



Police and Crime Commissioner's Horizon Scanning Briefing

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1. POLICY AND PRACTICE

[Apply for Funding: £15m fund available for UK mental health and VAWG charities](#) – 5th December 2017

Minister for Sport and Civil Society opens bidding for £15 million Tampon Tax Fund for women's charities working to support mental health and wellbeing, tackle violence against women and girls, reduce drug and alcohol abuse and engage excluded and vulnerable women through sport. Application for grants of over £1m for one or two year projects should be made by Sunday 28 January 2018. Applications are particularly welcomed from organisations that support women and girls across multiple regions.

[More legal aid support for victims of domestic violence](#) – 5th December 2017

Ministry of Justice announces plans to scrap the current 5 year time limit on abuse evidence in the family courts and increase the range of documents accepted as evidence of abuse to include statements from domestic violence support organisations and housing support officers. The changes follow a review of the evidence requirements set out in the Legal Aid, Sentencing and Punishment of Offenders Act (LASPO) 2012 and will come into effect from January. The government's Domestic Violence and Abuse Bill remains pending.

[Justice Secretary introduces new prison urgent notification process](#) - 30th November 2017

New measures will enable the Prisons Chief Inspector to directly alert the Justice Secretary where serious failings are found in establishments. The Justice Secretary will publish a response and plan of action within 28 days of the report being received. A team of specialists will be brought together to ensure immediate action is taken, along with a more in-depth plan to ensure we see sustained improvement for the prison in the long term.

[New police powers to prevent unsafe or criminal use of drones](#) – 26th November 2017

Department for Transport and Civil Aviation Authority [announce](#) plans for new police powers to prevent the unsafe or criminal use of drones as part of the draft Drone Bill to be published next spring. The powers would require drone users to produce registration documents on request, ground a drone safely in certain circumstances and enable police to seize and retain a drone's components if there is reasonable suspicion of it having been involved in an offence. The new regulations will also make it mandatory for owners to register their drones and may see drones banned from flying above 400 feet or near airports.

[New Homelessness Advisory Panel to support Ministerial Taskforce](#) - 30th November 2017

Communities Secretary sets out details of a new Rough Sleeping Advisory Panel made up of homelessness experts, charities and local government which will help develop a national strategy to halve rough sleeping by 2022 and eliminate it by 2027.

Commissioner's e-Briefing: 11 December 2017

[Home Office Circular 011/2017: Change to the Misuse of Drugs Act 1971](#) – 27th November 2017

Change to the Misuse of Drugs Act 1971 to control Methiopropamine ('MPA')

[Home Office Circular 012/2017: Former police officer and barred list regs](#) – 7th December 2017

Former police officer and barred list regs, amended determination on retirement and amended HO guidance

[Revised adult modern slavery victim referral forms and guidance](#) – 28th November 2017

[CEOP Launch 'Thinkuknow' Live Streaming resources and education materials](#) – 5th December 2017

Includes short animation from the perspective of an adult who goes online to abuse children [#WholsSam](#)

Recent Commons briefing papers include: [Prison Reform: Recent Developments](#) (5th Dec), [Safety in prisons](#) (5th Dec), [Public sector pay](#) (1st Dec), [Local government structures](#) (1st Dec), [Nuisance complaints](#) (30th Nov), [Funding for domestic violence refuges](#) (30th Nov), [Review of unduly lenient sentences](#) (29th Nov), [Criminal Injuries Compensation for victims of child abuse](#) (28th Nov), [Alcohol: minimum pricing](#) (28th Nov), [Regulation of fireworks](#) (28th Nov), [Provision of legal aid](#) (28th Nov), [Contracting out of probation services](#) (27th Nov), [Prisons \(Interference with Wireless Telegraphy\) Bill](#) (27th Nov)

Recent Parliamentary questions and debates include: [Domestic Violence: Police Resources](#) (27th Nov), [Terrorist Attacks](#) (5th Dec), [Public Sector Pay](#) (4th Dec), [Drug Dealing Telecommunications](#) (29th Nov), [Draft Proceeds of Crime Act 2002](#) (4th Dec), [Unauthorised Traveller Encampments](#) (4th Dec), [Stalking](#) (27th Nov)

