



## Welcome to the Commissioner's weekly horizon scanning brief:

1. **Legislation** (Legislation, Home Office, APCC, press comments, reports and campaigns relating to strategy, policy and programmes)
2. **Policing and crime key developments** (relevant crime and criminal justice information and partners' policy/reports/campaigns)
3. **Reports** (covering research, reviews, inspections and audits across policing and crime)
4. **Consultations** (police and crime bulletins, research, consultations and press releases)

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## 1. Legislation

### [Anti-social Behaviour, Crime and Policing Bill - Public Bill committee Hansards](#)

The **Anti-social Behaviour, Crime and Policing Bill** was in the Public Bill committee and will be again on Tuesday, July 16.

### [Pensions Bill: Public Bill committee Hansards](#)

The **Pensions Bill** completed its passage through the Public Bill committee and now awaits a date for remaining stages in the Commons.

### [Third reading of the Offender Rehabilitation Bill \(Lords\)](#)

The House of Lords completed its 'tidy up' of the Offender Rehabilitation Bill in third reading.

### [Government statement on Employment Law Reforms](#)

The Government has already taken significant steps in reforming employment law. There will be further reforms of employment law to help employers and employees. These are intended to provide greater **flexibility**, greater **certainty** at the end of the employment relationship, and greater **confidence** and **consistency** in the employment tribunals system. There is also an intention to provide employers with important tools to use settlement agreements confidently and there will be evidence gathered on the effectiveness of the whistleblowing rules to establish whether any changes are needed.

## 2. Policing and crime key developments

### [Police Minister outlines next steps for police reform](#)

The Police Minister announced a series of far-reaching criminal justice reforms including the potential integration of police and emergency services. The Minister said:

*"There is clearly huge scope for collaboration between all three blue light services across the country and we have established a democratic model which could, in theory, oversee elements of all of them. Could PCCs end up overseeing both fire and ambulance services? That might be a long way down the road, but let us start thinking about it."*

The Police Minister also outlined the next steps in the government's radical reform of policing. In a speech to think tank Reform on Monday (8 July), Damian Green said that while forces had done well to continue to cut crime they needed to mirror the drive of Team GB's gold medal-winning cycling team who continued to improve even after dominating the sport. Minister for Policing and Criminal Justice the Rt Hon Damian Green said: *"The lessons from the private sector – and the world of sport for that matter – are clear: it does not matter how good you are, you can always get better. I intend to continue this government's pace of reform. To embed a culture of excellence which will allow all officers to thrive in their profession and to drive relentlessly the pursuit of efficiency across the board."* The Minister said that Police and Crime Commissioners would be at the forefront of the transformation to policing. He added that the new £50m Police Innovation Fund, announced by the Chancellor last month, will support proposals that 'drive efficiency, innovation and better working'.

## [Westminster Hall debate: Police Treatment of Alleged Perpetrators and Victims](#)

Brought by MP Andrew George, and featuring policing and criminal justice Minister Damian Green and Labour's David Hanson, the debate focused on the relative rights of alleged perpetrators of crime in contrast to the rights and treatment of victims and their families.

## [Oral statement \(Commons\) on Abu Qatada \(Deportation\)](#)

The Secretary of State for the Home Department (Mrs Theresa May).

## [Police use of stop & search powers ineffective in tackling crime says HMIC](#)

HMIC finds the police use of stop and search powers is too often ineffective in tackling crime and procedurally incorrect, thereby threatening the legitimacy of the police.

## **ACPO responds to HMIC report into Stop & Search powers**

Her Majesty's Inspectorate of Constabulary's inspection of the use of stop and search nationally has produced ten recommendations for the service.

## [Northamptonshire Police Child Protection Arrangements](#)

A series of inspections by HM Inspectorate of Constabulary (HMIC) has found that Northamptonshire Police has more progress to make before it can offer assurance that children at risk in the county are being adequately protected.

## [Thomas Winsor speech - Operational independence and the new accountability of policing](#)

Speech in which Thomas Winsor discusses the importance of chief constable operational independence; the heavy responsibilities of Police and Crime Commissioners; and the proper and lawful use of section 38 of the Police Reform and Social Responsibility Act.

