



Resourcing and prioritising the fight against IP crime

The Alliance is campaigning to ensure that Intellectual Property (IP) law is properly enforced; that enforcement is adequately resourced – locally and nationally – and that fighting IP crime is given the priority it deserves. Our message to enforcement agencies, central government and local authorities is that IP crime is serious and should be tackled as a matter of urgency because of its economic impact, the potential harm it causes to consumers, the damage it does to local communities and businesses and its links to serious organised crimes such as people smuggling and the trade in illegal drugs.

The vast majority of resources allocated to fighting IP crime comes from trading standards departments' budgets, and therefore set locally by local authorities. Unfortunately, IP crime is often not seen as important enough by local authorities – despite its well documented links to other crime and the fact that the Rogers Review of local regulatory services specifically highlights it as a priority – meaning sufficient resources are not allocated to the fight against this crime.

When s107A of the Copyright Designs and Patents Act was enacted in 2007, additional money was made available to trading standards departments. This money was specifically intended to help fund the requirement on trading standards to enforce copyright law as well as trade mark law. Whether this money is actually being passed on to trading standards departments is dependent on decisions made within each local authority. Unfortunately, in a number of cases, this money has not been passed on.

The Alliance is working to encourage all local authorities to commit sufficient resources to tackling IP crime. It is working with the Safer Communities Board of the Local Government Association to highlight the fact that the Proceeds of Crime Act (POCA) allows local authorities and enforcement bodies to recoup a percentage of any criminal assets seized following a successful prosecution for IP crime and to encourage authorities to share best practice in the use of POCA.