

# PARLIAMENTARY DEBATES

HOUSE OF COMMONS  
OFFICIAL REPORT

Seventh Delegated Legislation Committee

## DRAFT DRUG DEALING TELECOMMUNICATIONS RESTRICTION ORDERS REGULATIONS 2017

*Tuesday 21 November 2017*

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**The Committee consisted of the following Members:**

*Chair:* PHIL WILSON

- |  |   |
|--|---|
| † Atkins, Victoria ( <i>Parliamentary Under-Secretary of State for the Home Department</i> ) | † Mann, John ( <i>Bassetlaw</i> ) (Lab)                           |
| † Brown, Lyn ( <i>West Ham</i> ) (Lab)   | Martin, Sandy ( <i>Ipswich</i> ) (Lab)                            |
| † Dakin, Nic ( <i>Scunthorpe</i> ) (Lab)   | † Newlands, Gavin ( <i>Paisley and Renfrewshire North</i> ) (SNP) |
| † Graham, Luke ( <i>Ochil and South Perthshire</i> ) (Con)                                   | † Penning, Sir Mike ( <i>Hemel Hempstead</i> ) (Con)              |
| † Haigh, Louise ( <i>Sheffield, Heeley</i> ) (Lab)   | † Percy, Andrew ( <i>Brigg and Goole</i> ) (Con)                  |
| † Hoare, Simon ( <i>North Dorset</i> ) (Con)   | † Rowley, Lee ( <i>North East Derbyshire</i> ) (Con)              |
| † Lamont, John ( <i>Berwickshire, Roxburgh and Selkirk</i> ) (Con)                           | † Stephenson, Andrew ( <i>Pendle</i> ) (Con)                      |
| Lucas, Ian C. ( <i>Wrexham</i> ) (Lab)   | † Villiers, Theresa ( <i>Chipping Barnet</i> ) (Con)              |
| McFadden, Mr Pat ( <i>Wolverhampton South East</i> ) (Lab)                                   | Jonathan Whiffing, Laura Jane Tiley, <i>Committee Clerks</i>      |
|  | † <b>attended the Committee</b>                                   |

## Seventh Delegated Legislation Committee

*Tuesday 21 November 2017*

[PHIL WILSON *in the Chair*]

### Draft Drug Dealing Telecommunications Restriction Orders Regulations 2017

2.30 pm

**The Parliamentary Under-Secretary of State for the Home Department (Victoria Atkins):** I beg to move,

That the Committee has considered the draft Drug Dealing Telecommunications Restriction Orders Regulations 2017.

It is a pleasure to serve under your chairmanship, Mr Wilson. The regulations respond to an operational requirement of the police and National Crime Agency to support them in tackling the issue of county lines drug dealing and its related violence and criminal exploitation.

County lines is the police term for urban gangs supplying drugs to suburban areas and market and coastal towns, using dedicated anonymous mobile phone lines. We are particularly concerned about this form of drug dealing because of the high harm nature of the activity. These gangs target and exploit children and vulnerable adults who are then at high risk of extreme physical and sexual violence, gang recriminations and trafficking.

**Lyn Brown (West Ham) (Lab):** County lines operates in and around my constituency, so I am pleased to see the regulations and for this to be the Minister's first statutory instrument. I congratulate her on getting the job.

One horrific thing about the way in which county lines works is that the dealers give children drugs to carry and then steal from them so that they owe the gang the money that the drugs were worth, thereby holding the children, in effect, in slavery and not giving them options. I am delighted to see these regulations. I just hope that the Minister has talked to the Chancellor to ensure we have the resources we need to tackle this heinous activity.

**Victoria Atkins:** I am extremely grateful to the hon. Lady, and I know about the work she has done in her constituency. Sadly, this crime threat is emerging across the whole of the United Kingdom, which is why the regulations will have effect not just in England and Wales, but in Scotland and Northern Ireland.

We know that county lines gangs exploit children as young as 12 years old. One particularly chilling way in which they operate is that they take over the home of a vulnerable adult—perhaps someone with mental health issues—and literally confine them to one room and use the rest of the house as their drug den. Anything we can do to support the police and the NCA in tackling these heinous crimes will, I suspect, have the support of the Committee.

I commend the campaign led by my hon. Friend the Member for North West Hampshire (Kit Malthouse). He is not here, but he has taken an interest in this issue for a long time and was instrumental in ensuring that the regulations came about.

For those who are not familiar with the way in which these phone lines work, I add that they are highly profitable. They can make as much as £5,000 a day for the gangs. The phone is the method of business; it is how drug dealers communicate with their addicts. The phone is kept well away from street-level drug dealing, in, as it were, the headquarters of the drug gang. They then run operations across the country. That is why stopping these phone lines is so vital.

It goes without saying that, where possible, the police will pursue criminal prosecutions, but sadly that is not always the case. We do not always have the evidence to conduct such prosecutions. These regulations are targeted at those cases where we do not have enough evidence for prosecution but we want to disrupt the criminal activity.