Key points:

- **The relationship between chief constables and police and crime commissioners**  
*"The relative positions of these two immensely important public authorities must be clearly understood by everyone concerned. It is not a fragile boundary between them, and it will not fracture, provided those on both sides of it are clear as to its nature and position, and neither attempts improperly to alter it or place it under undue pressure... such an unjustifiable state of affairs could amount to a dangerous politicisation of the police, something which neither the Government nor Parliament ever intended."*

- **Chief Constables appealing dismissal at the European Court of Human Rights**

*“There are a number of means by which a chief constable who wishes to challenge a police and crime commissioner's decision could conceivably gain access to the proportionality standard of review, including under Article 1 of Protocol 1 to the European Convention on Human Rights, where the European Commission on Human Rights indicated that rights flowing from an employment contract may be regarded as a “possession”.*”

*“If a chief constable could show that the police and crime commissioner's decision to dismiss him interferes with his enjoyment of one of his Convention rights, the burden would fall on the police and crime commissioner to justify the dismissal as a proportionate means of meeting a legitimate aim.”*

- **Chief Constable disregarding a PCC policy**

*“A police and crime commissioner might have been elected on the basis that he would institute a policy that 80% of police officers will be allocated to special antisocial behaviour patrols. Once elected, he attempts to implement that. It is within the power of the chief constable to disregard that policy if, in his expert view, doing so would compromise other aspects of his duty to uphold the law, for example combating serious violent or sexual offences. The chief constable would be obliged to take into account the public view, expressed through the democratic process, that antisocial behaviour must be given particular attention, but it is for the chief constable to determine the best operational method of achieving that objective, alongside the competing demands on policing resources. If the chief constable did not retain the ultimate decision-making power over issues within his operational control, it would be open to police and crime commissioners to set mandatory strategic targets the direct consequence of which would be to vitiate the chief constable's ability to comply with his overriding duty to uphold the law in his policing area.”*

## [Leeds Council launches Community Trigger](#)

Leeds Council has launched a Community Trigger pilot which will give victims of persistent antisocial behaviour (ASB) a voice.

## [New trends in child sexual abuse offending reported by CEOP](#)

New trends in child sexual abuse offending and the growing availability of the internet in the developing world are likely to exacerbate the threat to children, the latest findings from the Child Exploitation and Online Protection (CEOP) Centre warn.

## [National Audit Office](#)

Private sector partnering in the police service: A practical guide to major business partnering, custody partnering and consultancy support.

## **Government publishes council thresholds for emergency assistance**

The Government has issued [guidance notes](#) setting out the terms under which it will make emergency funding available to councils under the Bellwin scheme. The scheme is usually used in response to bad weather that causes threats to life and property ‘beyond all previous local experience’. It provides grant money to reimburse councils that spend money on immediate actions to safeguard life or property or to prevent suffering or severe inconvenience in its area or among its inhabitants, or money spent as a result of the

incident(s) specified in the scheme which involved the destruction of or danger to life or property.

## [Decision on EU crime and justice measures](#)

The Home Secretary announced on Tuesday (9 July) that the UK will opt out of EU policing and criminal justice measures adopted before the Lisbon Treaty came into force. One of these is the European Arrest Warrant (EAW), on which the Home Secretary has today proposed significant additional safeguards for those subject to extradition requests, which include:

- Amending the Anti-Social Behaviour, Crime and Policing Bill to ensure an arrest warrant can be refused for minor crimes.
- Using the European Investigation Order instead of the EAW so that police forces and prosecutors share evidence without requiring the extradition of a suspect at the investigative stage; and
- Addressing lengthy and avoidable pre-trial detention by amending the UK Extradition Act so that a person in the UK can only be extradited under the EAW when the requesting State has made a decision to charge – and also to try – that individual, unless that person's presence is required in that jurisdiction for those decisions to be made.

## [Statistics on police use of firearms in England and Wales 2011-12](#)

- The number of police operations in which firearms were authorised was 12,550 – a decrease of 946 (7.5%) on the previous year.
- The number of Authorised Firearms Officers (AFO's) was 6,756 – an increase of 103 (1.5%) officers overall on the previous year.
- The number of operations involving armed response vehicles was 14,261 – a decrease of 2,513 (17.6%) on the previous year.
- The Police discharged a conventional firearm in 5 incidents (up from 4 incidents in 2010-11).

## [Agreement will keep British citizens safe from cross-border crime](#)

The Home Secretary has announced that the UK will seek to retain 35 European cross-border policing and justice measures – including the European Arrest Warrant (EAW), a vital crime-fighting tool, and our continued membership of Europol.

## 3. Reports

### [Home Office](#)

Counting rules for recorded crime.

### **£4.3 million boost to put communities in control**

This support will enable at least 100 communities to design and deliver local services that focus on local priorities and reduce costs. The expansion of the 'Our Place' programme builds on the success of the [Neighbourhood Community Budget Pilots](#) that for the past year have been pioneering bold and innovative ways to improve local services in 12 areas. Putting communities firmly in the driving seat, they have brought together local government, service providers, the voluntary sector, and business to help young people get work, support 'just coping' families, reduce anti-social behaviour and find new ways to give people with long term health conditions a better quality of life.

