

OPERATION GEMINI

**Stolen Vehicle Squad
Major Crime Unit**

Lancashire Constabulary

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Operation Gemini Summary

Scanning

Each year Lancashire Constabulary alone has approximately £13,000,000 of unrecovered stolen vehicles. The picture nationally is vast. Many of these vehicles are of high value and are predominantly stolen from dwelling house burglaries. The problem is identifying these stolen vehicles so they can be recovered.

Analysis

Almost all recovered stolen vehicles from dwelling house burglaries in a twelve-month period had been cloned to the identity of an existing matching genuine vehicle. Without specialist knowledge the stolen vehicles could not be identified. Research with the Police National Computer showed that these recovered vehicles had often been involved in speeding offences. Liaison with the Central Ticket Office showed that genuine keepers were receiving fixed penalty notices for offences they claimed not to have committed. It had proved difficult for these owners to demonstrate to the CTO that they were not responsible.

Response

A partnership was established between members of the public, the Central Ticket Office and the Stolen Vehicle Syndicate.

An agreed protocol was established where on receipt of a complaint the CTO would send out a formatted letter asking for the genuine owner to supply pictures of their vehicle.

These images were then compared to the speed camera images by the SVS. Where identified as the genuine vehicle it was referred back to the CTO for enforcement action.

Where clear distinctions were found, the vehicle was circulated via PNC using the Excise Licence serial number to identify the genuine vehicle. This made the information available to ANPR units.

The genuine owners are contacted and given reassurance that action is being taken, provide them with safety advice in connection with police stop checks and provide a point of contact in relation to further offences.

Assessment

As at 1 February 2004 we have identified 75 vehicles in Lancashire bearing cloned identities and identified them on PNC. Of these 11 stolen vehicles from dwelling house burglaries all round the country have been recovered. 5 further vehicles have had identity issues resolved. Identified vehicles have been recovered in 6 different Force areas.

The ACPO steering group for ANPR has identified the operation as good practice. They have directed the Police Standards Unit to adopt the process for national use as soon as possible.

POP G5/2004

Scanning and Analysis

The Stolen Vehicle Squad (SVS) is a specialist team employed in vehicle crime and the targeting of level 2 criminality. We have been in the fortunate position of examining most of the recovered stolen vehicles in Lancashire where evidence of identification is needed. This has provided us with a unique picture of trends in respect of stolen motor vehicles nationally.

Since 2002 we have seen a growing and now predominant trend of 'cloning'. This is where, having stolen a motor vehicle, the thief/handler hides the vehicle's identity by providing it with the identity of an already existing matching colour, model and aged vehicle. The duplications are now so good that it is almost impossible for the beat officer to identify the vehicle in normal policing situations.

The purpose of cloning would appear to be two-fold. Due to the high price of new vehicles a criminal is unlikely to be able to afford a 'decent' car. By obtaining a vehicle by theft and carrying out the 'cloning', or purchasing a 'cloned' car, the criminal is able to afford a high-class vehicle. In normal contact with the police, they are extremely unlikely to be caught out. The second reason is to prepare the vehicle for sale to an innocent member of the public. This represents a huge profit to the criminal, and in the current climate presents a very low risk of arrest. Even if caught, sentences are so low, it is not a deterrent.

Statistics

The British Crime Survey for 2001/2002 reported that 126,000 stolen vehicles were un-recovered. The figures for 2002/2003 reported that although vehicle crime was reduced the number of un-recovered stolen vehicles increased to 130,000.

The police have not recovered one quarter of a million stolen vehicles in two years. In 2003 the DVLA database recorded 30.5 million registered vehicles. In 2 years alone, just less than 1% of the entire registered vehicle fleet has gone missing.

Observation suggests there are only three disposal options available for the stolen vehicle.

Export

From historic data we are aware that stolen vehicles are exported. Experience shows that these vehicles are the luxury end of the market such as high-powered sports cars and executive models. Recent operations such as Op Barton (Greater Manchester Police) has shown that these models head predominantly to the Middle East having been placed in shipping containers exactly as they were stolen.

The perception is that this is a relatively small number. Such a small number of other countries drive on the left as we do in the United Kingdom. This can only mean there is no realistic sales market in a large part of the world.

