

Police and Crime Commissioner's Horizon Scanning Briefing

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1. POLICY AND PRACTICE

[Revised guidance on use of the ASB, Crime and Policing Act 2014](#) – published 24th December 2017

Home Office issues revised statutory guidance for frontline professionals on the use of anti-social behaviour powers. The guidance takes account of [feedback](#) from charities and other groups with a view to ensuring that powers such as Public Spaces Protection Orders are used to target specific nuisance behaviours and not applied in a blanket way against specific groups – such as the homeless, buskers, dog walkers and, people simply gathering together in small groups. Other revisions include a greater focus on the vulnerability of victims, the need for relevant bodies to share information for the purposes of an ASB case review and the exceptions that exist, reference to opportunities to use powers in response to gang related activity.

[Revised Fire and Rescue National Framework published](#) – 27th December 2017

Home Office publishes and opens consultation on a revised Fire and Rescue National Framework for England. The framework sets priorities and objectives for fire and rescue authorities in England and has been updated to reflect the role of HMICFRS and the National Fire Chiefs Council, embed the transformation of local governance arrangements where Mayors and PCCs take on responsibility for fire and rescue services, and support the programme for workforce reform. The Government has also confirmed plans to introduce new rules to tackle the employment of '[boomerang bosses](#)' in England's fire and rescue services, prohibiting the re-appointment of retired senior fire officers other than in exceptional circumstances, where it is necessary to protect public safety. Any such re-appointment will need to be agreed by a vote of the members of the FRAs.

[Plans for new measures to tackle rogue landlords confirmed](#) – 28th December 2017

DCLG confirms plans strengthen local authority licensing and regulation of private sector landlords, following public consultation. Under [new rules](#), landlords letting properties occupied by 5 or more people from 2 or more separate households must be licensed, minimum size requirements will be set for bedrooms in houses of multiple occupation, and local councils will be able to make sure only rooms meeting the specified standard are used for sleeping. Furthermore, a database of rogue landlords / letting agents will be implemented in April 2018 alongside [banning orders](#) which prevent anyone convicted of certain offences from being a landlord where there is a link between the property and/or tenant. Offences include fraud, offences under the Proceeds of Crime Act 2002, production, possession or supply of illegal drugs, violent and sexual offences, harassment and stalking, offences under the Criminal Damage Act 1971 and Theft Act 1968.

[Further terror-related offences added to Unduly Lenient Sentence scheme](#) – 29th December 2017

Nine further terror-related offences will be added to the scheme which allows the public to challenge sentences handed out by the courts. These include failure to disclose information on 'terrorist property', tipping off a terrorist or any person of a terrorist investigation, failure to comply with a Terrorism Prevention and Investigation Measure and failure to comply with Temporary Exclusion Orders

[Office for Professional Body AML Supervision \(OPBAS\) launched](#) – 21st December 2017

HM Treasury announces new money laundering watchdog to directly oversee the 22 accountancy and legal professional body AML supervisors in the UK and work to ensure that they meet the high standards set out in the Money Laundering Regulations 2017, and have powers to investigate and penalise those that do not.

[Safeguarding 'hidden children' Speech by Ofsted's National Director, Social Care](#) – 21st December 2017

Recent Commons briefing papers include: [NEET Young People](#) (28th Dec), [Household Debt: Key Economic Indicators](#) (22nd Dec), [Rehabilitation in Prisons](#) (21st Dec), [Mental health in prisons](#) (20th Dec), [Personal, social, health and economic education in schools](#) (20th Dec), [Sex and Relationship Education in Schools](#) (19th Dec), [Sexual harassment in education](#) (19th Dec), [Children and young people's mental health – policy, CAMHS services, funding and education](#) (19th Dec)

Recent Parliamentary questions and debates include: House of Commons: [Statement on Police Funding and subsequent debate](#) (19th Dec)

Statutory Instrument - The Terrorism Act 2000 (Proscribed Organisations) – 22nd December 2017

