



Commissioner's horizon scanning briefing

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1. Policy and Practice

[£950,000 made available for innovative projects to improve prison security](#) – 18th September 2017

Ministry of Justice is inviting organisations to bid for funding under the Small Business Research Initiative for innovative projects to tackle the presence of mobile phones and SIM cards, drugs, weapons, drones and other contraband in prisons. Concepts costing up to £50,000 should be submitted by 1st November 2017. The best ideas will go on to be developed into a working prototype as part of where up to £450,000 will be available

[£40m investment for youth organisations working in disadvantaged areas](#) – 5th September 2017

Minister for Sport and Civil Society announces grant recipients from the £40m Youth Investment Fund for youth organisations working to boost the skills and life chances of young people living in disadvantaged areas. The fund is set to benefit 300,000 young people across 86 youth organisations over the next three years

[Successful bids to the Police Transformation and Innovation funds announced](#) – 4th September 2017

Home Office announce successful bids to the PTF for 2017/18, which include:-

- £23m to the NCA, Regional Organised Crime Units, and police forces for with new capabilities to detect, monitor and disrupt organised crime groups over the next 3 years
- £12m to North Yorkshire, Derbyshire, Wiltshire, Northumbria and the Metropolitan police forces over the next 3 years for their innovative proposals in relation to local policing
- £6m to Cheshire, Essex, Hampshire, Gloucestershire and Merseyside forces to reform digital policing
- £600,000 to Avon and Somerset and Essex to drive greater collaboration between police and fire
- [£11m Video Enabled Justice pilot](#) across London and the south east providing a network of high-tech video links in police stations and other buildings which enable police officers, vulnerable victims and key witnesses to give evidence without the need to travel

[New CPS Violence against Women and Girls Strategy 2017-2020](#) - 6th September 2017

CPS publish new strategy in line with the cross-government strategy and the CPS 2020 vision, which aims to secure justice, support all VAWG victims and ensure policies are applied fairly to both perpetrators and victims. Achievement will be demonstrated through outcomes including improvements in prosecutions, conviction rates and guilty pleas and the publication of a VAWG crime annual report. The strategy will be reviewed annually and supported by action plans which will be published later in the year. In conjunction with the new strategy, the CPS also issued a public statement reaffirming their [commitment to male victims](#) of domestic abuse, rape and other crimes covered by the VAWG Strategy. The statement sets out actions the CPS will take in challenging myths and stereotypes and removing barriers to reporting and accessing support services among male victims

Public Sector Pay Awards for 2017/18 – 12th September 2017

Treasury confirms 2017/18 Public Sector pay awards which, taking account of [Pay Review Body](#) recommendations, will see the following pay increases funded within existing budgets:-

- An average 1.7% pay increase for [Prison staff](#), including operational support grades and governors
- A pay award equivalent to 2% for [Police officers](#) which will comprise a 1% increase to base pay for all ranks and an additional one-off non-consolidated payment to officers at federated and superintending ranks

Investigatory Powers Commissioner's Office Launched – 1st September 2017

New Investigatory Powers Commissioner (IPC), Lord Justice Fulford, takes on responsibility under the Investigatory Powers Act 2016 for regulating and overseeing how public authorities use their available powers

Using a public health approach to prevent child abuse – 11th September 2017

NPCC article considers how primary, secondary and tertiary approaches can help address the underlying causes of abuse and neglect, having been used to effect in tackling health problems and improving road safety

Advice on coming to court – 5th September 2017

HM Courts & Tribunals Service post customer videos for those attending Magistrates, Crown and Family courts

Help for adult victims of modern slavery – Promotional Material – 6th September

Home Office advice on immigration options for adults that have been trafficked into the UK for exploitation

Home Office Circular: employee and employer contribution rates 2016 to 2018 – 7th September 2017

Clarification of the employee and employer contribution rates for the police pension schemes

Ministerial Speech at mental health and policing conference – 5th September 2017

Minister for Crime, Safeguarding and Vulnerability addresses joint NPCC and College of Policing conference

Recent Commons briefing papers include: [Online harassment and cyber bullying](#) (13th Sep), [Brexit reading list: defence and security](#) (12th Sep), [Gypsies and Travellers](#) (8th Sep)

2. Research, Development and Statistics

LGBT in Britain: Hate Crime and Discrimination - 7th September 2017?

