

PCC HORIZON SCANNING E-BRIEFING: 16 OCTOBER 2017



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POLICE AND CRIME COMMISSIONER'S HORIZON SCANNING BRIEFING

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1. POLICY AND PRACTICE

[Internet Safety Strategy Green Paper](#) – 11th October 2017

Department for Digital, Culture, Media and Sport publishes the Internet Safety Strategy green paper which will aim to make Britain is the safest place in the world to be online. The strategy is underpinned by the following principles: what is unacceptable offline should be unacceptable online; all users should be empowered to manage online risks and stay safe; technology companies have a responsibility to their users. The Strategy sets out how the government will work with industry to make online environments safer for all; use technology to improve online safety for all; and support children, parents and carers to protect vulnerable people online and respond to online harms such as financial crime, hate crime, and other forms of online abuse. Specific proposals include: the introduction of a new social media code of practice; an industry-wide levy for awareness raising and counter internet harm initiatives; an annual internet safety transparency report; and support for tech and digital startups to build necessary safety features into apps and products at the earliest opportunity.

[Serious Violence Strategy and public consultation on offensive weapons announced](#) – 3rd October 2017

Home Secretary announces plans to launch a new Serious Violence Strategy in early 2018, and plans to consult on new legislative proposals for offensive weapons which would:-

- Ban sale of acids to under 18s and review Poisons Act to include sulphuric acid as a restricted substance
- Create a new offence of possession of a corrosive substance in public without a good or lawful reason – with the onus to explain reason for possession being on the individual caught rather than police to prove intent
- Restrict online sales of knives so they cannot be delivered to a private residential address and must be collected at a place where age ID can be verified and update the legislation on the definition of flick knives
- Lower the standard of proof for prosecutors in offences of threatening with a knife or offensive weapon
- Move two firearms (.50 calibre and certain rapid firing rifles) from the general licensing arrangements to the stricter provisions of section 5 of the Firearms Act 1968.

[National online hate crime hub announced](#) – 8th October 2017

Home Secretary announces plans to introduce a new hate crime hub which will assess online hate crime referrals from the police 'Truevision' website, combine duplicate reports, seek to identify perpetrators, refer cases to online platforms hosting external content, collate intelligence and produce evidence packages for local police to record and respond where there is a positive line of enquiry. The hub will also aim to ensure victims are kept updated throughout the investigation and provide expert case management via. The hub will be run by specialist officers and is expected to be operational before the end of the year.

Government announces plans to update Section 58 Terrorism Act 2000 – 3rd October 2017

Home Secretary announces government plans to strengthen Sections 58 of the Terrorism Act 2000 so that people who repeatedly view or stream terrorist content online could receive a maximum penalty 15 years. Currently the power only applies to online material which has been downloaded, saved on a device or printed as hard copy, with offences carrying a maximum penalty of 10 years. A defence of 'reasonable excuse' would still be available to academics, journalists or others who may have a legitimate reason to view such material.

£600,000 investment in technology to identify and remove online CSE images – 3rd October 2017

Home Office invests £600,000 in 'Project Arachnid' – technology developed by the Canadian reporting service CyberTipline which enables social media and other internet companies to identify and remove indecent images of children from websites, even in closed environments that only users and the company can see.

£15m campaign for basic mental health 'first aid' training – 10th October 2017

Public Health England launch £15m campaign to help the public recognise and respond effectively to signs of mental illness in others. The programme aims to help train up to 1 million people over three years through methods such as an online learning module and promoting advice based on what has been shown to work.

Equality and Human Rights Commission: A roadmap to race equality – 10th October 2017

Equality and Human Rights Commission sets out recommendations for government via a new 'Roadmap to race equality' strategy. The strategy recommends putting equality and human rights at the heart of a post-Brexit Britain and ensuring strong leadership is in place to deliver change based on the following priorities:-

- Reducing the ethnicity employment and pay gaps to ensure reward and chances to get jobs match ability
- Improving educational outcomes so that every child has a fair chance to fulfil their potential
- Tackle disproportionate numbers of BAME groups living in substandard and overcrowded accommodation
- Improve access to healthcare and health outcomes, particularly in relation to mental health
- Improve trust and fairness in the criminal justice system where ethnic minorities are over-represented.