The 12 pilots range from inner cities and suburbs, to housing estates and small towns. They have all taken very different approaches, but all of them have seen partners working together to tackle the issues which matter most locally. The [Our Place! summary report \(PDF, 823 KB\)](#) published today highlights the work of the 12 pilots and shows what local people can do when given the chance.

## [70 resettlement prisons announced for England and Wales](#)

A crucial step forward in transforming the way offenders are rehabilitated was mapped out today as Justice Secretary Chris Grayling announced a nationwide network of resettlement prisons.

## [£150,000 grant for third sector as they bid for rehabilitation contracts](#)

A third sector organisation was awarded £150,000 today to help voluntary groups play a leading role in cutting crime and reducing reoffending.

## [Drugs Paraphernalia](#)

The Government has issued a written ministerial statement on the government's acceptance of Advisory Council on the Misuse of Drugs advice on the lawful provision of foil.

## [Youth Justice Board reduces number of commissioned places in youth custody](#)

The number of custodial places the Youth Justice Board for England and Wales commissions for under-18s is to be reduced by more than 350.

## [Alcohol Concern](#)

On your doorstep - Underage access to alcohol via home delivery services.

## [Drugscope](#)

Prostitution and Substance Misuse.

## [Howard League for Penal Reform](#)

Justice for Young People.

## [Third Sector Research Council](#)

Does volunteering improve employability? Evidence from the British Household Panel Survey.

## [University of Manchester](#)

The National Confidential Inquiry into Suicide and Homicide by People with Mental Illness.

## [Cut bureaucracy by merging Whitehall - LGA](#)

The LGA has launched a ten-point plan for 'rewiring public services', with radical devolution and localisation at its heart. Sir Merrick Cockell, chairman of the LGA, announced the plan in his keynote speech at the annual conference yesterday. The report sets out guidance to improve services whilst saving money in the face of further budget cuts outlined in the Spending Review.

## 4. Consultations

### [Codes of practice issued under the Proceeds of Crime Act 2002](#)

The aim of the consultation is to seek comments and representations on the guidance provided in four draft codes of practice. These codes are issued to provide guidance to

investigators on the use of investigation and supporting powers in the Proceeds of Crime Act 2002, which have been amended in recent legislation. These are an important safeguard to ensure the proportionate and focused use of the powers. It is important to note that the consultation is not seeking views on the powers themselves to which the codes relate. The consultation runs until 30 August 2013.

### **Changes to the Police Discipline System -and- A new national service for all professionals working with children and families of offenders**

The Home Office are consulting on changes to the Police Disciplinary System. The following changes are proposed:

- To restrict the right to legal representation for police officers at misconduct hearings and third stage unsatisfactory performance meetings.
- To streamline the composition of Police Appeals Tribunals (PATs) and panels conducting misconduct hearings, misconduct meetings and third stage unsatisfactory performance meetings.
- To provide PATs with the same powers as employment tribunals in respect of the remedies they may order when they find in favour of a police officer.

The consultation runs until 23<sup>rd</sup> August.

### **Hate crime – The Case for Extending the Existing Offences**

The Law Commission is looking at extending the offences that make up hate crime and as part of this work is consulting on its proposals. The consultation runs until 27<sup>th</sup> September 2013.

### **Open Government Partnership: UK draft National Action Plan 2013**

This draft of the UK's second National Action Plan is a result of the UK's membership of the [Open Government Partnership](#) (OGP) - a multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The UK is one of 8 founding members of the OGP which was launched formally in September 2011 (the remaining founding partners are Brazil, Indonesia, Mexico, Norway, Philippines, South Africa and the United States). There are now 59 governments in the OGP. To become a member, participating countries must:

- embrace a high-level [Open Government Declaration](#)
- deliver a country action plan developed with public consultation
- commit to independent reporting on their progress going forward

This is the UK's second National Action Plan. It is a draft and interim plan that is out for public consultation in line with the requirements laid down by the OGP. This draft plan has been produced through a collaborative multi-stakeholder process involving members of the OGP Civil Society Network and government departments. Views are being sought on the commitments made in this draft plan, ideally supported by evidence wherever possible. The closing date for consultation responses is 19 September.