Stonewall publish findings from a YouGov poll of 5,000+ LGBT people on the prevalence of LGBT hate crime:-

- The proportion of lesbian gay and bisexual people reporting that they have experienced a hate crime or incident because of their sexual orientation in the last year has increased from 9% in 2013 to 16% in 2017
- 21% of LGBT people had experienced a hate crime or incident due to their sexual orientation and/or gender identity in the last year (41% among trans people, 21% among lesbians and 19% among gay men)
- Young people (18 to 24) are at greatest risk, with 56% of trans young people and 33% of LGB young people experiencing a hate crime or incident in the last year due to their sexual orientation and/or gender identity
- Black, Asian and minority ethnic LGBT people (34%) are also disproportionately affected compared to white LGBT people (20%), as are disabled LGBT people (27%) when compared to non-disabled (17%)
- In the last month alone, 10% of LGBT people and 26% of trans people had experienced personally directed abuse online. This figure rises to 23% among LGBT young people, with 72% having witnessed abuse online
- 81% of LGBT people that experienced hate crime did not report it to the police, a figure which rises to 88% among LGBT young people. Many do not report for fear of not being taken seriously
- 29% of LGBT people avoid particular streets because they do not feel safe there as an LGBT person while 36%, and 58% of gay men did not feel safe walking down the street while holding their partner's hand
- 25% of trans people contacting emergency services in the last year had felt that they had been discriminated against based on their gender identity, compared to 3% of LGB respondents

Exploratory analysis of the youth secure estate by BAME groups – 1st September 2017

Ministry of Justice exploratory analysis commissioned as part of the Lammy Review indicates that the high proportion of young black people in custody is likely to be driven by arrest rates, although there is also evidence of disproportionality in custodial sentences at the magistrates' court. Young black people were more likely to be identified with 'gang concerns' and be considered a 'risk to others' on entry to custody than any other ethnic group between April 2014 and March 2016. Between 2012/13 and 2014/15, young black people were spending longer in custody than other BAME groups, however but this gap closed in 2015/16

Operation of police powers under the Terrorism Act 2000 to June 2017 – published 15th September 2017

The number of terrorism-related arrests (379) in the 12 months to June 2017 saw a 68% increase on the previous year and reached the highest level since data collection began in September 2001. The data includes 56 arrests made in connection with attacks on Westminster Bridge, Westminster Palace, Manchester and London Bridge between March and June 2017. As investigations following these attacks led to a higher number of people released without charge, the overall number of arrests resulting in charge fell by 13.5% points to 32%. Over the year, 189 resulted in release without charge and 54 resulted in release on bail. Out of 71 trials completed by the Crown Prosecution Service during the year, 62 (87%) led to a conviction. As at 31 March 2017 there were 204 people in custody for terrorism-related offences domestic extremism / separatism, which marked a 35% increase on the previous year. [Details](#) of outcomes and demographic profile available

Asset recovery under the Proceeds of Crime Act: 2012 to 2017 – Published 12th September 2017

Home Office statistics proving a 5 year snapshot on asset recovery, using Proceeds of Crime Act show:-

- £201m of criminal proceeds were confiscated in 2016/17, representing a 19% increase on 2011/12
- Cash forfeiture has remained relatively stable over this period, averaging around £40m a year
- Collection against Priority Orders, is £94m of a possible £491m (19%) as of the end of Q4 2016/17
- Since 2011/12, £307m (or 88%) of ARIS monies has been returned to partners to fund further work
- Since 2011/12, £174m has been paid in compensation to victims from the proceeds of confiscation

Knife possession sentencing quarterly: April to June 2017 – Published 14th September 2017

Ministry of Justice statistics show a 6% increase in knife possession offences dealt with by the CJS compared to the same quarter in 2015/16. 42% of adult offenders received an immediate custodial sentence, reaching the highest level in a decade. The average custodial sentence (7.6 months) is now 3.1 months higher than in 2008

FGM Experimental statistics April to June 2017 – Published 5th September 2017

Latest collated healthcare statistics on attendances reported at NHS trusts and GP practices where Female Genital Mutilation was identified or a procedure for FGM was undertaken. 2,288 attendances were recorded between April and June 2017, of which, 1,178 were newly recorded in that they had information about their FGM recorded as part of the dataset for the first time. Data available at [CCG](#) and [local authority](#) level

Upcoming [Crime Reduction Systematic Reviews](#):