Baroness Newlove speech: Victims' Commissioner calls for new Victims' Law – 11th October 2017

LGA publishes Adult social care funding: State of the nation report - 11th October 2017

Home Office Circular 010/2017: Financial assistance to officers facing legal proceedings – 4th October

Guidance to PCCs on the provision of financial assistance to police officers and staff facing legal proceedings

Home Office guidance for air weapons users – 10th October 2017

Home Office guidance – the role of the Independent Sexual Violence Adviser – 28th September 2017

Recent Commons briefing papers include: [Council Services: Resourcing in Two-Tier Areas](#) (11th Oct), [Women released from prison](#) (11th Oct), [Supporting and safeguarding adults with learning disabilities](#) (10th Oct), [Migration Statistics](#) (10th Oct), [Availability and Affordability of Housing](#) (9th Oct), [Statutory Homelessness in England](#) (8th Oct), [Mental Health Service Models for Young People](#) (6th Oct), [Public sector pay](#) (6th Oct), [The Budget and the annual Finance Bill](#) (6th Oct), [Tackling aggressive antisocial behaviour](#) (6th Oct), [Terrorism in Great Britain: the statistics](#) (6th Oct), [Homelessness in England: Social Indicators page](#) (4th Oct)

2. RESEARCH AND STATISTICS

[Race Disparity Audit](#) – 10th October 2017

Prime Minister [launches](#) the first Race Disparity Audit which provides an overview of disparities between public service outcomes across different ethnic groups. In terms of crime and policing, the audit highlights:-

- Lower levels of experience and fear of crime among white people compared to Mixed, Black and Asian adult populations, although feelings of safety have improved among Asian people since 2013/14
- Lower levels of confidence in police among people from Black or Mixed backgrounds, esp. young people
- Ethnic minority groups being significantly more likely to be arrested and stopped and searched than White
- Black defendants being more likely to be remanded in custody than White and Asian defendants
- White defendants, however, continue to have the highest conviction ratio (convictions to prosecutions)
- Average custodial sentence lengths for indictable offences has increased for all ethnic groups since 2009, but remains lower among white offenders (18 months) compared to Black (24) and Asian (25) offenders
- While the number of white young people held in custody has fallen by 73% since 2005/06, the number of young people from non-White ethnic minorities held in custody has only fallen by 43%
- A higher proportion of non-White offenders committed offences of violence against the person (40%), robbery (27%) and drugs (13%) than White offenders (30%, 23% and 4% respectively)
- Rates of self-harm for White young people in custody were more than three times that of non-White
- Black offenders had the highest rate of reoffending compared to other ethnic groups from 2006 to 2014.

The audit was published to coincide with the launch of the [Ethnicity facts and figures website](#) which compiles data on disparities in respect of crime, justice and the law, culture and community, education, skills and training, health, housing, work, pay and benefits. This includes data at Local Authority and Police force level.

[CPS Violence Against Women and Girls report published](#) – 10th October 2017

CPS Violence Against Women and Girls (VAWG) annual report highlights marked increases over the last year and last decade in convictions for rape (up 12% and 48% respectively) and other sexual offences (up 15% and 79% respectively). These offences, along with domestic abuse, now account for 19% of the CPS's caseload. More than a third of the defendants convicted of sexual offences in 2016/17 had abused children, while more than half of all rape victims (52%) were under the age of 24. Child sexual abuse prosecutions have risen over the last year and decade by 16% and 82% respectively to the highest volume ever recorded. Domestic abuse prosecutions and convictions have risen by 47% and 61% respectively over the last decade, but have fallen in the last year following a two-year reduction in referrals from the police. Cross-governmental work is underway to address this fall. The report also shows that since the introduction of the offence of controlling and coercive behaviour, 309 offences have been charged and reached a first hearing.

[Children's Mental Health Care in England](#) – 9th October 2017

Children's Commissioner publishes analysis highlighting that the overwhelming majority of NHS mental health spending goes towards treating those with the most severe needs, despite early intervention being much cheaper and highly cost effective. The report also notes that the Government's prioritisation of mental health is yet to translate into change at a local level. Recommendations for the forthcoming Green Paper include:-

- Transform provision by setting clear expectations for child mental health support – ensuring children are helped them build emotional resilience, can access early support for problems when they first emerge and can access access high-quality, specialist support within clear waiting time standards when needed
- Create an accountable and transparent System by making it clear which bodies are responsible for providing each element of this support and holding them to account on their performance. The report sets out a range of specific expectations for schools, local authorities, CCGs and NHS England.

The report was published alongside a further paper - '[Children's Voices](#)', a rapid review of qualitative evidence on the subjective wellbeing of children with mental health needs in England.

[Mental health services for children who have experienced abuse and neglect](#) – 2nd October 2017

NSPCC publishes follow up analysis of local area plans for improving mental health services

Children's online activities, risks and safety – 11th October 2017

Literature review by the UK Council for Child Internet Safety (UKCCIS) Evidence Group published in conjunction with the Internet Safety Strategy green paper.