Provisions in the Policing and Crime Act 2017 come into force:-

[Commencement No. 5 and Transitional Provisions \(s38 PR Act 2002\)](#) - 1st December 2017

- Disciplinary measures relating to former members of police forces and special constables
- Implement the police barred list, preventing certain individuals from being appointed as officers or specials
- Permit chief officers to designate civilian staff and volunteers as policing / community support officers
- Prohibiting use of police civilians / volunteers under s38 acting in as covert human intelligence sources
- Cease the powers of police forces in England and Wales to appoint traffic wardens
- Permitting HMICRFS to inspect activities of police civilians and volunteers designated under s38 of 2002 Act

[Police Powers under Mental Health Act 1983](#) – 11th December 2017

S80-83 of the Policing and Crime Act 2017 (Commencement No 4 and Saving Provisions) Regulations 2017 requiring police officers to obtain advice from a doctor, nurse, approved mental health professional or other approved person prior to exercising their powers of detention under this section, unless the officer judges it not to be practicable to do so. Provisions also prevent use of police cells as a place of safety in any circumstances where the detainee is under 18, change the maximum periods of detention in places of safety and change provisions around protective searches relating to individuals removed under s135 and s136 MHA 1983

[Police \(Conduct, Complaints\) \(Amendment\) Regulations 2017](#) – 15th December 2017

Enable disciplinary proceedings to be taken against former members of police forces

[Police Barred List and Police Advisory List Regulations 2017](#) – 15th December 2017

Creates a statutory-approved barred list and advisory list, which will be maintained by the College of Policing. The regulations place duties on PCCs to consult the barred list to establish whether any person under their employment or being considered for appointment is on the list and to consult the advisory list as part of pre-employment checks in future and notify the College where a chief is dismissed following gross misconduct

[The Police Federation \(England and Wales\) Regulations 2017](#) – 31st December 2017

Abolish existing Federation Regulations to enable implementation of wide-ranging reform

2. RESEARCH, DEVELOPMENT AND STATISTICS

[County Lines Violence, Exploitation & Drug Supply 2017](#) – November 2017

National Crime Agency briefing highlights the practices of 'county lines' groups in adapting their operating methods and practices to evade law enforcement and strengthen their criminal enterprise and using violence weapons and firearms to intimidate and control group members and victims. The report highlights that the true scale of child exploitation by these groups remains an intelligence gap. County lines groups continue to pose a significant threat to vulnerable people and explore a range of opportunities to identify potential new victims. The use of anonymised mobile phones remains an essential feature of county lines, as well as other forms of drug supply, however, groups increasingly operate more than one branded line, multiple linked numbers and cloned phones which mimic the identity of the main county line phone number.

[Defence Minister announces new fingerprint chemical](#) – 27th November 2017

Defence Minister unveils advanced fingerprint visualisation technology which has been developed by the Defence Science and Technology Laboratory, Centre for Applied Science and Technology and Loughborough University. The technology will improve fingerprint recovery from surfaces that are challenging to work with, such as items exposed to high temperatures, bullets and metal items that have been deliberately cleaned and, with further refinement, is expected to be of significant benefit to forensic scientists globally.

[Future of public service identity: blockchain](#) – 29th November 2017

Reform paper considers how use of blockchain technology has the potential to transform the way public services manage the citizens' identities changing the relationship between the citizen and state whereby the citizen would become the controller of their identity and government the verifier.

[State of the Nation 2017](#) – 28th November 2017

Social Mobility Commission's 5th annual social mobility highlights a growing division in social mobility based on findings from the Social Mobility Index. This ranks all 324 local authorities in England in terms of their social mobility prospects for someone from a disadvantaged background.

[Property crime-related data tables: 2016/17](#) – Published 6th December

ONS release detailed property crime statistics taken from the Crime Survey for England and Wales and crimes recorded by the police. Data includes victim demographic breakdowns for specific types of property crime.

