



## Commissioner's horizon scanning briefing

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## 1. Policy and Practice

### [Apply for funding: £250,000 in small grants to boost diverse communities](#) – 14<sup>th</sup> November 2016

DCLG have made £250,000 available for grants of between £250 and £5,000 for local projects that bring together diverse communities and faith groups via the 'Common Good' fund. Managed by the Church Urban Fund, this aims to extend the [Near Neighbours](#) programme to areas that have seen increases in local diversity

### [£700k Home Office funding awarded to tackle hate crime](#) – 18<sup>th</sup> November 2016

9 community projects and 59 places of worship have been awarded funding to tackle hate crime as part of the first round of funding for the £900,000 community demonstration project scheme and £2.4m fund for protective security at places of worship – both launched alongside the government's hate crime action plan in July

### [Autumn Statement 2016](#) – 23<sup>rd</sup> November 2016

Government plans to 'maintain a commitment to fiscal discipline' and reduce public sector debt as a percentage of GDP to 0.7% by 2021/22. Overall departmental efficiency plans remain unchanged, however, up to £500m additional Ministry of Justice funding was confirmed for 2,500 extra prison officers to improve prison safety

### [IPCC Learning the Lessons Bulletin 28](#) – 24<sup>th</sup> November 2016

Bulletin includes learning across key areas including call handling, identifying stalking and harassment, managing contact with victims, reviewing and closing missing person logs and DASH risk assessments

### [A common sense police approach to investigating sexting among under-18s](#) – 24<sup>th</sup> November 2016

College of Policing briefing note to assist officers in responding proportionately to sexting among young people

### [Reducing crime through innovation: The role of PCCs](#) – 15<sup>th</sup> November 2016

Police Foundation summary of 2 roundtable discussions at the 2016 Labour & Conservative Party conferences

### [Home Office Violence against women and girls: communications insight pack updated](#) - 25<sup>th</sup> Nov 2016

### [Surveillance Camera Commissioner: Annual Report 2015-2016](#) - 16<sup>th</sup> November 2016

### [APCC and NPCC Partnership Summit 2016](#) – 16<sup>th</sup> November 2016 included speeches from:-

- [Policing and Fire Minister on Emergency Services Collaboration, fire service governance reform](#)
- [Home Secretary on 'finishing the job' of Police Reform – workforce, collaboration, prevention and protection](#)
- [Sir Thomas Winsor's on Force Management Statements and a shared 'network code' in acquisition of ICT](#)
- [Sara Thornton on the changing nature of crime and policing](#)

## 2. Research, Development and Statistics

### [Women in the criminal justice system 2015](#) – published 24<sup>th</sup> November 2016

Ministry of Justice report on experiences of women who come into contact with the Criminal Justice System:-

- Women account for 25% of first time offenders, 22% of those receiving penalty notices for disorder, 24% of police cautions, 16% of arrests, 9% of those admitted to custody and 5% of the prison population
- Females are particularly likely to have been dealt with for theft offences (out of court disposals and arrests)
- Female prosecutions have risen by 6% over the last decade - largely driven by increases in prosecutions for TV license evasion - while males prosecutions fell by a third
- Females appear slightly more likely than males to re-offend following a short custodial sentence
- Female prisoners report feeling better supported in prison, but less safe, and are more likely to self-harm
- Women are more likely than men to participate in education in prison and be granted home detention curfew
- Women remain substantially underrepresented among the police and judiciary (25%)
- Female representation among senior staff is considerably lower than in the general workforce but rising

### [Focus on Property Crime in England and Wales 2015/16](#) – published 24<sup>th</sup> November 2016

Office for National statistics report highlights the scale of property crime, which accounts for 66% of police recorded crime and 80% of incidents estimated by the Crime Survey for England and Wales (CSEW), and the marked reductions seen since the mid-1990s – particularly in vehicle-related thefts, domestic burglary and criminal damage. Victims of property crimes are more likely to be living in urban areas and areas of low employment or high incivility. There is however less variation among victims of fraud and computer misuse. The release includes more detailed statistics on cost, emotional impact and [victim profile](#) for the offences of [criminal damage](#), [burglary](#), [robbery](#), [vehicle-related theft](#), [other theft](#) and theft among [children aged 10 to 15](#).