Suspicious Activity Reports Regime Annual Report 2017 – 11th October 2017

National Crime Agency report for the 18 month period October 2015 to March 2017 highlights that over 634,000 Suspicious Activity Reports (SARs) were received by the UK Financial Intelligence Unit (UKFIU) during this period with £56.5m in assets denied to criminals. The number of reports increased by 10% compared to the previous comparable year, with the banking sector accounting for the largest number of reports (83%). Future SAR Annual Reports will cover the April to March financial year.

Upcoming Crime Reduction Systematic Reviews:

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| • Red light enforcement cameras to reduce traffic violations and injuries | October 2017 |
| • Personal security alarms for the prevention of assaults | October 2017 |
| • Police responses to people with mental health problems | October 2017 |
| • The impact of police pre-arrest diversion – systematic review | October 2017 |

3. AUDITS AND INSPECTIONS

HMICFRS follow-up of police response to abuse of position for sexual purpose – 5th October 2017

HMICFRS conclude that insufficient progress has been made by police forces in their planning around preventing the abuse of position for a sexual purpose. As part of the 2016 PEEL legitimacy inspection, HMICFRS recommended that all forces should develop and begin to implement plans to seek intelligence on potential abuse of position for a sexual purpose and submit those plans for review by June 2017. While the report commends work undertaken by the [National Police Chiefs' Council](#), College of Policing, Independent Police Complaints Commission and the Home Office, HMICFRS found that individual force plans contained insufficient information in 11 cases and had not yet commenced implementation in 15 cases. Plans did not contain reference to reviewing and improving the capability and capacity of counter-corruption units to identify potential abuse of position for a sexual purpose in 21 cases. A full inspection of this and other elements of police legitimacy will be carried out in 2018.

HMI Prisons: Life in prison: Living conditions – 10th October 2017

HMI Prisons report concludes that prison cell conditions and facilities vary greatly both within prisons and across the prison estate. Some are in good physical condition, however, some cells have broken windows, poor ventilation and heating, graffiti, damp, exposed wiring and vermin, which exacerbate the impact of being locked up for long periods of time. Many prisoners have to eat meals sitting on a bed feet away from an open toilet, and also have to defecate feet away from their cellmates, separated by nothing but a curtain, and can spend long periods of time confined in cells that are cramped and decrepit, often with little to stimulate them. The report recommends that measures should be taken to reduce the number of prisoners in crowded cells and ensure all cells appropriate facilities and equipment for day-to-day life. More specifically:-

- Cells being built as part of the future prisons programme should meet the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment's minimum standards – and that HMPPS review and provide a plan for those that currently do not
- In-cell toilets should have lids and a floor-to-ceiling partition with a closable door to protect the privacy of prisoners sharing cells and also to reduce the transmission of bacteria within cells
- Prisoners should spend at least 10 hours out of their cells and have access to stimulating in-cell activities.

4. REVIEWS AND INQUIRIES

[Independent review of detention under the Mental Health Act announced](#) – 4th October 2017

Prime Minister announces plans for an independent review to examine legislation and practice with regard to the detention of people under the Mental Health Act in response to concerns over the level and increasing trend in detentions. The review, chaired by former President of the Royal College of Psychiatrists, Professor Sir Simon Wessely, will consider the needs of service users and give recommendations for improving future practice. It will also explore why rates of detention are increasing and what can be done to reduce inappropriate detention and improve how different agencies respond to people in crisis. It will also consider why a disproportionate number of people from certain ethnic backgrounds are being detained under the act. An interim report is expected in early 2018 with the final report expected autumn 2018.

[The Growing Threat of Online Fraud inquiry](#) – 18th October 2017

Public Accounts Committee to explore how the Home Office is working with partners to promote responsibility for online fraud and educating the public about protecting themselves. The Committee will also ask whether police forces are focusing enough resources on tackling this threat.

[Mental Health in Prisons inquiry](#) – 23rd October 2017

Public Accounts Committee to explore how NHS England, HM Prisons and Probation Service and Ministry of Justice are working together to secure reliable data on incidences of mental illness among prisoners, why reliable data does not yet exist, and how they will ensure healthcare provision to those prisoners who need it.

[Home Office review of air weapons regulation announced](#) – 10th October 2017

Review confirmed on request from Suffolk coroner. Home Office is yet will determine detail and scope.

[Government review into cycle safety](#) – 21st September 2017

Department for Transport launches a review into cycle safety following a series of high profile incidents. The review, which will begin reporting in the New Year, will consider the case for creating a new offence equivalent to causing death or serious injury by careless or dangerous driving and consult stakeholders on the different ways in which safety could be improved, including rules of the road, public awareness, guidance and signage.