I hope that hon. Members will approve the regulations. They will give the police a vital tool in their efforts to tackle county lines drug dealing and protect children and vulnerable people from being exploited by county line gangs. I commend the regulations to the Committee.

2.34 pm

**Louise Haigh (Sheffield, Heeley) (Lab):** I welcome you to the Chair, Mr Wilson. It is a pleasure to serve under your chairmanship. I also welcome the new Minister to her place. If the reaction she had yesterday was anything to go by, she is a very popular choice to succeed the hon. Member for Truro and Falmouth (Sarah Newton).

I make clear the Opposition's support for the regulations and reassure Committee members that I will not detain them for long. I am pleased by the urgency outlined in the explanatory memorandum and encouraged to read that the regulations will come into force almost immediately.

I have met dozens of chief constables and police and crime commissioners since taking up my position in July. As well as mentioning resources, they all raised with me the issue of keeping pace with the increasing sophistication of serious organised crime. The evolution of the powers available to the police is a substantial part of that. As the Minister and my hon. Friend the Member for West Ham have outlined, county lines is one of the most serious, exploitative crimes facing our police service. We know that organised crime gangs exploit vulnerable children and engage them in trafficking, forcing them away from home to sell drugs. The practice is growing in both the capacity of existing gangs and the number of gangs themselves, and it is therefore absolutely right that we give the police all the powers they need to disrupt this abhorrent crime.

I will raise a couple of operational points with the Minister. I appreciate the reasons that a consultation and a more thorough public analysis were not possible in this instance; she may wish to write to me about that, which I would welcome. The success of the entire system will be incumbent on the speed at which the restriction orders can be implemented. That will be critical in two ways. First, the use of the relay system to make illicit transactions means that it will be crucial for the police to simultaneously disrupt the entire network, or else the

organised gangs may easily subvert the disconnected phone. Secondly, the low cost and ease with which criminals can buy a new phone and re-establish the network may require a fairly constant war of attrition between the police and organised gangs. For those reasons, it is critical that an order can be obtained with speed.

Given that the orders will be heard by county courts, which were recently subject to a punishing round of closures, can we have confidence that they will be issued and implemented with that necessary speed? The explanatory memorandum refers to resources being made available to Her Majesty's Courts and Tribunals Service and to the police. Can the Minister be a bit more specific? Given that the Government's own impact assessment states that it is impossible to know how many orders will be made, what measures do the Government have in place to ensure that the courts are not put under considerable pressure, particularly during the first year after the order is passed?

The impact assessment also makes reference to the courts benefiting from increased court fees. However, as county courts are under considerable pressure and currently subject to long delays, what assessment has been made of the impacts on courts beyond monetary gain? As I said, I am happy for the Minister to write to me with her responses, and I reiterate the Opposition's support for the regulations.

2.37 pm

**Gavin Newlands** (Paisley and Renfrewshire North) (SNP): It is a pleasure to serve under your chairmanship, Mr Wilson, and to see the Minister in her place. I will not detain the Committee for anywhere near as long as the hon. Member for Sheffield, Heeley because, at the end of the day, Scottish National party Members fundamentally agree with these Government proposals, for a change—it is always good to be collegiate.

It is estimated that drug misuse in Scotland costs about £3.5 billion a year, which amounts to nearly £1,000 for every adult in Scotland. As we know, the regulations for all proscribed drugs is still a reserved issue, and the policy is set by the UK Government, but the Scottish Government and police forces continue to

work with the Home Office to implement a series of actions against drug misuse. However, this would not be an SNP response were I not to request—this is almost a contractual obligation—the immediate devolution of drug policy to Scotland, so that the Scottish Parliament can consider the options for harm reduction, including drug declassification, decriminalisation and regulation. I highly recommend that the new Minister does that at her earliest convenience.

2.38 pm

**Victoria Atkins:** I thank you, Mr Wilson, and the hon. Members for Sheffield, Heeley and for Paisley and Renfrewshire North. If I may, I will meet the hon. Lady's request for me to write to her in detail. However, I reassure her that the regulations have been drawn up in consultation with all of the key bodies and organisations that will have control of them, particularly the judiciary. Six pilot courts have been selected to ensure that the applications are made as effectively as possible, and that the judiciary has the experience and resources.

**Lyn Brown:** Could the Minister also address that note to me, and will she tell us which six courts will be used?

**Victoria Atkins:** Yes and yes. On the point raised by the hon. Member for Sheffield, Heeley about the cost and ease of getting a new phone, we all know that criminals try to run their businesses as effectively as business owners, but the key here is to disrupt their activities and make life as hard as possible for them. We have also future proofed the legislation as much as we can, so that if new methods of communication are involved, we very much hope they will be caught by the regulations.

Turning to the hon. Gentleman from Scotland, the hon. Member for Paisley and Renfrewshire North, I am beguiled by his attempt to get me to change drug policy, but I will have to say no at this stage. I thank him anyway.

*Question put and agreed to.*

2.40 pm

*Committee rose.*