### [Football-related arrests and banning orders: season 2015 to 2016](#) – published 24<sup>th</sup> November 2016

Home Office statistics show continued reductions in football banning orders (-4%) over the last year, despite a 12% increase in new banning orders issued. Football-related arrests in England and Wales remained relatively stable at 1,895, but have fallen by around 20% since the 2011 to 2012 season. The most common offence types are public disorder (31%), alcohol offences (20%) and violent disorder (19%). Football-related arrests were more commonly in connection with Championship matches (25%). [Data available at club level](#)

### [Criminal Justice System Statistics quarterly to June 2016](#) – published 17<sup>th</sup> November 2016

The number of individuals dealt with formally by the CJS in England and Wales has been falling since 2007 and remains at a record low. Use of out of court disposals has continued to decrease over the last year while the number of defendants proceeded against at magistrates' courts, offenders convicted and offenders sentenced having remained broadly stable. The custody rate for indictable offences rose to 27%, continuing the trend seen over the last five years. The average custodial sentence length (ACSL) rose slightly to 16.4 months

### [NOMS Annual Offender Equalities Report: 2015 to 2016](#) – published 24<sup>th</sup> November 2016

Ministry of Justice equalities profile of offenders being managed via NOMS, including details by gender, age, ethnicity, sexual orientation, religion and gender reassignment

### [Clink restaurant training programme cuts reoffending](#) – 14<sup>th</sup> November 2016

Ministry of Justice Data Lab statistics relating to the Clink restaurant programme at HMP Cardiff, HMP Brixton and HMP High Down, show that offenders engaging with the programme saw an average reduction in reoffending of 12% pts. The scheme provides training in catering, customer service and cleaning for prisoners

## 3. Inspections

### HMI Prisons: Unintended Consequences: imprisonment Sentences for public protection – 17<sup>th</sup> Nov 2016

Thematic review of imprisonment and detention sentences for public protection (IPP/DPP) among serious violent or sexual offending adults and young people found a range of system inefficiencies which limit the ability to assess risk reduction and the suitability of prisoners for release. These included:-

- A lack of good quality offender management to support IPP prisoners' rehabilitation
- Prisoners being unable to access relevant offending behaviour programmes (OBPs) to help reduce risk
- Evidence of delays, in some cases of years, in accessing courses
- Release on temporary licence (ROTL) policies that prevent some prisoners demonstrating reduced risk
- Higher than average recall rates for IPP prisoners and delays in decision making with regard to the recall

Recommendations included:-

- NOMS to ensure IPP prisoners are located in the appropriate prison and to support risk reduction work alongside receive regular, meaningful contact with offender managers and supervisors
- An enhanced multi-disciplinary offender management casework process should be used where there are underlying personality, cognitive or mental health issues
- MOJ should ensure IPP prisoners are able to undertake ROTL while in category C resettlement prisons to provide opportunities demonstrate a reduction in risk and participate in rehabilitative activities
- MOJ should ensure that the [Parole Board](#) has sufficient resources to consider cases without undue delays
- NOMS & NPS should better understand why IPP offenders are failing in the community and being recalled
- Decision-making about the recall decision for IPP sentence prisoners should be expedited

### HMI Prisons Children in Custody 2015-16 – 15<sup>th</sup> November 2016

As part of their annual consultation with over 767 12 to 18-year-olds' in secure training centres (STC) and young offender institutions (YOI) in 2015/16, HMI Prisons have found that:-