### **Corporate responsibility: call for views**

Corporate responsibility is sometimes known as corporate social responsibility. It is defined as the responsibility of an organisation for the impacts of its decisions on society and the environment above and beyond its legal obligations, through transparent and ethical behaviour. This call for views seeks to gather thoughts and ideas on aspects of corporate

responsibility. It looks at what government, business and others should and could do in order to realise the full benefits that corporate responsibility can bring. It covers themes including:

- voluntary reporting and disclosure of non-financial information
- responsible supply chain management
- corporate responsibility in small and medium sized enterprises

Comments will contribute to a framework for action on corporate responsibility, with an intention to publish the framework by the end of 2013. The closing date for consultation responses is 27 September.

### **[Improving safeguarding for looked-after children: changes to the Care Planning, Placement and Case Review \(England\) Regulations 2010](#)**

This consultation seeks views on proposals to amend the [Care Planning, Placement and Case Review \(England\) Regulations 2010](#). It is proposing amendments to ensure that where looked-after children are placed out of authority in distant placements, they are effectively safeguarded and their welfare is promoted. The placements to be firmly in the child's best interests. These proposals take forward the recommendations in the [report of the Expert Group on Children's Homes Quality](#), which included conclusions from the Out of Area Placements Task and Finish Group, published on 24 April 2013. The closing date for consultation responses is 17 September.

### **[Statutory guidance on children who run away or go missing from home or care](#)**

The current statutory guidance on children who run away and go missing from home or care was published in July 2009. The guidance needs to be updated to reflect: widespread concerns about children in care being sexually exploited; changes in policy, such as the requirement of national indicator 71 which no longer applies; and recent changes in statutory guidance (Care planning and Working Together). The government has therefore decided to produce a new version of the statutory guidance on children who run away and go missing from home or care to reflect these changes. The guidance will also include flow charts to make clearer the actions required of local agencies and carers when a child goes missing from home or care. This consultation seeks the views of local authorities, representative bodies and other interested parties on the content of the guidance and flow charts. The closing date for consultation responses is 17 September.

### **College of Policing Launches Public Consultation on Guidance on Child Sexual Exploitation**

The College of Policing has launched a public consultation on a review of guidance relating to all aspects of violence and public protection, starting with phase one which is addressing Child Abuse and Child Sexual Exploitation. The consultation forms part of a number of measures currently being undertaken to review police and multi-agency practice and learning. The guidance will ultimately form part of Authorised Professional Practice (APP) which is a web-based resource primarily intended as a resource for police officers and police staff. The College of Policing is seeking comments on the following:

- Factual accuracy;
- Areas requiring further development;
- Gaps in knowledge;
- Relevant Supporting documents.

The consultation closes on **3 September 2013**. Responses to the consultation should be emailed to [VPP@college.pnn.police.uk](mailto:VPP@college.pnn.police.uk)

## **Home Office Launches Consultation relating to Guidance on Early Deletion of DNA and Fingerprint Records**

The Home Office has launched a consultation relating to guidance for police Chief Constables on processing applications from individuals for early deletion of their DNA and fingerprint records. Previously Chief Constables have had the discretion to delete an individual's DNA and fingerprint records through an exceptional case procedure. The Protection of Freedoms Act 2012 (PoFA) has made changes to the Police And Criminal Evidence Act 1984 and sets out how long an individual's DNA and fingerprints can be retained. It also introduces an 'early deletion process' which will replace the exceptional case procedure.

The consultation seeks views on how the early deletion application process should work and who it could apply to, so it is fair on innocent individuals looking to have their DNA and fingerprints removed from records, without compromising the ability of the police to tackle crime. The results of the consultation will be passed to the National DNA Database Strategy Board who will draft their final guidance which will come into effect in October 2013 when the provisions relating to DNA and fingerprints within the PoFA will come into force. The consultation document can be found at: <https://www.gov.uk/government/consultations/dna-guidance-consultation>

The consultation closes on **29 July 2013** and is open to members of the public, police forces, members of the legal profession and interest groups.

## **New consultation: Stop and search**

This consultation seeks views on the police powers of stop and search, specifically under the following legislation:

- Section 1 of the Police and Criminal Evidence Act 1984 (PACE)
- Section 23 of the Misuse of Drugs Act 1971
- Section 60 of the Criminal Justice and Public Order Act 1994

It concerns those powers used in relation to street crime, burglary, anti-social behaviour, and public order offences such as riots and violent protests. The Home Office has already asked Her Majesty's Inspectorate of Constabulary (HMIC) to examine how police forces use stop and search. Through this consultation we aim to understand how the use of these powers is viewed by the public and by those involved in policing. Stop and search powers under counter-terrorism legislation have been the subject of recent changes and are not within the scope of this consultation. The consultation runs for 6 weeks from 2 July 2013.