative NPSV.

400. The immediate custody rate for summary non-motoring offences is 2.2 per cent. Holding estimates of convictions fixed, the immediate custody rate that would lead to an expected 1 prison sentence per year was estimated. This rate is 100 per cent for climbing on war memorials and 24 per cent for the use of face coverings to conceal identity. It is unlikely that this rate would occur.

401. Holding the immediate custody rate of 2.2 per cent fixed, the number of convictions needed to lead to one prison sentence is 45. This is 45 times the expected number of convictions for climbing on war memorials and more than 10 times the expected convictions for the use of face coverings to conceal identity.

402. Whilst it is possible prison sentence may result from this measure it is highly unlikely that there will be substantial numbers given the low immediate custody rate for summary offences and the fact these offences are not expected to occur at a particularly high rate.

Measure 10. Powers of Entry

403. **Summary data and evidence risks:** There is a risk that the volume of offences impacted by the proposal is understated, as the analysis assumes that only mobile phone and vehicle theft will be impacted/ tracked. In reality, there are countless items of property that can be tracked. There are similar evidence risks around the volume of mobile phone theft, as police recorded crime data and data from the Crime Survey for England and Wales provide different figures. There is also uncertainty around volumes and the proportion of such cases that will be additionally charged. Low, medium, and high assumptions-based scenarios have been used in the appraisal to mitigate these risks.

404. There is a risk that the benefits captured in the analysis are underestimated. It is assumed that one charge is equivalent to one stolen item recovered and returned. In reality, there

may be circumstances where an item is recovered with no suspect attached, or one suspect/charge has multiple items of stolen property.

405. The analysis assumes that stolen goods retain their full value and remain undamaged, as we expect these items are stolen for resale. Damaged goods are less likely to be tracked electronically and, as such, fall outside the scope of this power. However, there is a growing market for parts from stolen mobile phones, and our analysis does not account for or quantify the potential damage and subsequent reduction in value of these items, which presents a potential risk.
406. Powers of entry and search without the use of search warrants are by nature highly intrusive and are currently available to police only in a limited number of circumstances. Whilst police recognise the operational value of this proposed new power, they have also raised several concerns around their ability to use the power accurately and the accompanying risk to public confidence, and the risk to police officers themselves if mistakes are made.
407. To reduce the risk of police entering the wrong address additional corroboration of the location would be required in multi-storey dwellings or homes of multiple occupancy. Without this corroboration there would be a risk of police forcing entry to homes of individuals who have committed no offence which would decrease confidence in policing and potentially cause property damage for which the police force would be financially liable.
408. Should stolen items be seized, they may not be returned to victims quickly if there is to be any chance of a suspect being charged and prosecuted. Police may need to retain stolen items as evidence to support a prosecution, for example to ensure forensic examination can take place. Depending on the timeframe, this would likely delay the point at which benefits are accrued and increase victim frustration.

Measure 11. Implementation of international law enforcement information sharing agreements

409. The international law enforcement information-sharing agreements are yet to be negotiated. As a result, it is not possible to provide a value of money assessment of this measure. The scope and requirements of such agreements will inform the detail of subsequent secondary legislation. Any international agreements established and resulting secondary legislation will be appraised proportionately once agreed.

H. Annex A: Statutory Equalities Duties

Measure 1. Appeals Routes to the Police Appeals Tribunal

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>An Equality Impact Assessment (EIA) has been completed for the overall Crime and Policing Bill, which these provisions are part of. These specific measures support improvements in public confidence in the police and, in particular, to encourage good relations with those who may have lower confidence in the police, including those from ethnic minority backgrounds, women and young people.</p> <p>The SRO has agreed these summary findings.</p>	<p>Yes</p>

Measure 2. Police Accountability

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>The three measures are likely to have a mixed impact on the protected characteristics of age and race.</p> <p>Actions taken to improve the timeliness of the accountability system is likely to have a positive impact on all groups, but particularly younger officers who make up 58.9 per cent of the police. Black communities are more likely to feel negatively towards the police (34 per cent vs 26 per cent overall). The suggestion that the amendments may result in a reduction of referrals to the CPS, should be mitigated by placing the Victims Right to Review scheme on a statutory footing.</p> <p>The SRO has agreed these summary findings.</p>	<p>Yes</p>