[Race and the criminal justice system 2016](#) – Published 30th November 2017

Report compiling statistics from data sources across the Criminal Justice System to provide a combined perspective on the typical experiences of different ethnic groups in England and Wales in 2016. Includes police force area level data relating to [victims](#) and [police activity](#)

3. AUDITS AND INSPECTIONS

[Planes, drones and helicopters: an independent study of police air support](#) – 30th November 2017

HMICFRS commissioned a study, based on fieldwork in early 2017, concludes that the National Police Air Support (NPAS) requires urgent reform and is financially unsustainable given its ageing fleet. The report concludes that there is no clear evidence to suggest that current arrangements are financially any more or less efficient than when forces managed their own air support. Response to crimes in action average around 30 minutes with over 40% of cases resulting in forces cancelling calls for support because the incident was over before the helicopter could arrive. On the basis of call outs, attendances and attendance times, the report notes that the cost of the service is not equitably distributed between forces. HMICFRS recommends development of a common understanding of demand, analysis of the differences in use of air support tactics by different forces, a review of the NPAS deployment process, improvements in performance monitoring and reporting and consultation with PCCs on a costed fleet replacement plan.

New Psychoactive Substances: Probation & substance misuse services response – 29th November 2017

HMI Probation and Care Quality Commission Joint inspection finds that agencies do not have sufficient understanding of the prevalence of NPS use or what may work for those using NPS. A lack of NPS-specific training among substance misuse services has also led to a notable knowledge gap among some keyworkers. In the main, strategies have focused on crisis management to address emergencies. Probation assessments lacked sufficient information to explore the pattern, level and funding of NPS use and providers did not routinely consider the risks associated with NPS to groups such as children, staff, prisoners or the wider community. There was also no evidence that the Building Skills for Recovery accredited programme was being used for NPS users by Probation or CRCs. The inspection also found poor-quality information-sharing, with prisoners being released into the community often with no information shared about their NPS use in prison, and information being held by substance misuse services that would have improved the quality of probation assessments and plans. The inspection did, however, find good recording of information by substance misuse keyworkers who had access to probation IT systems and strong arrangements where probation teams worked in collaboration with other agencies, such as Integrated Offender Management. Recommendations include:-

- MOJ develop specific guidance for probation services on NPS use among offenders in the community
- Improve information across all agencies, particularly HM Prison and Probation Service and substance misuse services in assisting pre-release planning and meeting basic needs such as housing, mental health
- The National Probation Service and CRCs should routinely consider NPS use when assessing patterns of drug use, and make sure assessments / plans consider impact of NPS use on offending / public protection
- The National Probation Service, CRCs and substance misuse services should provide joint training on NPS to better understand the risks, impact and treatment pathways available
- Agencies should also make sure that the protection of children and vulnerable adults is actively considered at all stages and where there are concerns refer these to local authority social services
- Substance misuse services should ensure that NPS use is clearly identified in the initial assessment and responded to appropriately in recovery planning, and should use and share best practice regarding NPS treatment pathways, including clinical detoxification for NPS addiction

National Crime Agency Inspection Report – 1st December 2017

HMICFRS publishes third annual inspection of the efficiency and effectiveness of the NCA focusses on serious crime investigation support provided to law enforcement. The inspection found the team working well to meet the majority of requests to help vulnerable witnesses, despite a shortage of registered witness intermediaries. NCA officers generally have access to the information they need to support their roles, understand the importance of information security, and are able to pass relevant information to forces in a timely fashion when required. The inspection did, however, find backlogs in cases awaiting upload to the national injuries database, and in cases held by police forces awaiting submission to the NCA. The report recommends that:-

- MOJ/CPS determine whether funding can be provided to recruit more registered witness intermediaries and in the meantime, the NCA should determine a more effective approach to prioritising requests
- NCA should review the backlog of cases not yet included in the database by March 2018 and devise and implement a plan to remove the backlog of cases held by forces that have not been submitted to the NCA
- NCA should undertake a detailed consultation with the police service in respect of the range of services provided by the crime operational support team and specialist operations centre
- The Home Office should ensure that the revised statutory codes of practice setting standards for the submission of cases to the serious crime analysis team are laid before Parliament.