Breaking for Parts

A large number of these un-recovered vehicles will have been broken up to supply spares into the lucrative salvage industry. However, with tighter recent legislation beginning to impact on the industry (Motor Salvage Operators Regulations 2002), this is perhaps a reducing theme.

There is considerable physical work involved in breaking a vehicle into parts and although the financial returns can be high, there is risk of a paper trail to identify the source of stolen parts on a repaired car. Since the inception of the Vehicle Inspectorate (VOSA) scheme whereby Categorised Salvage is inspected prior to its return to the road, the number of vehicles returning to the road is reduced.

Cloning

The third option is to match the vehicle to an existing vehicle. All that is needed, is to provide the vehicle with two replacement sticky labels for Vehicle Identification Number (VIN) purposes, a forged Registration Form (V5) and a forged Vehicle Excise Licence (VEL). Due to the quality of computer and printer available on the High Street this means that access to either a computer, or someone who can produce the documents, would appear to be straightforward for most offenders. A vehicle that will pass almost any inspection by a police patrol or member of the public will be created. A criminal wishing to use a 'cloned' car can do so with relative impunity. Alternatively they can sell it to a member of the public and make a large profit.

Any external check on the integrity of the vehicle with organisations such as Hpi, Experian, RAC or AA will pass scrutiny as the details being checked are those of the donor, not the true vehicle. For a car to be sold, it is advertised in either a local, regional or national publication using an untraceable mobile phone. By preying on the British public's mistrust of car dealers and the unfeeling greed of the public 'who know a good deal, when they see one' the deal is done. We hear repeatedly of members of the public turning up at Supermarket Car Parks and Motorway Service Areas to meet complete strangers from whom they buy a car for £10,000 to £20,000 in cash!!!

Theft

The growing trend of 'cloning' seems to have mirrored the growing trend of the 'Hook and Cane' burglary. The offence, where by stealth, or as it appears more recently, a rapid forced entry to a domestic premises in the middle of the night while the occupiers are asleep in the premises, to steal the vehicle keys. The offender then makes their escape in the occupiers' vehicle.

Skills

We have seen the amount of finesse used by the offender 'cloning' the vehicle develop. Initially the number plates were replaced, but we now habitually see vehicles where the windscreen Visible VIN number is replaced, as is the VIN label within the car and even the stamped in chassis number changed to that of its donor. By producing a forged DVLA Registration Certificate (V5) and Vehicle Excise Licence (VEL) the 'clone' to all intents and purposes, is the genuine vehicle.

Profits

These vehicles are now being offered for sale via local, regional and national publications such as Auto-Trader, Top Marque, Loot or the local evening or free newspaper. South Yorkshire Police Intelligence confirmed by Greater Manchester Police Intelligence in 2003 suggested that the burglar is paid as little as £500 per vehicle. When the vehicle being stolen from the burglary is consistently of a value over £10,000 and often £20,000, this represents a considerable profit to the handler.

Seizure and loss

When subsequently highlighted by Police or DVLA investigation, officers who attend to identify the vehicle as in fact stolen are obliged to seize the vehicle. Under current case law (R W Jones v National Employees General Insurance Association, Court of Appeal 1987) the vehicle will always be returned to the genuine keeper (or the Insurance Company who paid out on the theft claim). This leaves the innocent purchaser with a huge financial loss and little chance, because of the circumstances of the purchase, of making any sort of financial recovery. A true case of **caveat emptor** (buyer beware).

Offenders

We further identified that on the occasion of recovering 'cloned' vehicles from offenders with criminal backgrounds, that the vehicles had been used, whilst in their disguise, to commit a number of speeding offences, which had been caught on camera.

The fixed penalty tickets issued by the Central Ticket Offices of a number of Police Forces had of course all been directed to the genuine vehicle keeper recorded on the Police National Computer, who had committed no offence. When speaking to the genuine vehicle keepers, it became apparent that they felt extremely aggrieved in the way that the Police dealt with the matter. They had often had great difficulty in getting anyone to believe that there must be two cars bearing that registration and it was not them who had committed the offence.

