



Welcome to the Commissioner's horizon scanning brief:

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1. Legislation

[The Occupational Pensions \(Revaluation\) Order 2015](#)

Sets out the percentages by which preserved pensions in final salary occupational pension schemes are to be re-valued and amends an existing regulatory regime by a pre-determined formula, and the administrative impact of its implementation is negligible. Coming into force **1st January 2016**

[The Income Tax \(Approved Expenses\) Regulations 2015](#)

For the purposes of the new expenses exemption introduced by section 11 of the Finance Act 2015
Came into force **21st December 2015** and have effect in relation to payments made from tax year 2016-17

[The Income Tax \(Pay As You Earn\) \(Amendment No. 4\) Regulations 2015](#)

Amends the PAYE Regulations to remove the requirement for certain expenses payments made to employees to be reported on form P11D; allow employers to opt to collect income tax on certain benefits through the Pay As You Earn system and not report those benefits to HMRC on form P11D. Came into force **14th Dec 2015**

[The Transfer of Functions \(Information and Public Records\) Order 2015](#)

Transfers statutory functions relating to freedom of information from the Secretary of State to the Chancellor of the Duchy of Lancaster and provides for certain functions to be exercisable concurrently.
Came into force: **9th December 2015**

[The Proceeds of Crime Act 2002 Amendment Order 2015](#)

[Appeals under Part 2 Amendment Order 2015](#): Amendment to provide for appeals to the Supreme Court in relation to compliance orders – an order under section 13A of the Proceeds of Crime Act 2002 (POCA) for securing compliance with a confiscation order under that Act.

[\(External Requests\) under Part 2 Amendment Order 2015](#): Amendment to provide for appeals to the Court of Appeal and Supreme Court in relation to an order for securing compliance with an external order under POCA (a compliance order). Came into force **30th Nov 2015**

[\(References to Financial Investigators\) Order 2015](#) Lists those who are accredited financial investigators for the purposes of the relevant powers which the Act provides. Accredited financial investigators are listed in relation to existing powers and new powers inserted by amendments to the Act made by the Policing and Crime Act 2009 which came into force on 1 June 2015.

Came into force **30th November 2015**

The Administrative Forfeiture of Cash (Forfeiture Notices) (Amendment) Regulations 2015

Amends the Administrative Forfeiture of Cash (Forfeiture Notices) (England and Wales) Regulations 2015 (SI 2015/857) which support the provisions in POCA relating to the forfeiture of detained cash. Under those provisions, a senior officer can give a "forfeiture notice" to persons with an interest in cash that has been seized and detained, informing them of the intention to forfeit that cash without a hearing before a magistrates' court. Came into force **30th November 2015**

The Misuse of Drugs Act 1971 (Temporary Class Drug) (No. 3) Order 2015

The Order subjects N-methyl-1-(thiophen-2-yl) propan-2-amine (methiopropamine or MPA), its salts, stereoisomeric forms and any product or preparation containing those substances to temporary control under the Misuse of Drugs Act 1971. Came into force **27th November 2015**

Cities and Local Government Devolution Bill - Ping Pong 12th January 2016

The bill includes proposals for the reform of combined authorities and local authorities. It is intended as the means of delivering local 'devolution deals', agreed between combined authorities.

- [Report Stage at Commons](#) – 7th December 2015
- [CLG Committee takes evidence on devolution](#) – 30th November 2015
- [Written statement](#) on devolution agreements in the Liverpool and West Midlands – 17th November 2015

Psychoactive Substances Bill - Report Stage at Commons TBC

Proposed legislation will make it an offence to produce, supply, offer to supply, possess with intent to supply, import or export psychoactive substances - any substance intended for human consumption that is capable of producing a psychoactive effect.

- [Committee Debate](#) in Commons held 29th Oct 2015

Immigration Bill Second reading in Lords on 22nd December 2015

Make provision about the law on immigration and asylum; access to services, facilities, licences and work by reference to immigration status; language requirements for public sector workers; fees for passports and civil registration; to make provision about the Director of Labour Market Enforcement.

- [First reading in Lords](#) held 2 December 2015

Online Safety Bill Report Stage at Lords TBC

Bill to make provision about the promotion of online safety; to require internet service providers and mobile phone operators to provide an internet service that excludes adult content; to require electronic device manufacturers to provide a means of filtering internet content; to make provision for parents to be educated about online safety and for the regulation of harmful material through on-demand programme services.

- First Committee sitting in Lords held 11th December 2015.

Advertising of Prostitution (Prohibition) Bill Committee Stage at Lords TBC

Bill to prohibit the advertising of prostitution; and for connected purposes.