- [SI 1325/2017](#) – Amends Terrorism Act 2000 to remove "Hezb-e Islami Gulbuddin" from the list of proscribed organisations concerned with terrorism and add "al-Ashtar Brigades", "al-Mukhtar Brigades", "Hasam" and "Liwa al-Thawra" to the list

Statutory Instrument - The Firearms (Amendment) Rules 2017 – 31st December 2017

- [SI 1281/2017](#) – Prohibits PCC and staff from acting as referee for firearm or shotgun certificate application

Statutory Instrument - The Police Federation (England & Wales) Regulations 2017 – 31st December 2017

- [SI 1140/2017](#) – Regulations for Police Federation membership and structure

Statutory Instrument - Independent Office for Police Conduct Regulations 2017 – 8th January 2017

- [SI 1140/2017](#) – Replaces the [IPCC](#) with the Independent Office for Police Conduct (IOPC)

Statutory Instruments coming into force following Criminal Finances Act 2017 – 31st January 2017

- [SI 1222/2017](#) - Amends Proceeds of Crime Act 2002 to include detained property and frozen funds investigations. Powers to forfeit funds in bank/building society accounts come into force on 31 Jan 2018.
- [SI 1223/2017](#) – Regulations on how a senior officer must give an account forfeiture notice under section 303Z9 of the Proceeds of Crime Act 2002
- [SI 1226/2017](#) - Regulations on how a senior officer must give a cash forfeiture notice, or account forfeiture notice under Schedule 1 to the Anti-Terrorism, Crime and Security Act 2001
- [SI 1280/2017](#) – Amends Proceeds of Crime Act 2002 to enable orders issued by criminal courts in one jurisdiction to be recognised and enforced in other jurisdictions of the UK.

2. RESEARCH, DEVELOPMENT AND STATISTICS

Public views of policing in England and Wales 2017/18 – Published 28th December 2017

IPSOS Mori publishes third annual survey into public views of policing based on over 12,000 responses from residents across England and Wales. The survey is commissioned by HMICFRS on an annual basis to help inform the PEEL inspection reports. The [2017 report](#) highlights that:-

- The main public priorities for policing are 'responding in person to emergencies' (67%), 'tackling crime of all types' (63%) and 'countering terrorism and extremism' (up from 48% to 56%)
- Satisfaction with the police service remains broadly stable at 53% although the proportion of people saying the service has got worse has increased from 20% to 25%
- 83% felt that it was important to have a regular uniformed presence, while only 17% reported having one
- The proportion of respondents that have not seen a uniformed police presence on foot in their area in the past year has risen from 36% in 2015 to 44% in 2017
- The majority of participants consider the police to carry most responsibility for the safety of victims of stalking and harassment (70%), missing people (60%) and victims of domestic abuse (48%) – while only 3% felt the police had greatest responsibility for people with mental health problems
- Although 57% felt that crime and ASB was "not much of a problem" in their area, the proportion feeling that crime and ASB is a problem has increased from 25% to 30% in the last year
- While the proportion of respondents reporting concern about online crime fell from 82% to 73% in 2017, the proportion that feel online crime should be a top police priority increased slightly from 13% to 17%
- Confidence in the police to provide protection during a terrorist incident has increased from 46% in 2016 to 55% in 2017, and is thought to have been impacted by the police response to recent terrorist incidents
- Interest in what the police are doing locally has increased from 75% in 2016 to 80% in 2017, with the main area of interest being 'what the police are doing to reduce or prevent crime and ASB' (45%)

Survivors Justice – How Survivors of domestic abuse experience the CJS – 22nd December 2017

Victim Support publishes research into the experiences of domestic abuse survivors in the criminal justice system based on in-depth interviews with survivors and a survey of VS caseworkers. The report recommends:-