Measure 3. Drug Testing on Arrest

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>The Home Office does not consider that any of the DToA measures directly and/or indirectly discrimination against persons who share protected characteristics. Whilst DToA provides for different conditions to be met dependent on age (persons aged 18 or over may be tested on arrest, whilst persons aged 14 or over may be tested on charge) and provides for specific safeguards for children when testing (for example, presence of an appropriate adult), any such potential direct discrimination on the basis of age is objectively justified as it aims to protect children. Moreover, there may be disadvantages to persons on the basis of race, age, sex, sexual orientation, and gender reassignment. This is due to factors such as higher rates of drug use or arrests within subsections of those groups.</p> <p>However, the Home Office considers any potential disadvantage is objectively justified, as the aim of the overarching drug testing in police detention powers is to refer more individuals to drug treatment and support services to help address their drug use and drive down drug related criminality, and drug testing is only available after a person has been arrested and/or charged with a criminal offence, where other relevant statutory conditions are also met.</p> <p>The SRO has agreed these summary findings.</p>	<p>Yes</p>

Measure 4. Access to Driving Licence Records (DVLA Database)

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>Equality Impact Assessment (EIA) has been completed for the overall Crime and Policing Bill, which these provisions are part of. These specific measures support improvements in public confidence in the police and, in particular, to encourage good relations with those who may have lower confidence in the police, including those from ethnic minority backgrounds, women and young people.</p> <p>A specific EIA will be completed as part of the development of subsequent regulations and the statutory Code of Practice.</p> <p>The SRO has agreed these summary findings.</p>	<p>Yes</p>

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>These measures are being implemented to strengthen powers to address economic crime. The policy is focused on making it easier for law enforcement agencies to confiscate assets they deem to be the proceeds of crime with the approval of the court.</p> <p>The legislation is not being introduced to help to address prejudice and actively encourage understanding between different groups and will not indirectly do this either. Rather, the measures are directed at the prevention of crime; they will not be used to help build or enable better relationships between groups with protected characteristics and those who do not whether directly or indirectly.</p> <p>There is nothing in these measures that can be seen to be considered or perceived to be favouritism or discrimination of any group that has a protected characteristic and there is little chance it will lead to a protected group or those not in a protected group blaming one another for any benefit or problem as it does not focus on any specific characteristics whether directly or indirectly.</p> <p>The SRO has agreed these summary findings.</p>	<p>Yes</p>

Measure 6. Cost Protection for Civil Recovery

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>There is nothing in the policy that can be seen to be considered or perceived to be favouritism or discrimination of any group that has a protected characteristic. The policy neither adds nor minimises disadvantages suffered by people with particular protected characteristics with regards to their opportunities.</p> <p>There is little chance it will lead to a protected group or those not in a protected group blaming one another for any benefit or issue as it does not focus on any specific characteristics whether directly or indirectly.</p> <p>The SRO has agreed these summary findings.</p>	<p>Yes</p>

Measures 7, 8 & 9. Public Order Measures

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>The proposed changes to legislation potentially affect all individuals in England and Wales, regardless of their protected characteristics. Certain protests linked to particular causes may be attended by large groups of individuals with protected characteristics. These characteristics will need to be considered by police when making use of the powers and the way each protest is handled is unique to its circumstances given the need for the police to comply with the Equality Act 2010.</p> <p>In particular, there is a risk that there may be an indirect impact on those who conceal themselves for religious observance in the sense that, with the introduction of the new measure, those who wear religious face coverings may feel more uneasy about attending protests than they ordinarily would for fear of being criminalised.</p> <p>This means that these individuals could be indirectly affected by the concealing identity measure in that those who do not wear religious coverings would not experience this same uneasiness and reluctance to attend protests. However, the offence has been designed so that Individuals wearing face coverings for religious, medical or work-related purposes will not be captured by the offence.</p> <p>The SRO has agreed these summary findings.</p>	<p>Yes</p>

Measure 10. Powers of Entry

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>These measures are being implemented to strengthen the polices response to incidences of theft, by focussing on making it easier for police to enter premises where stolen items are suspected to be held and seize stolen items if they are found. This measure will affect all groups regardless of protected characteristics, and will bring benefits to victims of crime.</p> <p>Evidence does show that younger people, people with disabilities, non-white groups, Muslims, females, bisexual and homosexual people are more likely to be victims of relevant types of crime. Evidence also suggests that younger people, black and white individuals and males are more likely to be perpetrators of acquisitive crime. Safeguards will be included with the new power to ensure it is used proportionately and allow its use to be monitored for any disparities.</p> <p>The SRO has agreed these summary findings.</p>	<p>Yes</p>