Asylum intake and casework inspection – 28th November 2017

Independent Chief Inspector of Borders and Immigration report on the Home Office's approach to asylum intake and casework (2016/17) highlights the need for the acceleration of transformation plans and to bring asylum processing and decision making under control as soon as possible.

Ofsted announces new risk-based approach to children's services inspections – 29th November 2017

4. REVIEWS AND INQUIRIES

Report published: Growing Threat of Online Fraud – 6th December 2017

Public Accounts Committee report concludes that online fraud is now the most prevalent crime in England and Wales, with an estimated cost of £10 billion in the last year. Only around 20% of fraud is reported to police, with the emotional impact of the crime leaving many victims reluctant to come forward. The report calls for urgent action from government to work with banks, retailers and other organisations and for banks and local police to do more to prioritise and tackle the problem. The report recommends that the Home Office:-

- Set minimum standards for banks on preventing online fraud and protecting customers and press the banking industry to make relative online fraud vulnerability performance data publicly available
- Work with Joint Fraud Taskforce partners to ensure all banks make better use of technology to reduce card fraud and return money to customers and develop a more informed approaches to education campaigns
- Develop specific plans for how it will measure progress in tackling online fraud and judge the success of the Joint Fraud Taskforce, and it should regularly publish information on progress and performance
- Prioritise efforts to improve the collection and reporting of data on fraud and improve information sharing between government, industry and law enforcement
- Work with the City of London Police, establish what more they can do to help all police forces tackle online fraud, including opportunities to identify, develop and share good practice in a more systematic way

Government response: Complaints about PCCs – 29th November 2017

Home Office publishes formal response to findings from consultation held between December 2015 and March 2016, and announces plans to amend the system for non-serious complaints made against PCCs by:

- Developing non-statutory guidance which will clarify the definition of a complaint made against at PCC and the parameters of informal resolution. Where agreement cannot be reached, it will be open to Police and Crime Panels to make recommendations on the expected level of behaviour of a PCC; and PCC to respond
- Ensuring wider approaches to dealing with vexatious and unreasonable complaints can be also used in response to complaints made against PCCs
- Introducing a new power of investigation for PCPs in relation to non-serious complaints, where possible, which would include power to seek relevant evidence through appointment of an independent investigator

Attacks in London and Manchester between March and June 2017 – Published 5th December 2017

David Anderson QC's report endorses the conclusions and 126 recommendations made across nine internal MI5 and police reviews which followed attacks in London and Manchester during 2017. If properly implemented, the recommendations will strengthen the ability of MI5 and the police to stop most terrorist attacks. Recommendations include; commitments to better exploit data and share information derived from MI5 intelligence more widely - including with neighbourhood policing; assess and investigate all terrorist threats in a more consistent way, regardless of ideology.

Harassment and intimidation near abortion clinics – Home Affairs Committee

Announced 6th December 2017 - Oral evidence session to be announced

Delivery of Brexit: policing and security cooperation inquiry – Home Affairs Committee

Announced 30th November 2017 - Accepting written submissions until 12th January 2017

Homelessness Reduction Act inquiry – CLG Committee - One off session held 27th November 2017

Business rates retention inquiry - CLG Committee - Launched 2nd November 2017

Accepting written submissions until 14th December 2017

Transforming Rehabilitation inquiry – Justice Committee

Accepting written submissions

Policing for the future inquiry – Home Affairs Committee – last evidence session 14th November 2017

5. LEGISLATION

[Data Protection Bill](#) - Lords Report Stage – 11th December 2017

[Lords briefing](#)

The Bill to modernise and make data protection laws fit for the digital age by empowering people to take control of their data; supporting UK businesses and organisations through change and ensuring that the UK is prepared for the future after leaving the EU. The Bill will: update regimes for data processing by law enforcement agencies; introduce a new Digital Charter to ensure that the UK is “the safest place to be online”; make it simpler to withdraw consent for the use of personal data; allow people to ask for their personal data held by companies to be erased; require ‘explicit’ consent to be necessary for processing sensitive personal data; expand the definition of ‘personal data’ to include IP addresses, internet cookies and DNA and ensure an effective regulatory framework is in place. New criminal offences will be created to deter organisations from intentionally or recklessly enabling someone to be identified from anonymised data [Government fact sheets](#)