- Second reading in Lords held 23rd October 2015

Riot Compensation Bill 2015-16 Committee Stage in Commons TBC

Bill is being prepared for publication. Repeal the Riot (Damages) Act 1886 and make provision about types of claims, procedures, decision-making and limits on awards payable.

Victims of Crime Etc (Rights, Entitlements) Bill 2015-16 Second reading in Commons on 29th Jan 2016

A Bill to make further provision about the duties and responsibilities of the Victims' Commissioner and about the Victims' Code; to require victims' services plans for each police service area; to establish a duty to report suspected child abuse by those working in regulated activities, a code of practice on the recording of allegations, a right of appeal by victims against a decision to cease a criminal investigation, and standards for the review of open or reopened homicide cases; to make provision about court procedures relating to vulnerable victims and witnesses.

Child Victims of Human Trafficking Bill 2015-16 Second reading in Commons on 29th Jan 2016

Speed Limits on Roads (Devolved Powers) Bill Second reading in Commons 5th February 2016

A Bill to amend Part VI of the Road Traffic Regulation Act 1984, and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, to make provision about the powers and duties of parish and town councils in relation to applying for speed limit orders; to provide for the conduct of local referendums to determine whether such applications should be made; and for connected purposes.

Convicted Prisoners Voting Bill 2015-16 Second reading in Commons on 5th February 2016

Bill to make provision for rules relating to the exclusion of convicted prisoners from participation in parliamentary and local elections.

Illegal Immigrants (Criminal Sanctions) Bill 2015-16 Second reading in Commons on 4th March 2016

Foreign National Offenders Exclusion Bill 2015-16 Second reading in Commons on 11th March 2016

Age of Criminal Responsibility Bill Second reading in Lords TBC

Private Member's Bill to raise the age of criminal responsibility from 10 to 12. 10 is currently the lowest in Europe. In France it is 13, in Germany 14, and in Finland 15.

Rehabilitation of Offenders Bill Second reading in Lords TBC

Amendments to the Rehabilitation of Offenders Act 1974 introducing revised rehabilitation requirements

Road Traffic Act 1988 (Alcohol Limits) (Amendment) Bill 2015-16 Second reading in Lords TBC

Amendment to lower prescribed limit of alcohol in breath, blood and urine by 37%

Draft Investigatory Powers Bill Joint Select Committee to report on evidence February 2016

Draft includes provisions for the interception of communications, the retention and acquisition of communications data, the use of equipment interference, and the acquisition of bulk data for analysis.

- Joint Committee examines legal issues that are raised by the Bill - TBC
- Joint Committee considers political aspects of the Bill - TBC
- Joint Committee considers [operational challenges for law enforcement agencies](#) – 16th Dec 2015
- Science and Technology Committee launch a short [inquiry](#) on 8th December 2015
- [Joint Committee](#) publishes [call for evidence](#) by 21st December 2015

2. Consultations

[College of Policing Police guidance on mental health](#)

The College of Policing has published new draft national guidance clarifying the police's role in dealing with incidents involving people in mental health crisis. The draft Authorised Professional Practice (APP) is now open for consultation and sets out guidance for police officers and staff when investigating an offence or assisting people with mental health problems, learning disabilities and difficulties and other vulnerabilities. The draft guidance is designed to support officers in making decisions in the best interests of the individual; provide guidance on de-escalation techniques to help minimise the use of restraint; break down relevant legislation (incl. Mental Health Act 1983 and Mental Capacity Act 2005); provide information on identifying mental vulnerability; outline what is known about the most effective and considerate ways of communicating with vulnerable people, recognising individual needs and providing an appropriate police response; provide advice on multi-agency information sharing and working arrangements; set out the scope/nature of police involvement when assisting healthcare and social services

Open date: 11/11/2015

Close date: 01/01/2016

[Department for Work and Pensions Occupational and Personal Pension Schemes Miscellaneous Amendments Regulations 2016](#)

This consultation seeks views on proposed minor and technical regulatory changes to 4 areas of pensions legislation, to ensure that the new pension flexibilities operate as intended: pension sharing on divorce, including a requirement that, where an attachment order exists, schemes will have to write out to the former spouse at the point the member applies to take their flexible benefits; the final technical changes needed to reflect the pension flexibilities to operate in specific situations (for example, where a scheme is winding up); the Pension Protection Fund, including amendments to the Pension Protection Fund (Entry Rules) Regulations around schemes whose sponsoring employer cannot have an insolvency event; disclosure of information, to place an obligation on trustees of occupational pension schemes to give generic risk warnings to scheme members who wish to take their benefits flexibly.

Open date: 23/11/2015

Close date: 11/01/2016

[Changes to ONS Products 2015](#)

The Office for National Statistics is proposing a series of changes to free up resources and reinvest to develop the skills and technology. The consultation seeks views on proposals to change how statistics are published, stopping production of some statistical bulletins, stopping some surveys, reducing some survey sample sizes, publishing some statistics less frequently and stopping production of some statistics altogether. Areas affected include [suicide statistics](#), [migration indicators for local authorities](#), [low level population estimates](#) and a proposal to update population estimates once every 3 years.