Simple research showed that the drivers of the cloned stolen vehicles on those occasions must have known they were driving stolen vehicles. Enquiries showed that they had not attempted to register the vehicle as required with the DVLA, as this would have raised enquiries about their ownership. Research of the Insurance database attached to the PNC showed that they had not purchased insurance cover directly relating to a vehicle of that registration. In a number of cases, the numerous offences suggested that they 'knew' they were not going to suffer the fines, penalty points or subsequent disqualification, as there was no change in the driving standard.

Response

Very few offenders were caught at the scene of the burglary, due in part to the secrecy of the offence in the event of a hook and cane style offence. In the event of a forced entry the offence seems to be committed so quickly that there is little opportunity for the offence to be stopped. The nature of both modus operandi leaves little forensic evidence at the scene. The poor detection rates for this type of offence nationally would appear to bear out the difficulties being experienced.

The few arrests made, supported the theory that offences were often carried out by travelling criminals. This makes the offender difficult to target. Cross border surveillance on a target from a different Division or Force is not a realistic option at BCU level where the offence has to be confronted. When caught the offender seldom admits anything other than the offence for which they were arrested.

The thief is in possession of the vehicle for such a comparatively short period of time. This is the only time when they are at risk of arrest. Contact with police at this stage will usually lead to pursuit scenarios and the ensuing problems. Once the vehicle is disposed of to the handler, the risk for the burglar is over.

It was agreed that we would attack the third leg of the problem triangle, under the belief that we could find a simple way of identifying if a given vehicle, was in fact a stolen vehicle on a false identity. In doing so we would target the user of the vehicle and make the vehicle an unattractive proposition to possess and so kill the market for 'cloned' car. By this we would reduce burglary offences purely by lack of demand for the car stolen in the offence. The ability to spot the 'clone' earlier also means we can affect a recovery before the vehicle can be sold on to an innocent member of the public.

Impact

To provide public satisfaction we needed to impact on three areas.

1. Reduce dwelling house burglaries for motor vehicles
2. Reduce the number of 'cloned' vehicles sold to unsuspecting members of the public thereby reducing the number of deception offences.
3. Prosecute offenders for Perverting the Course of Justice in relation to the speeding offences. The effect on innocent members of the public, receiving summons for offences they have not committed is not to be understated.

The system developed needed to:

1. Work on a larger scale than traditional County/Force thinking. It is apparent from recovered stolen vehicles that the criminals have no concept of geographical boundaries and so our own traditional policing boundaries need to be circumnavigated.
2. Be informative. It had to give simple but positive instructions. The information had to be available 24 hours a day seven days a week.
3. Link to the new ANPR technology being currently developed and deployed. As an automated tool, this would carry out the checking of vehicles on behalf of officers. The officer need only react in the event of a 'hit'.
4. Be simple. The system has to be administratively simple to maintain. No extra staff or resources could be found

Intelligence

The stolen Vehicle Squad members set out to identify previously unused intelligence sources.

An approach was made to the Driver Vehicle Licensing Authority (DVLA). The current registration system does locate 'cloned' vehicles when an innocent purchaser attempts to register the vehicle. The DVLA system requests police action to examine both vehicles to establish the true vehicle. The stolen vehicle is recovered but an innocent purchaser will already been subject of the deception offence.

In a large number of the cases we had dealt with, speeding offences had been committed; we began to liaise with the Central Ticket Office (CTO). We were able to identify that the CTO had received a number of complaints from members of the public stating they were not responsible for speeding offences. Eventually they had convinced the CTO to cancel the ticket. The public's experiences were not happy ones. We also noted that the CTO cancelled the ticket, but had not at that time, any notion of what to do with the intelligence that there were two vehicles using the same registration. Eventually, the response of the CTO was to put an information marker on the PNC stating the vehicle may be cloned. Unfortunately this left any officer dealing with a vehicle no clearer as to what was expected of them. This was a further aggravating factor, which was presenting a danger of further alienating an innocent member of the public with a genuine vehicle.

Partnerships

It was decided that a partnership needed to be established between the Central Ticket Office (CTO), the innocent member of the public whose car had been 'cloned' and the Stolen Vehicle Squad (SVS).