[Assaults on Emergency Workers \(Offences\) Bill](#) - Commons Report Stage – 17th April 2018

[Briefing](#)

Private Members’ Bill to make certain offences aggravated when perpetrated against emergency workers

[European Union \(Withdrawal\) Bill](#) – Commons Committee Stage – 12th Dec 2017

[Commons briefing](#)

Bill to repeal the European Communities Act 1972 and other provisions relating to UK withdrawal from the EU

[Sanctions and Anti-Money Laundering Bill](#) – Lords Committee Stage – 12th Dec 2017

[Lords Briefing](#)

Government Bill to give the UK the necessary legal powers to maintain existing sanctions regimes currently imposed through EU law and introduce new measures against countries, organisations and individuals who threaten our security or undermine international law following Brexit. [Further information](#)

[Prisons \(Interf. with Wireless Telegraphy\) Bill](#) - Commons Committee Stage – TBC

Private Members’ Bill includes provisions to create a new power for the Secretary of State to authorise public communications providers, such as mobile network operators, to interfere with systems in order to disrupt the unlawful use of mobile phones in prisons. Amend existing Prisons (Interf. with Wireless Telegraphy) Act 2012.

[Age of Criminal Responsibility Bill](#) – Lords Committee Stage – TBC

[Lords briefing](#)

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

[Modern Slavery \(Victim Support\) Bill](#) - Lords Committee Stage – TBC

[Lords briefing](#)

Private Members’ Bill to make provision about identifying and supporting victims of modern slavery

[Asset Freezing \(Compensation\) Bill](#) – Lords Committee Stage – TBC

Private Members’ 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

[Mental Health Units \(Use of Force\) Bill](#) – Public Bill Committee - TBC

[Commons Briefing](#)

Private Members’ Bill to make provision about the oversight and management of use of force in mental health units and the use of body cameras by police in the course of duties in relation to people in mental health units

[Stalking Protection Bill](#) - Commons 2nd reading – 19th January 2018

Private Members’ Bill to make provision for protecting persons from risks associated with stalking

[Freedom of Information \(Extension\) Bill](#) – Commons 2nd reading – 15th June 2018

Private Members’ Bill to extend Freedom of Information Act 2000 in respect of public authorities and extend powers of the Information Commissioner

[Human Trafficking \(Child Protection\) Bill](#) - Commons 2nd reading – 18th January 2019

Private Members’ Bill to make provision for the removal of foreign national criminal offenders from UK

[Foreign Nationals \(Criminal Offender & Prisoner Removal\) Bill](#) - Commons 2nd reading – 22nd Feb 2019

Private Members’ Bill to make provision for creation of secure safe houses for children subject to trafficking

Policing Resources Bill - Lords 2nd reading - TBC

Private Members' Bill to make provision for ensuring that police forces in England and Wales have sufficient resources to deliver police services. Proposes the appointment of an independent body to report annually on adequacy of police grant funding. Places duty on Secretary of State to ensure grant recipients have sufficient resources to prevent crime, bring offenders to justice, keep the Queen's Peace and protect, help and reassure the community. Also places duty on Secretary of State to consider PCC police and crime plans, latest adequacy of funding report and the need for contingency funding for police forces to deal with exceptional major incidents

Victims of Crime (Rights, Entitlements, Notification of CSA) Bill – Lords 2nd reading – TBC

Private Members' Bill to make provision for specifying new statutory rights and entitlements for victims of crime under the Victims Code of Practice; require PCCs to assess victims services; increase duties of the Victims and Witnesses Commissioner; grant victims the right to request a review of a decision not to prosecute; establish reviews in homicides where no criminal charge has been made; create an obligation on professions to notify cases of possible victims of child sexual abuse.

