



Commissioner's horizon scanning briefing

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1. Policy and Practice

[New global forum to increase international efforts on asset recovery](#) – 12th May 2016

Prime Minister David Cameron announces creation of the first Global Forum for Asset Recovery at the Anti-Corruption Summit in London. The UK has also secured commitments from 20 other countries to strengthen or reinforce legislation to ensure stolen assets can be recovered and bring together the public and private sectors to fight corruption and money laundering.

[MI5 increase Threat Level for Northern Ireland-related terrorism to Great Britain](#) – 11th May 2016

The Security Service increases the threat level to Great Britain from Northern Ireland-related terrorism from moderate (possible but not likely) to substantial (strong possibility) in response to the continuing threat from dissident republican activity. This remains lower than the threat level from international terrorism (severe).

[New powers given to local councils to punish fly-tippers](#) – 9th May 2016

Environment Minister Rory Stewart announces powers for local authorities to issue fixed penalty notices of between £150 and £400 to those caught in the act of fly-tipping. While providing a quicker alternative to prosecuting fly-tippers through the courts, prosecution will remain an option for local authorities in punishing large scale waste criminals. The move comes ahead of the government's forthcoming national litter strategy.

[Commons Library briefing](#) gives an overview of the extent of the problem of fly-tipping and the powers and responsibilities of the Environment Agency, local authorities and landowners to deal with it

[Britain's businesses urged to better protect themselves from cyber criminals](#) – 8th May 2016

Britain's businesses are being urged to better protect themselves from cyber criminals following government research (see page 2) highlighting that many firms could do more to address cyber vulnerabilities. The Government continues to promote [guidance for small businesses](#), [free on-line training](#), [10 Steps guidance](#) and the [Cyber Essentials Scheme](#). A new National Cyber Security Centre will launch in the autumn 2016.

[Making prisons work](#) – 12th May 2016

Justice Minister Michael Gove speech on prison reform at the Governing Governors' Forum

[The threat of serious organised crime](#) – 16th May 2016

Speech by Home Secretary Theresa May at the Serious and Organised Crime Exchange 2016

[Prison and Probation Ombudsman considers learning on new psychoactive substances](#) – 9th May 2016

Ombudsman, Nigel Newcomen's speech on NPS delivered at a roundtable organised by the think tank Reform

[New funding for health-based places of safety for those in mental health crisis](#) – 8th May 2016

Government opens bidding for a £15 million fund to provide health and community based places of safety to prevent vulnerable people being held in police cells across 23 priority areas across 10 police forces - Avon and Somerset, Cleveland, Derbyshire, Devon and Cornwall, Essex, Lincolnshire, Nottinghamshire, South Yorkshire, Sussex and West Yorkshire. The funding can be used to refurbish or improve existing health-based places of safety, build new places of safety, make existing places of safety suitable for people aged 18 and under, create mental health crisis cafes or places of calm, provide ambulance transport to places of safety or provide vehicles for mobile services to respond to mental health crises in the community.

[Domestic Violence in England and Wales](#) – 6th May 2016

Commons Library briefing looks at how domestic violence is defined, how widespread the problem is, and some of the civil and criminal remedies that are available for victims

2. Research, Development and Statistics

[Cyber Security Breaches Survey 2016](#) – 8th May 2016

Government research undertaken by Ipsos Mori in partnership with the University of Portsmouth between November 2015 and February 2016 based on a telephone survey of over 1,000 UK businesses and 30 in-depth interviews. Research found that while 69% of businesses say that cyber security is a priority, only around a half have attempted to identify the cyber risks they face or enacted basic technical controls across all five areas laid out under the Cyber Essentials scheme. Furthermore, only 29% have written cyber security policies and 10% have formal incident management processes. 24% of all businesses detected one or more cyber security breaches in the last 12 months, with prevalence increasing amongst larger firms. 68% of breaches involved viruses, spyware or malware that could have been prevented using the Government's Cyber Essentials scheme. Cyber breaches are estimated to cost an average of £3,480, however, this can vary significantly by business size and can in some cases reach millions.

[Youth Custody data to March 2016](#) – published 13th May 2016

The population of the secure estate (secure children's homes, secure training centres and young offender institutions) for those aged 18 and under was 991 as of March 2016 – a decrease of 106 on the previous year. Data includes detailed information on the make-up of the youth custody population by legal basis for detention, accommodation type, age group, gender, ethnicity and region of origin.