- Further removing barriers to accessing CJS by improving communications and publicity around successful prosecutions and introducing "Ask and Act" across England – this approach used in Wales places a duty on relevant public sector professionals to "Ask" potential victims and "Act" on information given. The Govt. must also ensure refuges are sustainably funded and all have access to secure and safe accommodation.
- Improving the police response by ensuring all front line officers undertake training on domestic abuse delivered by specialists and IDVA services co-locate with police services where appropriate. Survivors should also be offered the opportunity to deal with a police officer of the same gender and be kept updated.
- Strengthening protection orders by making breach of DVPO a criminal offence and require the police to monitor perpetrator compliance with DVPOs throughout the duration of the order.
- Improving the court experience by ensuring all criminal courts are equipped with separate entrances, facilities and waiting rooms to avoid unnecessary contact. The scope of those eligible for Special Measures should also be increased and Specialist Domestic Violence Courts should be available to all survivors.
- Ensuring fair access to redress by paying all compensation owed to survivors of abuse in a single up-front payment and then recovering funds from the offender. The Criminal Injuries Compensation Scheme should be urgently re-examined and the 'unspent convictions' rule made more proportionate

3. AUDITS AND INSPECTIONS

Proposed fire and rescue services inspection programme/framework 2018/19 – Published 19th Dec 2017

HMICFRS publish draft inspection framework and methodology for assessing the efficiency and effectiveness of the 45 fire and rescue services in England in 2018/19. Suffolk, Staffordshire and West Yorkshire have agreed to be the three services to take part in the pilot inspections, which will take place in spring 2018.

4. REVIEWS AND INQUIRIES

[Sanitary Protection for Women and Girls in Police Custody](#) – 4th January 2017

Independent Custody Visiting Association's [briefing sheet](#) and [open letter](#) to the Home Secretary call for urgent action to protect the dignity of women and girls having their period in police custody, highlighting that:-

- Few forces appear to consistently apply College of Policing guidance on provision of hygiene packs
- There is a lack of hygienic facilities for washing always and privacy available for changing sanitary protection
- Some forces fail to pixelate CCTV observation of toilet facilities in the cells
- Women are strip-searched and have their clothing removed by officers who have no statutory guidance on how to treat women experiencing their period

The ICVA invite the Home Secretary and Minister for Women and Equalities to undertake a review of existing practice and the statutory and non-statutory guidance offered to individual forces, and for the Home Secretary to amend PACE Code C to include clear guidance on the treatment of women having their period.

[Evaluation of support to organisations delivering DART™](#) - 29th December 2017

NPCC publish evaluation of implementing the Domestic Abuse, Recovering Together (DART™) programme, which supports children and mothers that have experienced domestic abuse. This is the first service the NPCC have scaled up. The evaluation found the first professionals felt confident about delivering the DART™ programme and felt that the focus on the relationship between the mother and her child was important, instead of working with both in isolation. Although 8 organisations had been trained, only 2 were actively delivering DART™ by April 2017. Unforeseen barriers to running the programme included problems with funding, staffing, transport, venues and issues with taking children out of school. The findings have led to improvements in the way DART™ is scaled-up which include stronger assessments to help identify whether organisations are ready for delivery, a breakdown of anticipated costs, more support to tackle challenges which may arise and helping organisations to link up with each other so they can share waiting lists, costs and staff members.

[Support for non-EEA migrant child victims of modern slavery](#) – 19th December 2017

Home Office and DfE review of local authority support for non-European Economic Area (EEA) migrant children identified as potential victims of modern slavery and trafficking finds variation in approaches taken by different local authorities and a lack of services commissioned or designed specifically for this cohort. Foster care, supported accommodation and supported lodgings were among the most commonly identified areas of undersupply, while access to mental health services and support networks to enable children to maintain contact with their culture of origin were also identified as key gaps in specialist services.

Open Inquiries:

- [Delivery of Brexit: policing and security cooperation inquiry](#) – Home Affairs Committee
- [Transforming Rehabilitation inquiry](#) – Justice Committee
- [Hate crime and its violent consequences](#) – Commons Select Committee
- [Harassment and intimidation near abortion clinics](#) – Home Affairs Committee
- [Homelessness Reduction Act inquiry](#) – CLG Committee
- [Business rates retention inquiry](#) - CLG Committee
- [Air weapon regulation](#) – Home Office
- [Policing for the future inquiry](#) – Home Affairs Committee
- [Emergency Services Network](#) – Public Accounts Committee
- [Offender-monitoring tags](#) – Public Accounts Committee
- [Prison Population 2022: Planning for the Future](#) – Justice Committee Inquiry
- [Mental Health in Prisons](#) - Public Accounts Committee Inquiry
- [Spread of so-called 'pop-up' brothels](#) – APPG on prostitution
- [Child Sexual Abuse Independent Inquiry](#) – Independent
- [Pitchford Undercover Policing inquiry](#) - Independent