- 23% reported feeling unsafe at some point since their arrival at the STC, and 10% at the time of inspection
- 31% reported being victimised by being shouted at through windows;
- Children were significantly less likely to say that the reason for being searched on arrival was explained to them (74%) and that the search had been carried out respectfully (85%) than in 2014/15 (86% and 95%)
- Within the YOI estate, 47% of boys were from a black or minority ethnic background (the highest rate recorded to date), 37% had experience of the local authority care system and 22% were Muslim boys
- 46% of boys said they had felt unsafe at some point – the highest figure recorded via this survey
- in the last 12 months there was a significant increase in
- The proportion of boys who reported being victimised by other detainees (35%) or members of staff (32%) have increased significantly compared to 2014/15 (26% and 25% respectively)
- The proportion of boys who felt YOI staff treated them with respect (63%) fell significantly from 70%
- The proportion of boys engaged in a job (16%), vocational training (11%) and offending behaviour programmes (16%) across the YOI estate was lower in 2015–16 than at any point since 2010–11

## 4. Reviews and Inquiries

### [Lammy review of race disproportionality within the CJS: Emerging Findings](#) – 16<sup>th</sup> November 2016

Emerging findings from the peer-reviewed analysis of Black, Asian and Minority Ethnic (BAME) disproportionality within the criminal justice system are published alongside an [open letter](#) to the Prime Minister and supplementary analyses of [associations between ethnic background and sentencing](#). The analysis found:-

- Arrest rates are generally higher for ethnic minorities in comparison to the White population, with Black boys and men being around three times more likely to be arrested than their White counterparts
- BAME defendants are more likely than their white counterparts to be tried at Crown Court
- A disproportionate number of Black men (1.1:1) and women (1.2:1) are sentenced to custody at Crown Court level compared to White men and women – particularly for drug offences
- A disproportionate number of Black (2.1:1) and Asian (1.9:1) men receive custodial sentences in the Magistrates' Court for sexual offences compared to White men
- Black men are more likely than White men to be placed in high security prisons for some offences
- Black prisoners are more likely to face misconduct adjudications & less likely to see them upheld on review
- The number of Muslim prisoners has almost doubled in the last decade
- 51% of the UK-born BAME population agree that 'the criminal justice system discriminates against particular groups', compared to 35% of the UK-born white population

The review will now broaden its scope to include judicial ethnic diversity and, supported by a newly-appointed advisory group, draw up recommendations to be presented to the government in spring 2017. In a [speech](#) to the National Police Conference, David Lammy set out the themes he intends to explore, which include:-

- Data: opportunities to use 'big data' to screen out human biases and make more accurate assessments
- Oversight: areas of the CJS where decision-makers are held accountable appear to be working best
- Trust: how can we build trust and legitimacy in the CJS and diversify professions like the judiciary?
- Vulnerable Groups: how does the CJS deal with vulnerable groups – e.g. children from care, mental health
- Beyond Government: relationships between courts, families, communities, employers, VCS and others

### [The work of the Independent Inquiry into Child Sexual Exploitation](#) – 24<sup>th</sup> November 2016

Home Affairs Committee [Inquiry](#) report concludes that while the independence of the IICSA Inquiry is vital, not enough has been done to ensure transparency, accountability and scrutiny of the process or to pursue allegations within the Inquiry. This, alongside issues that have hampered progress of the Truth Project and Public Hearings, have diminished public confidence in the Inquiry's ability to deliver its objectives. As such, swift and transparent action must be taken to rebuild confidence, which should include:-

- Setting out publicly how it intends to resolve tensions between the judicial approach and the inspectorate
- Providing clarity on the balance between establishing the truth and assessing current institutional practice
- Prioritising appointing a suitable new Counsel to the Inquiry at the earliest opportunity
- The Government consider reviewing accountability arrangements for independent inquiries
- Parliamentary procedures should be invoked to require Dame Goddard to provide oral evidence should she return to the UK – her actions fell 'well below the standards expected of any public servant'

## **A Question of Quality: Review of Restorative Justice Part 2 – Victims – 22<sup>nd</sup> November 2016**

Victims' Commissioner publishes follow-up restorative justice review following interviews with 35 victims. Many participated in RJ in order to help the offender, aide rehabilitation and find out why they have been targeted. Most victims were satisfied with the RJ services they received although some felt more could have been done to ensure their emotional needs were met throughout the process. Almost half of those interviewed were only offered RJ after the offender had been sentenced, and there was evidence of some police staff advising against earlier engagement on the basis that it could be interpreted as leading the witness or affect sentence length. CSEW statistics also show that proportion of victims offered the opportunity to participate in RJ (4.2%) has fallen significantly over the last year to its lowest level since 2010. Recommendations include:-