A protocol was developed between the CTO and the SVS. The CTO would be responsible for sending out a prepared formatted letter to the registered keeper of the vehicle claiming not to be responsible for the speeding offence for which they had received a fixed penalty notice. This letter asks the keeper for contact phone details and for pictures of the front, back and sides of their vehicle. (Speed camera pictures can be forward or rear facing).

On receipt of the photographs from the keeper, the CTO forward these, together with the speed camera images to the SVS for analysis. In almost every case there is a readily apparent difference to identify that more than one vehicle is in existence.

Engagement

A member of the SVS contacts the innocent keeper and asks for their assistance and explains what is proposed. We outline that we intend to use ANPR technology to identify and stop vehicles bearing their registration. This however, will stop them as well as the offender, which is why we need to engage the public to make this a success. We point out that we intend to use the serial number, unique to the Vehicle Excise Licence in their vehicle, to identify it as being the genuine vehicle. This ensures that the genuine keeper is detained only briefly.

Instruction is given to the vehicle keeper on what to expect and how to safely deal with an officers' request to stop. This will on occasion include the use of lights and horns. The safety of the genuine keeper is paramount. The genuine keeper is asked to brief all drivers of the vehicle of the procedure.

By involving the public in the process, the reaction has been outstanding. The methodology is simple and they understand the concept quickly. When asked to play a part in the recovery of a second vehicle, which is actually a stolen one, the response is engaging and extremely positive. The genuine keeper is asked to record our contact details, as they are likely to be in receipt of further fixed penalty notices from another Force CTO. We act as a contact point and an easy way of resolving more fixed penalty offence identity disputes for offences they have not committed.

Vehicle Marking

PNC

The Police National Computer (PNC) provides only a three- line field for an information marker - which can be attached to target vehicle. We have used this to highlight the ANPR code words **STOP/CRIME**, and the information **VEHICLE CLONED**. This has the effect of warning the officer what he is dealing with. The final part of the information marker provides the officer with a 24hr contact telephone number for the Lancashire Constabulary and a unique log/incident number to quote to the receiving operator. In the time it takes to make the telephone call and 'open' the computerised Lancashire Constabulary log/incident, a police officer will be provided with a verbal action plan in how to deal with the vehicle they have just stopped.

Constabulary Incident Log

By providing the officer dealing with the car the Serial Number on the VEL of the genuine vehicle, the officer is immediately aware of whether they are dealing with a genuine vehicle owner or a possible offender. This is significant, as if the number is correct it allows the officer to adopt an appropriate manner expected by the genuine keeper. Furthermore, if the number is incorrect, the officer is forewarned and can begin to plan to establish the information they need, the evidence to deal with a possible offender.

In the case of the genuine keeper, with a few words of reassurance, they can be sent on their way, content that the policing effort to resolve their problem is obviously working.

Action Plan

The action plan requests that the officer does not arrest the driver of the 'cloned' vehicle but must positively identify the identity of the driver, using the power of arrest under Section 25 of PACE if need be, to satisfy this. The officer is instructed that the vehicle must be seized as evidence and to effect roadside recovery to secure premises. The officer is requested to obtain contact details for the driver and instruct them that they will be contacted within a few days. The purpose of this is in the more complex 'cloning' offences it may take a day or two for a vehicle examiner to conduct enquiries and effect an identification of the vehicle. If arrested immediately, the detention time may have elapsed before a formal identification of the stolen vehicle is made.

A transaction check (#TE) on PNC will disclose how many different CTO enquiries have been made. All leave a reference number for easy tracing. By electronic means the officer can have digital images of the offending speeding vehicle for comparison purposes within a day.

The delay provides the officer with the ability to contact Police Liaison at DVLA to formally establish (evidentially if necessary) whether the person has made an application for a Registration document in respect of the vehicle.

On subsequent contact with the driver, requesting they attend the police station to be dealt with, the officer should request that they bring all relevant vehicle documents and receipts to the police station with them.

On arrival, dependant on the result of the enquiries that have been made, they can be arrested and interviewed under caution, or, in the case of an innocent purchaser, interviewed to provide a witness statement.