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| • Red light enforcement cameras to reduce traffic violations and injuries | TBC |
| • Effectiveness of asset-focussed interventions against organised crime | TBC |
| • Personal security alarms for the prevention of assaults | TBC |
| • Police responses to people with mental health problems | TBC |
| • The impact of police pre-arrest diversion – systematic review | TBC |

3. Audits and Inspections

[HMICFRS police inspection framework 2017/18](#) – Published 5th September 2017

Police and Fire and Rescue Service Inspection framework for 2017/18 will include:-

- Annual all-force PEEL inspections of Police Efficiency, Effectiveness and Legitimacy
- Thematic inspections of hate-crime, counter-terrorism
- Rolling programme of child protection and crime data integrity inspections
- Work to develop an inspection on fraud which will include cyber-enabled fraud
- Scoping further work on modern slavery and human trafficking, including joint work with HMCPSP
- Inspection of the National Crime Agency which will include a focus on Modern slavery
- Ongoing work on police response to vulnerable people across custody and PEEL inspection programmes which will consider how effectively forces deal with children who are absent or missing from home
- Eight new joint targeted area inspections examining how local authorities, police, probation and health services work together to help and protect children

HMICFRS also make reference to work undertaken with 14 pilot forces to develop force management statements and the subsequent work with external expertise to assist in the design of a national template for force management statements which will be rolled out in advance of May 2018

Upcoming reports and inspection activity

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| • JTAI Partnership response to children affected by domestic abuse | Pending |
| • HMIC: Modern Slavery and Human Trafficking - Phase 1 report | Pending |
| • HMIC: Crime data integrity (individual force reports) | Ongoing |

4. Reviews and Inquiries

[Lammy Review: Final Report](#) – Published 8th September 2017

David Lammy publishes final report following the independent review into the treatment of, and outcomes for Black, Asian and Minority Ethnic individuals in the criminal justice system. 35 recommendations include:-

- Rigorous assessments of a young offenders' maturity to inform sentencing decisions. Those judged to have low levels of maturity should receive extended support from the youth justice system until they are 21
- Exploring how the criminal records of ex-offenders that can prove to a judge or independent body that they have reformed can be 'sealed'. Their record would still exist, but would not be disclosed to employers etc.
- Allowing some prosecutions to be 'deferred' so that low level offenders can receive targeted rehabilitation before entering a plea and if successfully completing programmes, would see their charges dropped
- Learning from *Rangatahi* courts in New Zealand, 'Local Justice Panels' should be established where local people with a direct stake in a young offender's life are invited to contribute to their hearings
- Publishing all sentencing remarks in the Crown Court in order to make justice more transparent for victims, witnesses and offenders and address the 'trust deficit' that exists amongst BAME defendants
- CPS should revisit the current approach to prosecuting gang members, including reviewing its role in the protection of vulnerable children/young people and women who are often coerced into gang-related activities
- CPS use of new legislation such as the Modern Slavery Act 2015 (and other tools should be maximised to deal with those who exploit young people for criminal purposes
- The government should set a national target to achieve a representative judiciary and magistracy by 2025 and the Prison Service should set targets for BAME staff leadership progression over the next 5 years
- Prison governors should ensure Use of Force Committees are not ethnically homogeneous and ensure that there are consequences for officers that misuse force on more than one occasion
- A new approach should be agreed to record and publish ethnicity data. In particular, the CPS and courts should collect more data on religion so the treatment of different religious groups can be examined

Open Source Communications Analytics Research (OSCAR) Final Report – 4th September 2017

OSCAR Development Centre report on the impact of the information age and big data on police investigation, intelligence and engagement in the UK has concluded that policing analytical approaches are fragmented and the governance landscape is cluttered with multiple NPCC portfolios, working groups and national programmes. Only a small proportion of police officers and staff have the digital skills and tools needed to exploit digital intelligence to inform their investigations while too much attention has been placed upon purchasing sophisticated 'big data' technologies instead of developing the skills of analysts and users within the police. The report also highlights a national 'R&D gap' in the development of tools and techniques required by the police to keep pace with new technology. The report recommends that:-

