

Trading Standards Scambuster Team and National Trading Standards eCrime Centre Enforcement Policy Statement

This document is the enforcement policy statement for the Trading Standards Scambuster Team and National Trading Standards eCrime Centre operated by City of York Council (Scambuster Team) on behalf of the National Trading Standards Board (NTSB).

The purpose of the Scambuster Team is to tackle the scams and complex cases of fraud perpetrated on a regional and national basis in an effective way that isn't readily achievable by individual local authorities. The Scambuster Team investigates individual cases and practices referred to them by local authority trading standards services and through the tasking arrangements of NTSB.

The purpose of the Scambuster Team is not to provide advice, information or carry out inspections of regulated businesses. The Scambuster Team is charged with taking on major investigations, and in appropriate cases, bringing them to a just conclusion through the courts using both criminal and civil sanctions.

The Scambuster Team will have regard to The Code for Crown Prosecutors issued by the Director of Public Prosecutions, the 'Statutory Code of Practice for Regulators' and other relevant codes including those concerned with the investigation of offences.

The Scambuster Team will take appropriate formal enforcement action in cases concerning fraud, significant unlawful consumer detriment, unlawful exploitation of vulnerable consumers groups, intellectual property crime and any other matter that the Assistant Director (housing and community safety) considers necessary within the scope of the purpose of the Scambuster Team. For the purposes of this policy statement formal enforcement action includes prosecution, civil action, confiscation proceedings or the issue of a simple caution.

Formal enforcement action under this policy statement will be in the public interest and will:

- aim to change the behaviour of the offender;
- aim to eliminate any financial gain or benefit from crime/non-compliance;

- be responsive and consider what is appropriate for the particular offender and regulatory issue, which can include punishment and the public stigma that should be associated with a criminal conviction;
- be proportionate to the nature of the offence and the harm caused;
- aim to restore the harm caused by the crime/regulatory non-compliance, where appropriate;
and
- aim to deter future offending/non-compliance.

All enforcement activity undertaken under this policy statement will have regard to the Human Rights Act 1998 and Equalities Act 2010.