- PCCs consider how they monitor the offer of RJ to victims;
- Police or RJ providers develop procedures to ensure consistency in offering RJ;
- RJ providers work towards a quality standard or indicator, and work collaboratively with other agencies;
- MOJ undertake further analysis to inform public awareness raising of RJ

## **Meeting the needs of survivors and families bereaved through terrorism – 16<sup>th</sup> November 2016**

Research by Victim Support shows that while families bereaved by terrorism have access to high-quality care via police Family Liaison Officers (FLO) and the National Homicide Service, those not injured but present at the scene of an incident do not have the guarantee of a service that meets their needs. The report highlights the emotional and psychological harm that terrorism has on survivors and bereaved family members, in addition to the financial and physical impact and longer term issues of Post-traumatic stress. Recommendations include:-

- Improve learning from good practice (Netherlands, Massachusetts)
- Ensure direct 'witnesses' are treated as survivors by all agencies involved in assisting them (EU Law)
- A pathway of support should be mapped out and agreed via a multidisciplinary working group
- Establish a seamless referral mechanism to victim services for survivors of terrorism
- Provide survivor access to a single online information and support portal
- NHS should ensure survivors do not face adversely long waiting times for psychological therapies
- An MOJ-led task force should examine the impact of time taken to make a final CICA award

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**New inquiries:** Home Affairs Committee Inquiry into [EU policing and security issues](#) launched 14<sup>th</sup> Nov 2016

**Inquiries in progress:** [Lammy Review of BAME representation in the CJS](#), [Child Sexual Abuse Independent Inquiry](#), [Emergency Services Communications](#) (16<sup>th</sup> November 2016), [Prison Reform inquiry](#) (15<sup>th</sup> November 2016), [Syrian Resettlement Programme](#) (7<sup>th</sup> November 2016), [Apprenticeships inquiry](#) (2<sup>nd</sup> November 2016), [Sharia Law](#) (1<sup>st</sup> November 2016), [Child Protection inquiry](#) (31<sup>st</sup> October 2016), [Hate crime and its violent consequences inquiry](#) (25<sup>th</sup> October 2016), [Troubled Families Inquiry](#) (19<sup>th</sup> October 2016), [Undercover Policing inquiry](#) (ongoing), [Support for ex-offenders inquiry](#) (26<sup>th</sup> October 2016), [Implications of Brexit for the justice system inquiry](#) (TBC), [Disclosure of youth criminal records](#) (TBC)

[Independent Inquiry into Child Sexual Abuse](#) seeks [bids from research bodies or institutions](#) to carry out a literature review, publishes responses to issues papers and announces dates for Inquiry seminars (21<sup>st</sup> Nov)



## 5. Legislation

### [Investigatory Powers Bill](#) - Date for Royal Assent 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

### [Policing and Crime Bill](#) – Lords Report stage – 30<sup>th</sup> November 2016 [Supporting documents](#)

- Places a statutory duty on police, fire and ambulance services to collaborate to improve efficiency and effectiveness. Enable PCCs to take on responsibility for fire and rescue services.
- Reforms the police complaints and disciplinary systems, including measures to extend disciplinary procedures to former officers (up to 12 months after leaving). Makes changes to governance of the IPCC.
- Enable chief officers to confer a wider range of policing powers on police civilian staff and volunteers.
- Introduces provisions in respect of breach of pre-charge bail conditions and makes changes to rules governing how police deal with people suffering mental crisis under s135 & s136 of Mental Health Act 1983
- Makes changes to terms of office for Deputy PCCs and would give the Home Secretary the power to change the name of a police area by order
- Mandates that offences relating to CSE (Sexual Offences Act 2003) cover streaming / transmission of indecent images of children. Enables Secretary of State to issue statutory guidance to local taxi and private hire licensing authorities with regard to the protection of children and vulnerable adults
- [Lords amendments](#): Further line by line examination of the Bill is scheduled to begin on 30<sup>th</sup> November