Open date: 14/12/2015

Close date: 08/02/2016

[Independent Police Complaints Commission \(IPCC\) reform](#)

Home Office proposals to reform the governance structure of the IPCC include replacing existing Commission model with a single head of the organisation to provide a direct line of accountability to the public, establishing a unitary Board, with a majority of non-executives to provide robust external challenge to the organisation on behalf of complainants and the public, seeking views on changing the name of the IPCC as it would no longer be organised as a Commission.

Open date: 17/12/2015

Close date: 28/02/2016

[Dept for CLG Local government pension scheme: investment regulations](#)

This consultation proposes to revoke and replace the regulations that currently govern the management and investment of funds in the local government pension scheme. The proposals include removing some of the existing prescriptive means of ensuring that investments are suitably diverse - instead make authorities responsible for determining the balance of their investments and taking account of risk; introducing safeguards to ensure that the more flexible legislation being discussed is used appropriately; guidance on pooling assets is followed.

Open date: 25/11/2015

Close date: 19/02/2016

[Changes to Police and Crime Commissioners complaints system](#)

Home Office proposals to clarify through non-statutory guidance what constitutes a complaint and ensure PCPs take forward complaints about a PCC's conduct rather than their policy decisions; provide PCPs with greater investigatory powers to seek evidence about allegations; clarify, through non-statutory guidance, the parameters of "informal resolution" and setting out that, where agreement cannot be reached, it is open to PCPs to make recommendations on the expected level of behaviour of a PCC, and that they have powers to require the PCC to respond.

Open date: 17/12/2015

Close date: 10/03/2016

[Law Commission Sentencing Law in England and Wales consultative document](#)

The Law Commission published their second consultative document on this project on 9 October 2015. Consultation on their compilation of the legislation currently in force relating to sentencing will close on 9 April 2016. A further consultation, on certain policy issues, will follow in spring 2016. In the summer of 2017, they plan to publish a consultation paper including a draft of the New Sentencing Code. The final report and draft Bill for this project is due by early 2018.

Close date: 09/04/2016

3. Inspections, Reviews and Inquiries

INSPECTIONS

[HMIC: PEEL: Police effectiveness 2015 \(vulnerability\)](#) Published 15th December

No forces were judged to be outstanding at protecting those who are vulnerable from harm and supporting victims; 12 forces were judged to be good; 27 forces were judged to require improvement in at least one of the areas considered in this inspection; and 4 forces were judged to be inadequate. 31 forces had either causes of concern, areas for improvement, or both.

[HMIC: Increasingly everyone's business: Progress report on response to domestic abuse](#) – 14th Dec

This shows that the police service has acted on the messages of 'Everyone's business', and now sees tackling domestic abuse as an important priority. This is resulting in better support for and protection of victims. However, HMIC found there are still a number of areas for improvement in the way the police respond to, support and protect domestic abuse victims. The report makes a series of recommendations to ensure that the momentum for change demonstrated so far continues at pace.

[HMIC: The depths of dishonour: Hidden voices and shameful crimes](#) – Published 9th December

An inspection of the police response to honour-based violence, forced marriage and female genital mutilation "It is a real concern to us that, as yet, there is no strong, published evidence base on what works in policing to prevent harm to and protect victims. Challenges associated with leadership and awareness or understanding of HBV were identified. HBV was not consistently subject to an enhanced scrutiny or oversight process. Not enough forces have effective mechanisms in place to analyse their own performance".

[HMIC: Regional Organised Crime Units](#) – Published 1st December

REVIEWS

[Police targets review](#) Published 8th December 2015

Home Secretary commissioned review makes recommendations for Chief constables to improve performance measurement, monitoring and reporting processes; and ensure managers are trained to manage performance effectively; PCCs should develop a more sophisticated dialogue with the public on what they consider "success" to look like; and to consider the potential negative impact of setting numerical targets in their police and crime plans. The College of Policing should develop a set of principles for measuring performance; Home Office should review the requirement for forces to submit victim satisfaction data as part of the annual data return; and consider taking back ownership of the National Standard for Incident Recording.

INQUIRIES

[Reform of the Police Funding Formula inquiry](#) Report published 11 December 2015

The Commons Home Affairs Committee recommends an independent panel of accounting firms, financial experts and the College of Policing be appointed to assist the Home Office in formulating revised proposals.

[Countering extremism inquiry](#) Oral evidence November / December 2015

Inquiry into the Government's new five year strategy into countering extremism is now taking oral evidence.