Measure 11. Implementation of international law enforcement information sharing agreements

Mandatory specific impact test - Statutory Equalities Duties	Complete
<p>On the basis that this is a regulation-making power, the Home Office does not consider that its introduction raises any equality considerations under the Public Sector Equality Duty. Notwithstanding, any international agreements established and subsequent secondary legislation resulting from these will be considered with due regard to fulfil the requirements of the PSED at such juncture.</p> <p>The SRO has agreed these summary findings.</p>	<p>Yes</p>

I. Annex B: NPSV Summaries for each measure

Measure 1. Appeals Routes to the Police Appeals Tribunal			
Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
N/A	N/A	N/A	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
N/A	N/A	N/A	N/A
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
2024	2024	10	0
Departmental sign-off (SCS):		Michael Cordy	Date: 16/12/24
Chief Economist sign-off:		Tim Laken	Date: 10/02/25
Better Regulation Unit sign-off:		Emma Kirk	Date: 10/02/25

Measure 2. Police Accountability Review			
Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
0.72	0.72	0	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
0	-0.72	0	0
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
2025/26	2025/26	10	1
Departmental sign-off (SCS):		Andrew Johnson	Date: 17/01/25
Chief Economist sign-off:		Tim Laken	Date: 10/02/25
Better Regulation Unit sign-off:		Emma Kirk	Date: 10/02/25

Measure 3. Drug Testing on Arrest			
Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
£69.5m	£5.1m	£0.0m	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
N/A	N/A	N/A	N/A
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
2025/26	2025/26	10	3
Departmental sign-off (SCS):		Marcus Starling	Date: 09/01/25
Chief Economist sign-off:		Tim Laken	Date: 10/02/25
Better Regulation Unit sign-off:		Emma Kirk	Date: 10/02/25

Measure 4. Access to Driving Licence Records (DVLA Database)			
Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
N/A	N/A	N/A	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
N/A	N/A	N/A	N/A
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
2024	2024	10	0
Departmental sign-off (SCS):		Michael Cordy	Date: 16/01/25
Chief Economist sign-off:		Tim Laken	Date: 10/02/25
Better Regulation Unit sign-off:		Emma Kirk	Date: 10/02/25

Measure 5. Reform the confiscation regime in the Proceeds of Crime Act 2002			
Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
1.9	0	0	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
74.4	72.6	0	0
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
2025/26	2025/26	10	1
Departmental sign-off (SCS):		Tom Bell	Date: 16/12/24
Chief Economist sign-off:		Tim Laken	Date: 10/02/25
Better Regulation Unit sign-off:		Emma Kirk	Date: 10/02/25

Measure 6. Cost Protection for Civil Recovery			
Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
N/A	N/A	N/A	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
N/A	N/A	N/A	N/A
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
N/A	N/A	N/A	N/A
Departmental sign-off (SCS):		Tom Bell	Date: 16/12/24
Chief Economist sign-off:		Tim Laken	Date: 10/02/25
Better Regulation Unit sign-off:		Emma Kirk	Date: 10/02/25

Measures 7, 8 & 9. Public Order Measures			
Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
0.64	0.61	0	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
0	-0.64	0	0
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
2025/26	2025/26	10	1
Departmental sign-off (SCS):		Andrew Johnson	Date: 07/01/25
Chief Economist sign-off:		Tim Laken	Date: 10/02/25
Better Regulation Unit sign-off:		Emma Kirk	Date: 10/02/25

Measure 10. Powers of Entry			
Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
84.1	21.2	0	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
19.9	-64.3	0	0
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
25/26	25/26	10	
Departmental sign-off (SCS):		Andy Johnson	Date: 09/01/25
Chief Economist sign-off:		Tim Laken	Date: 10/02/25
Better Regulation Unit sign-off:		Emma Kirk	Date: 10/02/25

Measure 11. Implementation of international law enforcement information-sharing agreements			
Total Cost (£m PV)	Transition Cost (£m Constant)	Cost to Business (£m PV)	
N/A	N/A	N/A	
Total Benefit (£m PV)	NPSV (£m PV)	BNPV (£m PV)	EANDCB (£m PV)
N/A	N/A	N/A	N/A
Price Base Year	PV Base Year	Appraisal period (Years)	Transition period (Years)
2025/26	2025/26	1	
Departmental sign-off (SCS):		Emma Gibbons	Date: 15/01/25
Chief Economist sign-off:		Tim Laken	Date: 10/02/25
Better Regulation Unit sign-off:		Emma Kirk	Date: 10/02/25