

COUNTRYSIDE ALLIANCE BRIEFING NOTE: EQUIPMENT THEFT (PREVENTION) BILL

Second Reading, House of Commons

Friday 02 December 2022

- **The Countryside Alliance fully supports this Bill and has assisted in developing it alongside other stakeholders in farming, insurance, equipment manufacturing and the police.**
- **As long-term campaigners on the issue of combating rural crime and a founding member of the National Rural Crime Network, the Countryside Alliance conducts an annual survey of rural communities' experiences and perceptions over the past calendar year. The 2022 survey is currently ongoing. The [results of last year's survey](#) were published in early December 2021.**
- **The 2021 survey revealed that 43% of respondents reported having had a crime committed against them in the past year and of those, 32% reported having experienced agricultural machinery theft. This was the third most reported crime.**
- **In the 2020 Rural Crime Survey the year before, agricultural machinery theft was reported as respondents' top priority for police to tackle.**
- **We call on parliamentarians and the Government to support this Bill, secure its passage and monitor its effectiveness closely.**

Background

- **Having secured the third position in the 2022-23 Private Members' Bill ballot, Greg Smith MP has elected to introduce this Bill aimed at tackling the theft of agricultural equipment, particularly vehicles. After being re-scheduled on account of the National Mourning period it is in first position on the order paper for this day.**
- **The Countryside Alliance fully supports this Bill and has assisted in developing it alongside other stakeholders in farming, insurance, equipment manufacturing and the police. The Home Office has also been involved and we are hopeful that it will secure Government support to progress on to the statute book.**
- **As long-term campaigners on the issue of combating rural crime and a founding member of the National Rural Crime Network, the Countryside Alliance conducts an annual survey of rural communities' experiences and perceptions over the past calendar year. The 2022 survey is currently ongoing. The results of last year's survey were published in early December 2021.**

Bill content

- **Section 1** empowers the Secretary of State, by regulation, to require that all sales of new mechanised agricultural equipment must be fitted with a marked engine immobiliser.
 - Clause (2) defines the type of equipment that falls within the scope of the legislation. It encompasses mechanically propelled vehicles designed for use other than on a road, with an engine capacity of over 250cc or 2KW, which travel on more than two wheels or tracks. It also includes other equipment that has been designed or adapted specifically for use in agriculture, regardless of these limitations.
 - Clause (3) defines the equipment that must be attached to the vehicle for its sale to be permitted as “*a device designed or adapted to be fitted for the purposes of preventing the equipment from being driven or otherwise put in motion*”. It allows for the possibility of aftermarket fitting by a dealer, and it requires that the equipment has a unique identifier that can be checked against records, as required in Section 2, in the event of its recovery following a theft. Finally, it requires that the identifier be marked, meaning that its presence would be more obvious to a potential thief and thus more effective as a deterrent.
 - Clause (4) restricts the prohibition to sales to end users so that a manufacturer, for example, could sell a piece of equipment to a dealer that lacked an immobiliser, but the dealer must then fit an aftermarket part before placing it on general sale. It also removes used equipment from the scope of the Bill.
 - Clause (5) specifies that equipment that has previously been used solely in sales demonstrations, or while preparing for them, does not qualify as used for the purposes of the above limitation.
- **Section 2** empowers the Secretary of State, by regulation, to require records to be kept relating to equipment that has been sold, and to its buyers.
 - Clause (1) defines the types of information the regulations must require are kept. This includes the buyer’s name and contact details, a description of the equipment sold, details of the equipment’s unique identifier as set out above and the date of the sale.
 - Clause (2) allows the regulations to specify when a record must be made, how long it must be kept for and in what form it must be recorded.
 - Clause (3) again excludes from the requirements new goods sold for onward sale, and second-hand equipment.
- **Section 3** defines breaches of the regulations defined under the above sections as offences attracting a fine on summary conviction. It empowers local trading standards authorities or district councils to enforce the regulations under the Consumer Rights Act 2015, which it amends to add this section as one under which the Act’s powers may be exercised.
- **Section 4** makes further technical provisions regarding the making of the regulations.
- **Section 5** gives the Bill’s extent, commencement and short title. It would extend to England and Wales, commence six months after its passing and be known as the Equipment Theft (Prevention) Act.

Rural crime

- Our 2021 Rural Crime Survey revealed that 95% of respondents believed that crime had been significant in their community in the past year, and 70% thought it had increased during that period.
- 43% of respondents reported having had a crime committed against them in the past year and of those, 32% reported having experienced agricultural machinery theft. This was the third most reported crime behind fly-tipping and trespass, ahead of wildlife crime, theft from outbuildings and criminal damage.
- 53% of respondents had installed crime prevention measures in the last 12 months due to an increased fear of crime (62%) and being a victim of crime (37%). The most popular types of equipment installed were security lighting, locking vehicles and securing keys, and CCTV.
- In the 2020 Rural Crime Survey the year before, agricultural machinery theft was reported as respondents' top priority for police to tackle. Priorities had shifted in the results of the 2021 survey but we await this year's result.
- A prominent recent case of agricultural equipment theft saw the successful prosecution of two men for conspiring to steal agricultural global positioning systems and other technical equipment valued at approximately £380,000 from agricultural vehicles at 13 farms and estates across Essex in September and October 2021. Following investigation by Essex Police, they were convicted and sentenced to a total of six years and 10 months in prison.¹
- Launching the 2022 Rural Crime Survey, Tim Bonner, Chief Executive of the Countryside Alliance, said:

“Crime is a blight on too many rural communities and is consistently a top priority when we talk to our members and supporters. Machinery theft, fly tipping, livestock rustling and hare poaching are far too common in many parts of the countryside to the point that many instances are not even properly reported. The Countryside Alliance’s annual Rural Crime Survey has shown us that those living and working in rural communities often feel that the police do not have a proper focus on rural crime despite it being at the top of the agenda for rural people.”

- To help ensure as wide as possible a current evidence base we would encourage readers to assist in promoting the [2022 Rural Crime Survey](#) and to [participate directly](#).

Countryside Alliance position

- We call on parliamentarians and the Government to support this Bill, secure its passage and monitor its effectiveness closely.
- Requiring that new agricultural machinery be fitted with a prominently visible engine immobiliser should provide a deterrent effect by making it harder to steal, thereby decreasing its attractiveness to thieves.

¹ Essex Police, [15.11.22](#)

- Requiring dealers to keep records of sales and purchasers should make it easier for police to investigate thefts and to restore recovered property to its rightful owners. It should also make it easier for legitimate owners to demonstrate their title, in case this is required during an investigation into suspected theft.
- Since the direct effects of the Bill are on product and sales standards, trading standards authorities or, in their absence, local authorities are the appropriate enforcement bodies for the offences created.
- On the broader issue, we recognise that while some crimes including agricultural machinery theft are specific to rural areas, others often share similarities with their equivalents in urban areas. Nevertheless, distinct solutions are required to tackle them.
- We have called for a National Rural Crime Taskforce to grow understanding of rural communities' needs by government and the police, a review of the funding formula to recognise the increased costs of policing sparsely populated areas, improved training of police and the judiciary as to the nature and impact of rural crime, and a greater determination to take rural crime and its impacts seriously.

For more information please contact:

Sarah Lee

Director of Policy

Sarah-Lee@countryside-alliance.org

David M Bean

Parliament & Government Relations Manager

David-Bean@countryside-alliance.org