Criminal Records Bill - Lords 2nd reading - TBC

Private Members' Bill to amend the length of time for which an individual may have a criminal record under the Rehabilitation of Offenders Act 1974

Children Act 1989 (Amendment) (FGM) Bill – Lords 2nd reading - TBC

Private Members' Bill to state that proceedings under Section 5A of, and Schedule 2 to, the Female Genital Mutilation Act 2003 are family proceedings

Anonymity (Arrested Persons) Bill - Lords 2nd reading – TBC

Private Members' Bill to prohibit the publication of certain personal information until an arrested person has been charged with an offence / set out circumstances where such information can be published

Road Traffic Offenders (Surrender Driving Licences) Bill - Lords 2nd reading - TBC

Private Members' Bill to make provision about the provision and surrender of driving licences or certificates in relation to certain offences; make provision in relation to identifying persons in connection with FPNs etc.

Modern Slavery (Transparency in Supply Chains) Bill – Lords 2nd reading – TBC

Private Members' Bill to make further provision for transparency in supply chains in respect of slavery and human trafficking

Bills pending:

- **Domestic Violence and Abuse Bill** to ensure victims have the confidence to come forward and report their experiences. The Bill includes proposals to establish a Domestic Violence Abuse Commissioner to hold the justice system to account in tackling domestic abuse, define domestic abuse in law, create new domestic abuse civil prevention and protection order regime
- **Courts Bill** to modernise and improve the efficiency and accessibility of the courts system. The Bill will include provisions to end the direct cross examination of domestic abuse victims by alleged perpetrators in the family courts, enable more victims to participate in trials through virtual hearings and enable those charged with some less serious criminal offences to opt to plead guilty
- **Drone Bill** to require drone users to sit safety awareness tests and users of drones weighing 250 grams and over to have to register their drone. Includes powers for the police to require users to produce registration documents on request, ground a drone safely in certain circumstances and enable police to seize and retain a drone's components if there is reasonable suspicion of it having been involved in an offence.

6. CONSULTATIONS

[Force Management Statements](#)

Open date: 29/09/2017

Close date: 18/12/2017

[Regulation of Investigatory Powers Act 2000: draft codes of practice](#)

Open date: 16/11/2017

Close date: 28/12/2017

[Pregabalin and gabapentin: proposal to schedule under the Misuse of Drugs Regulations 2001](#)

Open date: 16/11/2017

Close date: 28/12/2017

[Working Together to Safeguard Children: changes to statutory guidance](#)

Open date: 25/10/2017

Close date: 31/12/2017

[Improving access to social housing for victims of domestic abuse](#)

DCLG consultation setting out proposals for new statutory guidance for local authorities to assist victims of domestic abuse living in refuges and other forms of safe temporary accommodation to access social housing.

Open date: 30/10/2017

Close date: 05/01/2018

[Enabling PCCs to sit and vote on Combined Fire and Rescue Authorities](#)

Home Office consultation on proposals to amend sections 2 and 4 of the Fire and Rescue Services Act 2004 and enable PCCs and Combined Fire and Rescue Authorities (FRAs) to consider the 'representation model' set out in the Policing and Crime Act 2017 as an option for promoting greater collaboration between the 2 services.

Open date: 27/11/2017

Close date: 15/01/2018

[Investigatory Powers Act 2016](#)

Home Office consultation seeking views on amendments to the UK's communications data and acquisition regime in response to a judgment handed down by the Court of Justice of the European Union in December 2016. The proposed changes will introduce additional safeguards to ensure communications data can continue to be used to keep people safe from crime and terrorism while complying with the judgment and include new provisions to restrict the use of communications data to investigations into serious crime, introduce new mandatory guidance and introduce independent authorisation of communications data requests by a new body, known as the Office for Communications Data Authorisations, under the Investigatory Powers Commissioner.

Open date: 30/11/2017

Close date: 18/01/2018

[The Sentencing Code](#)

Open date: 27/07/2017

Close date: 26/01/2018

[Green Paper: Transforming children and young people's mental health provision](#)

Departments for Health and Education green paper seeking views on proposed measures to improve mental health support for children and young people which include encouraging every school and college to have a 'designated senior mental health lead', give young people earlier access to services and pilot a 4-week waiting time for NHS children and young people's mental health services.

Open date: 04/12/2017

Close date: 02/03/2018