[National Offender Management Service workforce statistics to March 2016](#) – published 5th May 2016

Civil service employment in NOMS stood at 43,530 FTE staff as of March 2016. Despite 1,670 facilities staff being transferred to the private sector and 90 IT staff transferring to NOMS, the total number of FTE staff has only seen a reduction of 550 over the previous year, marking an increase of 2.5% when structural changes are excluded. The number of leavers has seen little change over the last 12 months at 3,660. Excluding structural changes, the number of FTE staff in NOMS reduced by 22% (10,000 FTE) between March 2010 and March 2016.

3. Inspections

[Non-police organisations' use of the Police National Computer](#) – 10th May 2016

Series of HMIC inspection reports exploring use of the Police National Computer (PNC) by the Royal Mail, Cafcass, Environment Agency, Financial Conduct Authority, Gangmasters Licensing Authority, Post Office and four other non-police organisations. The reports make a range of agency specific recommendations, and with the exception of the Environment Agency, Post Office, Natural Resources Wales and NATS air traffic control, were all deemed to be making efficient and effective use of the PNC.

Upcoming Inspections

- PEEL: Efficiency, Legitimacy and Leadership – Fieldwork Spring 2016
- [JTAI Missing and absent children & child sexual exploitation \(thematic\)](#) – Summer 2016
- PEEL: Effectiveness (prevention, investigations, vulnerability, SPR, ROCUs) – Fieldwork Autumn 2016
- HMIC Thematic Inspections: crime recording, counter-terrorism - unannounced visits
- Joint Inspections of Stalking and Harassment (HMIC-led)
- Joint targeted [Child Protection Inspection](#) (Ofsted-led) – Rolling programme
- Joint inspection of Police Custody Arrangements (HMI Prisons-led) – Rolling programme

4. Reviews and Inquiries

[Prison Safety Inquiry Report \(16th May 2016\)](#)

Justice Committee report concludes that the Ministry of Justice and the National Offender Management Service must produce an action plan for improving prison safety, addressing the factors underlying the rises in violence, self-harm and suicide. The plan should also set out the action NOMS is taking with regard to recruitment and retention of prison staff as well as the implementation of the Corruption Prevention Strategy to address the apparent lack of observance of professional standards by some officers

[Reform of the Police Funding Formula inquiry Report \(11th Dec 2015\)](#)

Commons Home Affairs Committee recommendations awaiting government response

[Cities and Local Government Devolution Bill inquiry Report \(29th Jan 2016\)](#)

CLG Committee recommendations awaiting government response

- [Prostitution inquiry](#) Latest evidence 10th May 2016
Home Affairs Committee inquiry into the way prostitution is treated in legislation
- [Role of the magistracy inquiry](#) Latest evidence 10th May 2016
Justice Committee Inquiry into the current and future role of the magistracy
- [Support for ex-offenders inquiry](#) Latest evidence 4th May 2016
Work and Pensions Committee Inquiry into benefits and support available to offenders leaving prison
- [Restorative justice inquiry](#) Latest evidence 4th May 2016
Justice Committee Inquiry into use of restorative justice in criminal justice system
- [Proceeds of crime inquiry](#) Latest evidence 3rd May 2016
Home Affairs Committee inquiry into the effectiveness of the Proceeds of Crime Act 2002
- [Treatment of young adult offenders inquiry](#) Final evidence session 26th April 2016
Justice Committee considering the Harris Review and evidence on treatment of young adults within CJS
- [The College of Policing inquiry](#) Latest evidence 19th April 2016
Home Affairs Committee follow up to 2015 [report](#) will consider policing education and qualifications
- [Forensic Science Strategy inquiry](#) Latest evidence – 12th April 2016
Science and Technology Committee exploring extent to which previous concerns have been met
- [Police Diversity inquiry](#) Latest evidence 12th April 2016
One-off evidence session investigating diversity in the police
- [Efficiency in the Criminal Justice System](#) Latest evidence 17th March 2016
Public Accounts Committee evidence session exploring CJ efficiencies and the programme of reform
- [The rise of anti-Semitism inquiry](#) Announced 12th April 2016
Home Affairs Committee to explore prejudice against the Jewish community dangers arising from terrorism
- [Lammy Review of BAME representation in the CJS](#) Accepting [evidence](#) until 30th June 2016
Review into the over-representation of BAME groups at most stages of the criminal justice system
- [Child Sexual Abuse Inquiry \(Goddard\)](#) Ongoing
Inquiry comprising 13 investigations into institutional failures in protecting children against sexual abuse
19th May 2016: Commencement of the Inquiry's '[Truth Project](#)' in the north west of England
July 2016: Further preliminary hearings for [Lord Janner](#), [Anglican Church, Rochdale](#) and [Lambeth Council](#)