### [Children and Social Work Bill](#) – 2<sup>nd</sup> reading in Commons – 5<sup>th</sup> December 2016

Bill to make provision about looked after children; ensure lessons are learned from serious child safeguarding cases; create a new 'power to innovate' giving local authorities the freedom to test out innovative new ways of working and introduce measures to improve how agencies share information

### [Asset Freezing \(Compensation\) Bill](#) – 1<sup>st</sup> reading in Commons – TBC

A Bill to make provision for the imposing of restrictions on assets owned by persons involved in supplying terrorist organisations in the United Kingdom with arms, for the purpose of securing compensation for citizens of the United Kingdom affected by the supply of such arms

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### [Modern Slavery \(Transparency in Supply Chains\) Bill](#) – 3rd reading in Lords – TBC

Private Members' Bill to require commercial organisations and public bodies to include a statement on slavery and human trafficking in their annual report and accounts; and to require contracting authorities to exclude from procurement procedures economic operators who have not provided such a statement. [Briefing](#)

### [Digital Economy Bill](#) – Commons Report Stage – 28<sup>th</sup> November 2016

Bill to make provision about; restricting access to online pornography; protecting intellectual property related to electronic communications; [improving government data to transform public services](#) - allow public authorities to share personal data with other public authorities to improve the welfare of individuals (e.g. Troubled Families programme), measures to help detect and prevent government losses due to fraudulent activity, The Bill also proposes tougher penalties for nuisance callers and increasing the sentencing options for people who infringe copyright laws online. Royal Assent is expected spring 2017. [Commons analysis paper](#)

- 20<sup>th</sup> November - [New blocking powers to protect children from websites with inadequate age verification](#)

### [National Citizen Service Bill](#) – Lords Report Stage – 7<sup>th</sup> December 2016

[NCS](#) brings different communities together and gives 15 to 17-year-olds the opportunity to take part in new experiences, develop skills and give back to communities across England. The Government has committed to offer an NCS place to everyone that wants one. [Lords briefing](#) – 20<sup>th</sup> October 2016

## **Criminal Finances Bill – Commons Report Stage – TBC**

Tackle corruption, money laundering and tax evasion. 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. Improve the operation of the Suspicious Activity Reports (SARs) regime to encourage better use of public and private sector resources against the highest threats; 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. [Explanatory documents](#) , [Commons Library Analysis](#) , [Consultation responses](#)

## **Homelessness Reduction Bill – Public Bill Committee – 23<sup>rd</sup> November 2016**

Private Members Bill to place a duty on local authorities to help eligible people at risk of homelessness to secure accommodation, 56 days before they are threatened with homelessness, and to provide those who find themselves homeless with support for a further period of 56 days to help to secure accommodation

## **Sexual Offences (Pardons Etc.) Bill – Commons 2<sup>nd</sup> reading – 16<sup>th</sup> December 2016**

Private Members' Bill to formally pardon gay and bisexual men convicted for now abolished sexual offences and enable any mention of these offences to be removed from criminal record checks.

## **Preventing & Combating Violence Against Women & DV Bill - Commons 2nd reading – 16<sup>th</sup> Dec 2016**

Private Members' Bill to require UK to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention)

## **Stalking (Sentencing) Bill - Commons 2nd reading – 20<sup>th</sup> January 2017**

Private Member's Bill to increase the maximum sentences available to the court for stalking offences

## **Road Traffic Offenders (Surrender of Driving Licences) Bill - Commons 2nd reading – 27th January 2017**

Private Members' Bill to make provision about the surrender / production of driving licences or test certificates in relation to certain offences; and identifying persons / securing payment in connection with fixed penalty notices

## **Counter-Terrorism and Security Act 2015 (Amendment) Bill - Commons 2nd reading – 27<sup>th</sup> January 2017**

Private Members' Bill to repeal CT and Security Act 2015 provisions requiring teachers, carers and responsible adults to report signs of extremism or radicalisation amongst children in pre-school educational settings