- Police organisations recruit / access data scientists to enable new ways of working for the information age – this requires a significant shift in police understanding about what an analyst is and does
- 'Communications policing' becomes central to the police mission and seen as the new community policing
- Open Source (OS) analysis is routinely integrated into police investigative, intelligence & engagement work
- Consideration is given to the balance between generalist and specialist functions and forces move to blend corporate communications and OS intelligence capabilities to meaningfully engage with the information age
- A more unified and strategic approach is urgently adopted to make clear who 'owns' 'open source comms
- The police service engaging proactively with the regulatory environment to develop an evidence-based position on where public permission lies in terms of their different possible approaches to using public data
- UK police forces should examine their technological and data requirements - considerable sums are being spent on software platforms that provide functionality far beyond what majority of users can harness

Biometrics Commissioner: Annual Report 2016 – Published 13th September 2017

Biometrics Commissioner's provides assurance regarding the use, retention and governance of biometric data. The report notes that the National DNA Database held information on 5,462,627 subject DNA profiles around 4,784,954 individuals at the end of 2016, with the number of new subject and crime scene profiles having fallen as a result of reductions in recorded crime, persistent offenders being rearrested and changing priorities with regard to the deployment of police resources. The commissioner raises a number of concerns which include:-

- The lack of clear oversight and public discussion on the rapid and uncoordinated development of facial imaging by the police. In 2016, over 19 million facial images were held on the Police National Database, 16,644,143 of which were enrolled in the facial image recognition gallery and readily searchable
- The 'unacceptably high' error rates for when subjects' DNA samples are taken, which appear to vary by force. The NDNADSB has identified this problem as in need of urgent investigation and improvement
- A need to further research to establish what the investment return is on a particular biometric as compared to investing via other policing procedures and further work to identify the optimum mix

Cross Government Fraud Landscape Annual Report 2017 – 7th September 2017

Cabinet Office report on how the government is tackling fraud against the public sector shows that:-

- Detected fraud loss within central government rose from £30m in 2014/15 to £74m in 2015/16
- Fraud loss prevented also increased from £22m in 2014/15 to £27.5m in 2015/16 as a result of improvements in reporting, measurement and a greater government focus on the risk of fraud
- Fraud recoveries fell from £27m (inflated by one notably large recovery) in 2014/15 to £18m in 2015/16
- Although not clear, it is possible that the prevalence of fraud is increasing across all sectors generally
- Government activity to identify fraud has increased significantly since 2013 and has included random sampling, the development of Functional Standards and a Counter Fraud Framework in May 2015

5. Legislation

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

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

- Bill passes [Second Reading](#) on 11th September 2017 [Commons briefing](#)

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

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

- Bill passes [Second Reading](#) on 8th September 2017 [Lords briefing](#)

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

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

- Bill passes [Second Reading](#) on 8th September 2017 [Lords briefing](#)

[Data Protection Bill](#) - Lords 2nd reading – 10th October 2017 [Introduced 14th September 2017](#)

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 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

[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

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

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
- **Draft 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

[Security of Network and Information Systems Directive](#)

Department for Digital, Culture, Media and Sport consultation seeking views from industry, regulators and other interested parties on Government plans to implement the Security of Network and Information Systems Directive which would require essential service operators to develop a strategy and policies to understand and manage cyber security risks and implement measures to prevent attacks or system failures. Organisations failing to implement effective cyber security measures could be fined as much as £17m or 4% of global turnover

Open date: 08/08/2017

Close date: 30/09/2017

[Use of Overt Surveillance Camera Systems in public places](#)

Surveillance Camera Commissioner is seeking details on Police use of surveillance camera systems and compliance with responsibilities under the Surveillance Camera Code. PCCs are also invited to provide details of any surveillance camera systems which falls within the scope of the Code which they separately operate and any resources or financial assistance they make available to Local Authorities to help with their CCTV systems

Open date: 08/08/2017

Close date: 30/09/2017

[Laser pointers: call for evidence](#)

Department for Business, Energy and Industrial Strategy consultation seeking responses from stakeholders and the public on the market for laser pointers and how they are used. This is part of a call for evidence which will consider updating regulations governing the import and trade of laser pointers, as well as potential solutions to the misuse of lasers, such as licensing arrangements, restrictions on supply, and the introduction of a specific criminal offence for 'laser attacks' on planes or vehicles

Open date: 12/08/2017

Close date: 06/10/2017

[Draft Sentencing Guidelines for Manslaughter](#)

Sentencing Council consultation on new sentencing guidelines for four types of manslaughter which comprise unlawful manslaughter, gross negligence, manslaughter by reason of loss of control and manslaughter by reason of diminished responsibility

Open date: 04/07/2017

Close date: 10/10/2017

[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