5. Legislation

Psychoactive Substances Act 2016 – Comes into force on 26 May 2016

The Act will introduce a blanket ban on the production, supply, importation and exportation of so-called 'legal highs' for human consumption alongside a range of new criminal and civil sanctions and new enforcement powers for police. Sanctions under the act include:-

- up to 7 years in prison for the supply, production, possession with intent to supply, importation or exportation of a psychoactive substance for human consumption
- up to 2 years in prison for possessing a psychoactive substance in a custodial institution
- prohibition and premises orders allowing police to shut down head shops and online dealers in the UK, with up to 2 years in prison for those who fail to comply
- police powers to seize and destroy psychoactive substances, search people, premises and vehicles, and to search premises by warrant if necessary
- The UK will also be the first country to put in place a rigorous system of testing to demonstrate that a substance is capable of having a psychoactive effect.

Immigration Act 2016 - Received Royal Assent on 12th May 2016

Makes 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; provision about the Director of Labour Market Enforcement.

Enterprise Act 2016 – Received Royal Assent on 4th May 2016

Makes provision regarding promotion of enterprise and economic growth; restricting exit payments in relation to public sector employment; introduces apprenticeship commencement targets for public sector bodies with more than 250 employees and the establishment of an Institute to regulate quality.

Investigatory Powers Bill - Commons Report stage – TBC

Make provision about the interception, acquisition and retention of communications data and other bulk data for analysis and the use of equipment interference. Establish the Investigatory Powers Commissioner and other Commissioners and make provision about oversight arrangements; make further provision about investigatory powers and national security; amend s3 and s5 of Intelligence Services Act 1994. Due to be enacted in 2016 See [Commons Briefing Paper](#) and [Joint Select Committee recommendations](#) for further information

Policing and Crime Bill - Commons Report stage – 3rd reading TBC

Make provision for Emergency Services Collaboration; Police complaints, discipline and inspection reform; changes affecting the police workforce and representative institutions; Police powers and PCCs; Firearms and alcohol licensing; and Miscellaneous provisions. [Supporting documents](#) [Commons analysis paper](#)

New legislation announced as part of the Queens Speech – 18th May 2016:

Prison and Courts Reform Bill

Make provision for new 'reform prisons'; transformation of the prison education system; new performance metrics / League Tables; new prison-based counter extremism programme; 'secure alternative academies' for young offenders; [problem-solving courts](#); expanded use of tags / satellite tracking and new arrangements for [women offenders with children](#). Reform courts and tribunals to ensure delivery of faster and fairer justice for users by making better use of technology and modernising working practices.

Bill of Rights

Reform the UK human rights framework

Counter-Extremism and Safeguarding Bill

Provide stronger powers to disrupt extremists and protect the public. Introduce a new civil order regime to restrict extremist activity, safeguard children from extremist adults, by taking powers to intervene in intensive unregulated education settings which teach hate and drive communities apart and through stronger powers for the Disclosure and Barring Service; close loopholes so that Ofcom can continue to protect consumers who watch internet-streamed television content from outside the EU on Freeview; consultation on powers to enable government to intervene where councils fail to tackle extremism. The Government will consider the need for further legislative measures following Louise Casey's review

Criminal Finances Bill

Allow the Government to recoup more criminal assets by reforming the law on proceeds of crime, including provisions to strengthen our enforcement powers and protect the public. Introduction of a criminal offence for corporations who fail to stop their staff facilitating tax evasion; Improve the operation of the Suspicious Activity Reports (SARs) regime to encourage better use of public and private sector resources against the highest threats; to target entities that carry out money laundering instead of individual transactions; and to provide the National Crime Agency (NCA) with new powers; Improve the ability of law enforcement agencies and courts to recover criminal assets more effectively, particularly in cases such as those linked to grand corruption.