Levels of evidence

Consistently the evidence levels appear to be:

1. The driver has made no attempt to register the vehicle with DVLA. It is presumed that this is because they would identify themselves by requesting the issue of a registration document to an address.
2. Experience shows there is never a direct insurance policy in place. This is because the insurance databases carry out a check to ensure that there are not repeated policies on vehicles to prevent multiple claims. Most insurance cover is claimed under dubious trade policy or cover under an associate's policy.
3. In almost every case there will be a number of speeding offences. A normal driver on receipt of a number of speeding fines and points from offences would tend to change their driver behaviour. The behaviour in this case continues, as they believe they cannot be identified to be held responsible for the offences.
4. The drivers are seldom able to produce good evidence of cheque or cash withdrawal from banks as they have rarely paid the genuine price for the vehicle in the first place. This information would be apparent.

This leaves a relatively straightforward interview for any officer along the lines of handling stolen goods/attempt to pervert the course of justice, with good levels of evidence available to the courts.

Title to vehicle

The earlier quoted case law R.W.Jones v National Employers General Insurance Association as reported in the Daily Telegraph on 3rd April 1987 states

“By a majority, the Court of Appeal decided that a subsequent purchaser of a stolen car did not acquire any title to the car, even though the car had passed through several transactions and was bought in good faith without knowledge of the theft.”

There is no need for officers to become involved in property disputes or inter pleader issues. The vehicle in question should be returned to its owner or the insurance company that paid out in any subsequent theft claim.

Assessment

We began with an experimental database of just 12 vehicles, which we could demonstrate evidentially had been ‘cloned’. We recovered two vehicles in a month, which came from domestic burglaries outside of Lancashire. The recoveries were however, made by adjoining forces.

The database has crept steadily upwards, and now stands at 82 entries (050304) and to date we have recovered 15 stolen vehicles in this manner. We have resolved 4 cases where vehicles are incorrectly marked (point of sale errors). Through the 9 months of operation we have remained at a fairly constant 20% of marked vehicles being recovered. The longest running ‘clone’ was one recovered 7 months after receiving its PNC marker.

We feel at this stage, with ANPR being a new tool and still being introduced to most Forces, that this is a significant result and can only improve as availability of automated reading increases.

Problem Solving

We have continually reviewed the process since its inception but have found that after 6 months we seemed to have resolved the initial problems we encountered. Expiry of VEL was a problem until we asked genuine keepers to retain the expired VEL in the back of the holder to produce to officers. This reduced any sort of maintenance on the records once marked.

By linking to PNC information markers we have taken advantage of the automatic weed process after 12 months. No action by the officer will result in the marker being automatically removed. If further offences occur because the vehicle has not been traced, the marker can soon be replaced by repeating the system.

Highlights

We find the process so efficient, we use the same system to marker vehicles we have established are cloned from our normal SVS enquiries.

On recovery of a vehicle we have all the contact details available and notify the genuine keeper without delay. This provides us with the opportunity to thank the genuine keeper for their help and tell them that there should be no further trouble. This quality of service is always commended.

Because of the contact system we provide we have been able to speak to all recovering officers and quality control our action plans and canvass opinion on just how clear and concise the information was.

Publication

Our greatest challenge has been the publication of our Operation. It cannot unfortunately 'go public' in too much detail as this will impact on results. In time offenders will no doubt find a way to make life difficult. We have identified that we still have the tactical options of arranging the issue of a new VEL or even the re-registration of genuine vehicles available to us in the future.

Following presentations, 17 different Forces from around the country are looking to adopt the process. Presentations have been made to the national Vehicle Crime Advisory Group (VCAG) and the ACPO steering group on ANPR. The Police Standards Unit has been directed to drive the Operation forward and ensure the project is adopted as 'best practice' nationally.

The Future

We recognise that once the knowledge is gained that any given vehicle is 'cloned' Operation Gemini through ANPR technology can be used to target the 'clone' vehicle.

We are identifying further intelligence sources. We are developing partnerships with the DVLA Intelligence to use DVLA Form CLE2/6, (No displayed VEL) forms used by officers and traffic wardens and a local city parking director to establish a protocol, using parking information in the same way.