5. LEGISLATION

[Data Protection Bill](#) - Lords Report Stage – 10th January 2018

[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. [Government fact sheets](#)

[Sanctions and Anti-Money Laundering Bill](#) – Lords Report Stage – 15th Jan 2018

[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](#)

[European Union \(Withdrawal\) Bill](#) – Commons Report Stage – 16th Jan 2018

[Commons briefing](#)

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

[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

[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

[Laser Misuse \(Vehicles\) Bill](#) - Lords 2nd reading – 9th January 2018

[Lords briefing](#)

Government bill to make provision creating new offence of shining or directing a laser beam towards a vehicle

[Secure Tenancies \(Victims of Domestic Abuse\) Bill](#) - Lords 2nd reading – 9th January 2018

Government bill to make provision about granting of old-style secure tenancies in cases of domestic abuse.

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

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

[Emergency Response Drivers \(Protections\) Bill](#) - Commons 2nd reading – 22nd Feb 2018

Private Members' Bill to protect drivers of emergency vehicles responding to emergencies from civil liability and criminal prosecution in specified circumstances and related provision about criminal proceedings

[Service Animals \(Offences\) Bill](#) - Commons 2nd reading – 22nd Feb 2018

Private Members' Bill to make it an offence to attack service animals, including police dogs and horses; to make certain offences aggravated when perpetrated against such animals

[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 consider PCC police and crime plans, 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
- Courts Bill
- Drone Bill

6. CONSULTATIONS

[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

[Provisional police grant report: 2018 to 2019](#)

Home Office consultation on provisional report setting out the aggregate amount of grants proposed for the police in England and Wales for 2018 to 2019 and proposed amount of grant for each local policing body

Open date: 19/12/2017

Close date: 16/01/2018

[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](#)

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

[Modernisation of courts and tribunals](#)

HM Courts & Tribunals Service Roadshow events seeking views from providers and legal professionals on the £1 billion modernisation programme which is due to be completed in 2022. First dates to be announced include:

29/01/2018 - Birmingham Institution of Engineering and Technology Centre

05/02/2018 - Winchester Combined Court

19/02/2018 - Leeds Magistrates' Court

[Draft Animal Welfare \(Sentencing and Recognition of Sentience\) Bill 2017](#)

Department for Environment, Food & Rural Affairs consultation on draft government bill which would ensure animals are defined in UK law as sentient beings and increase the maximum penalty for animal welfare cruelty offences from 6 months to 5 years imprisonment

Open date: 12/12/2017

Close date: 31/01/2018

[Changes to the teaching of Sex & Relationship Education and PSHE](#)

Department for Education call for evidence to inform proposals to update the existing Sex and Relationship guidance which, was last updated in 2000, in order to support schools in delivering the new subjects of Relationships Education at primary and Relationships and Sex Education (RSE) at secondary

Open date: 19/12/2017

Close date: 12/02/2018

[A revised Fire and Rescue National Framework for England](#)

Home Office consultation on revised Fire and Rescue National Framework to update the version last issued in 2012. The framework sets priorities and objectives for fire and rescue authorities in England and has been updated to take account of the fire reform programme and provisions in the Policing and Crime Act 2017.

Open date: 27/12/2017

Close date: 14/02/2018

[Proposed fire and rescue services inspection programme and framework 2018/19](#)

HMICFRS consultation on proposed inspection framework to assess and report on the efficiency and effectiveness of the 45 fire and rescue services in England. We will use the consultation responses to develop a programme and framework, and methodology for our inspections.

Open date: 19/12/2017

Close date: 19/02/2018

[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