As the 2015-16 session of Parliament has ended, the following Bills will make no further progress:-

[Road Traffic Act 1988 \(Alcohol Limits\) \(Amendment\) Bill 2015-16](#)

Private Members' Bill to lower prescribed limit of alcohol in breath, blood and urine by 37%

[Online Safety Bill](#)

Private Members' Bill to make provision about the promotion and provision of online safety including parent education;

[Advertising of Prostitution \(Prohibition\) Bill](#)

Private Members' Bill to prohibit the advertising of prostitution

[Age of Criminal Responsibility Bill](#)

Private Members' Bill to raise the age of criminal responsibility from 10 to 12

[Victims of Crime Etc \(Rights, Entitlements\) Bill 2015-16](#)

Private Members Bill to make further provision regarding duties and responsibilities of Victims' Commissioner; and the Victims' Code; require PCCs to assess the needs of victims and effectiveness of services and publish annual victims' plans..

[Child Victims of Human Trafficking Bill 2015-16](#)

Introduce new safeguarding and protection duties for child (under 18) victims of human trafficking

[Criminal Driving \(Justice for Victims\) Bill](#)

Private Members' Bill to change the law to improve justice for the victims and families of road crime

[Cannabis \(Legalisation and Regulation\) Bill 2015-16](#)

Private Members' Bill to amend Misuse of Drugs Act 1971

[Convicted Prisoners Voting Bill 2015-16](#)

Make provision for rules relating to the exclusion of convicted prisoners from participation in elections

[Foreign National Offenders \(Exclusion from UK\) Bill 2015-16](#)

Make provision for the removal and exclusion of any foreign national convicted in a UK imprisonable offence

[Clean Neighbourhoods and Environment \(Amendment\) Bill](#)

Private Members' Bill to raise penalty for littering offences

[Rehabilitation of Offenders Bill](#)

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

6. Consultations

[Anti-money laundering and counter-terrorist finance - legislative proposals](#)

Home Office consultation on the change in focus of the suspicious activity reports (SARs) regime to entities responsible for money laundering and terrorist financing following publication of the action plan for anti-money laundering and counter-terrorist finance. Proposals include new ways to improve data sharing between private sector organisations, the creation of new powers to allow money to be seized and the requirement for individuals to declare their sources of wealth.

Open date: 21/04/2016

Close date: 02/06/2016

[Changes to NOMS publications](#)

Ministry of Justice consultation on proposals to create 2 new reports – the Annual Prison Digest and the Annual Probation Digest which would incorporate information from the Official Statistics bulletin on Accredited Programmes and other statistics. This would result in the current MI Addendum to the NOMS Annual Report and Accounts being merged with the Prison Performance Digest.

Open date: 28/04/2016

Close date: 09/06/2016

[BAME representation in the Criminal Justice System](#)

Call for evidence from victims, witnesses, offenders, Black, Asian and Minority Ethnic (BAME) communities, staff and other stakeholders on their views, experience and insights into BAME representation in the CJS. Evidence will be used to inform the Lammy Review into the over-representation of BAME groups at most stages of the criminal justice system, considering issues arising from the CPS involvement onwards - including the court system, in prisons and rehabilitation in the wider community. Consultation is also inviting more informal contributions via the Twitter hashtag #lammyreview

Open date: 21/03/2016

Close date: 30/06/2016

[A new corporate offence of failure to prevent the criminal facilitation of tax evasion](#)

HM Revenue and Customs consultation considers on draft legislation and guidance for the new corporate criminal offence of failure to prevent the criminal facilitation of tax evasion. This consultation seeks stakeholder views to ensure that the offence is both effective at meeting the stated objectives, and not unduly burdensome.

Open date: 17/04/2016

Close date: 10/07/2016

[Sentencing youths: principles and guidelines on sexual offences and robbery](#)

Sentencing Council consultation on the production of up to date consolidated youth sentencing guidelines in respect of sexual offences and robbery

Open date: 12/05/2016

Close date: 03/08/2016

[Magistrates' Court Sentencing Guidelines](#)

Sentencing Council consultation on draft revised guidelines for summary offences in the Magistrates' Court Sentencing Guidelines.

Open date: 19/05/2016

Close date: 11/08/2016

[Police use of force](#)

IPCC consultation seeking feedback on the research study 'Police use of force' aims to help the organisation understand how people are using the research.

Open date: 08/03/2016

Close date: TBC