[Cyber security: Protection of personal data online inquiry](#) Written evidence published 15 Dec 2015

Culture, Media and Sport Committee has decided to hold an inquiry into the circumstances surrounding the TalkTalk data breach and the wider implications for telecoms and internet service providers.

[Financial sustainability of fire and rescue services inquiry](#) Received evidence 26th November 2015

Public Accounts Committee examining impact of funding reductions on fire and rescue service effectiveness

[Role of the magistracy inquiry](#) Launched on 6th December 2015

Justice Committee Inquiry into the current and future role of the magistracy

[Restorative justice inquiry](#) Launched on 6th December 2015

Justice Committee Inquiry into use of restorative justice in criminal justice system.

[Inquiry into the Comprehensive Spending Review](#) Launched 1st December 2015

Treasury Committee Inquiry into CSR and Autumn Statement

4. Research and Development

[Views on PEEL Assessments \(IPSOS MORI\)](#) – Published 17th December 2015

Findings: Broad approval for the proposed approach to PEEL assessments from both the public and police. Public wanted HMIC to assess whether officers' time was being used efficiently, and if there was too much 'red tape' impacting on their ability to do their jobs properly. Frontline officers and staff felt inspections should highlight any resource constraints the force might be working under. Both police officers and staff felt that all inspections should be unannounced to avoid improper preparation, and that the officers and staff HMIC speak to should be selected at random by HMIC - not hand-picked. Both the public and police were sceptical about the quality of forces' own monitoring and performance statistics.

[Evaluation of independent child trafficking advocates trial](#) – Published 17th December 2015

The role of the advocates is to provide specialist independent support to trafficked children in the areas of social care, criminal justice and immigration. Using a range of methods this evaluation looks at; how the service was implemented; the role of the advocate and the impact of the scheme for trafficked children. The report outlines the value of the service, in particular the positive views of the children and further areas for consideration.

5. Other News and Information

[New coercive or controlling behaviour offence comes into force 29th December 2015](#)

Victims who experience coercive and controlling behaviour that stops short of serious physical violence, but amounts to extreme psychological and emotional abuse, can bring their perpetrators to justice. The offence, introduced as part of the Serious Crime Act 2015, will carry a maximum of 5 years' imprisonment. [Guidance](#) for professionals was launched 5th December.

[Pioneering programme aims to reduce rates of reoffending](#) – 21st December

[HM Inspectorate of Prisons reports on substance misuse in prisons](#) – 18th December 2015

New psychoactive substances such as 'Spice' and 'Mamba' are now the most serious threat to the safety and security of jails, said Nick Hardwick, Chief Inspector of Prisons.

[Provisional police grant report 2016 to 2017](#) – 17th December 2015

Policing Minister's proposals for the aggregate amount of grant to Local Policing Bodies in England and Wales for 2016/17. PCCs resources will be protected at flat cash levels, taking into account both grant funding and potential council tax. The referendum threshold will be 2% but the 10 PCCs with the lowest current Band D levels will be allowed to increase by £5 per year (range for individual areas from 3.2% to 5.6%). Funds have been reallocated nationally to fund emergency service communications and major technology developments. Police counter terrorism grants will increase from £564m to £640m, with additional £30m capital. A Transformation fund has been established, which will include funds for strengthening cross force capability (£38m) and firearms capacity and capability (£34m). Excluding funding for the National Police Air Support (NPAS), Capital grants will reduce from £110m to £66m in 2016/17.

[Government response to the Harris Review](#) – 17th December 2015

Government's response to the report of the independent review into self-inflicted deaths in custody of 18-24 year olds

[Serious and Organised Crime Local Partnerships Bulletin](#) – 16th December 2015

[Enhanced helpline to benefit survivors of Modern Slavery announced](#) – 9th December 2015

Partnership between the Home Office, Polaris and with £1million funding from Google.org

[Final contracts for new emergency services network signed](#) – 9th December 2015

EE and Motorola Solutions will join Kellogg, Brown and Root to provide the emergency services with a more affordable and capable [Emergency Services Network \(ESN\)](#)

[New package of measures to protect victims of domestic abuse and violence](#) – 5th December 2015

The Home Office and Government Equalities Office are funding £3.85 million to develop a new phase of the campaign to tackle abuse within teenage relationships which will launch in 2016. International Development Minister Baroness Verma confirmed as the new Ministerial Champion for Tackling Violence against Women and Girls Overseas. Government will publish a refreshed Violence against Women and Girls (VAWG) strategy shortly, which will set out the whole package of support for victims and how it will deliver on the ambition to make awareness of VAWG 'everyone's business' across all agencies, professions and the public.

[Forensic Science Regulator's first Annual Report published](#) – 4th December 2015

[Home Secretary celebrates 100 years of women police officers](#) – 2nd December 2015