## **Malicious Communications (Social Media) Bill - Commons 2nd reading – 24th March 2017**

Private Members' Bill to make provision about offences, penalties and sentences in relation to communications containing threats transmitted or broadcast using online social media

## **Rehabilitation of Offenders (Amendment) Bill - Lords 2<sup>nd</sup> reading - TBC**

Private Members' Bill to make provision about rehabilitation periods for particular sentences - amending Rehabilitation of Offenders Act 1974

## **On-line Safety Bill – Lords 2<sup>nd</sup> reading - TBC**

Private Members' Bill to require internet service providers (ISPs) to provide an internet service that excludes adult-only content; require information to be provided about online safety; make provision for parental education

## **Missing Persons Guardianship Bill – Lords 2nd reading – TBC**

## **Age of Criminal Responsibility Bill – Lords 2nd reading – TBC**

**Recent Commons briefing papers** include: [Combined authorities](#) , [City Deals](#) and [Devolution to local government](#) (23<sup>rd</sup> Nov), [Press regulation after Leveson](#) (23<sup>rd</sup> Nov), [International Day for the Elimination of Violence Against Women](#) (23<sup>rd</sup> Nov), [Nuisance Calls](#) (23<sup>rd</sup> Nov), [Apprenticeships policy in England](#) and [statistics](#) (17<sup>th</sup> Nov), [Migration Statistics](#) (15<sup>th</sup> Nov), [Accident and Emergency Statistics](#) (15<sup>th</sup> Nov)

## 6. Consultations

### Parliamentary constituency boundary reform

Boundary Commission consultation on proposals to revise constituency boundaries, ensure that the difference between constituency sizes is no more than 5% points and deliver financial savings by reducing the number of MPs from 650 to 600. Local public hearings will also be held as part of the process. Two further rounds of consultation will take place in 2017 and final recommendations will be submitted in autumn 2018

**Open date: 13/09/2016**

**Close date: 06/12/2016**

### National Surveillance Camera Strategy

Surveillance Camera Commissioner consultation on strategy to enable system operators to understand best practice and their legal obligations and enable the surveillance camera community to demonstrate compliance with the principles of the surveillance camera code of practice and other guidance. The strategy has been divided into 10 key work strands each led by sector expert. Delivery plans will be published in 2017.

**Open date: 25/10/2016**

**Close date: 06/12/2016**

### Bladed articles and offensive weapons

Sentencing Council consultation on 3 guidelines; possession of a bladed article/ offensive weapon; threatening with a bladed article/ offensive weapon, and a youth guideline which covers all offences involving bladed articles and offensive weapons. The new guideline will provide sentencers across the Crown Court, magistrates' court and youth court with guidance to improve consistency and transparency in sentencing

**Open date: 06/10/2016**

**Close date: 06/01/2017**

### Public Policy Statements on Hate Crime

Three CPS consultations on public policy statements relating to: crimes against disabled people; offences involving hostility on the grounds of sexual orientation and gender identity and; racially and religiously aggravated hate crime. The statements aim to comprehensively set out how the CPS approach these crimes

**Open date: 10/10/2016**

**Close date: 09/01/2017**

### Leveson Inquiry and its Implications

Government consultation on issues relating Section 40 of the Crime and Courts Act 2013 (incentives to join a recognised regulator) and whether, as criminal cases associated with the Leveson Inquiry are entering their final stages, whether Part 2 of the inquiry remains appropriate, proportionate and in the public interest.

**Open date: 01/11/2016**

**Close date: 10/01/2017**

### Breach guideline

Sentencing Council consultation on proposed sentencing guideline on breach of court order offences including breach of a Community Order, Suspended Sentence Order, Protective Order, Criminal Behaviour Order, Anti-Social Behaviour Order, Sexual Harm Prevention Order, Sexual Offence Prevention Order, Post Sentence Supervision, Failing to Surrender to Bail and Failing to Comply with Notification Requirement

**Open date: 25/10/2016**

**Close date: 25/01/2017**