• Evidence in progress:

- [Child Sexual Abuse Independent Inquiry](#) – preliminary hearings held for [protection of children outside the UK](#) (9th May), [Cambridge House, Knol View and Rochdale](#) (10th May) and [Children in the Care of Nottinghamshire Councils](#) (11th May)
- [Independent Review into child abuse allegations in football](#) (ongoing)
- [Pitchford Undercover Policing inquiry](#)

• Reports awaiting government response:

- [Countering extremism inquiry](#)
- [Implications of Brexit for the justice system inquiry](#)
- [Apprenticeships inquiry](#)
- [Hate crime and its violent consequences inquiry](#)

5. LEGISLATION

Data Protection Bill - Lords Committee Stage – 30th October 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](#)

European Union (Withdrawal) Bill – Commons Committee Stage (whole House) – TBC [Commons briefing](#)

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

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

Assaults on Emergency Workers (Offences) Bill - Commons 2nd reading – 20th October 2017

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

Asset Freezing (Compensation) Bill – Lords 2nd reading – 27th October 2017

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 - Commons 2nd reading – 3rd November 2017

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

Prisons (Interf. with Wireless Telegraphy) Bill - Commons 2nd reading – 1st December 2017

Private Members’ Bill to make provision about interference with wireless telegraphy in prisons

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

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 announced in the Queen's Speech – 21st July 2017

- **Sanctions Bill** will make provisions to update, amend or lift key sanctions following the UK's exit from the European Union. [Government plans](#), which include measures to enable Britain to play a central role in global sanctions to combat the threat of terrorism, were published 2nd August 2017
- **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, ensure that sentencing of abusive behaviour involving children reflects the life-long impact that this abuse can have, [ratify the Istanbul Convention](#) to allow certain offences committed by British citizens anywhere in the world to be prosecuted in UK courts and to make it easier for domestic abuse survivors to [register to vote anonymously](#)
- **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, accept a conviction and pay a statutory fixed penalty online in order to free up court time for more serious cases

6. CONSULTATIONS

[2018-19 Local Government Finance Settlement](#)

DCLG technical consultation includes questions in respect of council tax referendum principles for increases of less than 2% for shire counties, London boroughs, Greater London Authority, fire authorities and PCCS. The consultation asks whether respondents views on council tax referendum principles for 2018-19, including whether additional flexibilities are required for particular categories of authority.

Open date: 14/09/2017

Close date: 26/10/2017

[Call for Evidence - Home Office's consideration of children's 'best interests'](#)

The Independent Chief Inspector of Borders and Immigration (ICIBI) call for evidence as part of an inspection into how the Home Office ensures it acts in the 'best interest' of unaccompanied asylum seeking children. The inspection will consider reception arrangements for the child, how the initial encounter affects the child, the Home Office role in carrying out age assessments and the Home Office role in the National Transfer Scheme.

Open date: 05/10/2017

Close date: 27/10/2018

[Internet Safety Strategy green paper](#)

Department for Digital, Culture, Media and Sport consultation on proposals set out in the Internet Safety Strategy green paper, which include the introduction of a social media code of practice, transparency reporting and a social media levy, technological solutions to online harms, developing children's digital literacy, support for parents and carers, adults' experience of online abuse, and young people's use of online dating websites.

Open date: 11/10/2017

Close date: 07/12/2017

[The impact of Social Media on the Administration of Justice](#)

Attorney General's Office Call for Evidence which aims to establish whether the risks to justice posed by social media are increasing, and whether any further action needs to be taken. Evidence is sought from judges, solicitors and victims' groups with experience of trials being affected by social media commentary or orders and reporting restrictions being breached on social media.

Open date: 15/09/2017

Close date: 08/12/2017

[The Sentencing Code](#)

Law Commission consultation seeking scrutiny of and feedback on the draft Sentencing Code which aims to provide a single reference point for sentencing, simplify many complex provisions and remove the need to refer to historic legislation. Consultees are invited to feedback on any aspect of the Code, including its structure and wording, but reminded that substantive policy changes to the law on sentencing are outside the project's remit.

Open date: 27/07/2017

Close date: 26/01/2018

[Terrorism Guideline](#)

Sentencing Council consultation seeks views on proposals to revise terrorism-related sentencing guidelines in relation to Preparation of Terrorist Acts, Explosive Substances, Encouragement of Terrorism, Membership of a Proscribed Organisation, Support of a Proscribed Organisation, Funding Terrorism, Failure to Provide Information about Acts of Terrorism, Possession for Terrorist Purposes and Collection of Terrorist Information.

Open date: 12/10/2017

Close date: 22/11/2017

[Force Management Statements](#)

HMICFRS consultation seeking views of PCCs on proposals and template for Force Management Statements.

Open date: 29/09/2017

Close date: 18/12/2017