

Horizon Scanning e-Briefing: 10 February 2020



Police and Crime Commissioner's Horizon Scanning Briefing

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If you would like to be included on our mailing list, please contact [Dan Howitt](#), Nottinghamshire OPCC

1. POLICY AND PRACTICE

[Apply for funding: Safer Streets Fund - 26 January 2020](#)

Home Office publishes details of the application process for the £25m Safer Streets Fund. PCCs can apply for funding of up to £550,000 for crime prevention initiatives, such as street lighting and home security in areas affected by high levels of acquisitive crime. The prospectus covers area eligibility, what can be funded, implementation support and evaluation and the funding timeline. The deadline for bids is midnight on 20 March 2020. Bidders will be informed whether they have been successful by the end of May 2020.

[Government confirm additional funding for rape and sexual assault services – 7 February 2020](#)

Ministry of Justice confirms an increase in contribution towards rape and sexual assault services via the Rape Support Fund. Funding will increase from £8m per year to £12m per year – equating to £32m investment over the next three years. This includes additional funding to provide more stability and security to rape support centres and £1m investment to recruit more Independent Sexual Violence Advisors (ISVAs) across the country.

[Home Office consult on proposals to reform pre-charge bail – 5 February 2020](#)

Home Office publish proposals for further reform of pre-charge bail in response to stakeholder concerns about the impact of rule changes made in 2017 which limited the length of pre-charge bail to an initial 28 days and required any extension of bail conditions for up to 3 months to be authorised by a senior officer. Proposals include removing the presumption against pre-charge bail, placing a duty on officers to use pre-charge bail in cases where it is necessary and proportionate; allowing officers of a lower rank to authorise and extend pre-charge bail; extending the initial period where pre-charge bail can be applied from 28 to either 60 or 90 days and introducing 'review points' in codes of practice for investigations where pre-charge bail is not used. The consultation forms part of the government's review of pre-charge bail legislation launched in November 2019.

[Met Police announce plans for full operational use of Live Facial Recognition – 24 January 2020](#)

Metropolitan Police and Information Commissioner's Office announce plans for wider use of live facial recognition technology in public places following an investigation into its use in 2019 which identified public support for the approach. The ICO acknowledges that an appropriately governed, targeted and intelligence-led deployment of LFR may meet the threshold of strict necessity for law enforcement purposes. The ICO has received assurances from the MPS that it is considering the impact of this technology and is taking steps to reduce intrusion and comply with the requirements of data protection legislation.

Commissioner's e-Briefing: 10 February 2020

[BlueLight Commercial Ltd recruitment underway](#) – 21 January 2020

National Commercial Board, National Police Chiefs' Council (NPCC) and the Association of Police and Crime Commissioners (APCC) make preparations for the commercial organisation which will work across police forces to improve commercial practices; provide market management and leadership; deliver strategic supplier management; produce additional cashable savings; and increase revenue generation. Recruitment is underway with plans to launch the new organisation on 1 June 2020, following PCC elections in May 2020.

[Draft Police and Crime Commissioner Elections \(Amendment\) Order 2020](#) – 14 January 2020

Draft legislation yet to be made a Statutory Instrument. Amends the Police and Crime Commissioner Elections Order 2012 by enabling [disability-related campaign expenses](#) to be excluded from candidates' spending limits, enabling election forms to be amended in police areas where the PCC is also the fire and rescue authority for that area and ensuring candidates declare that they are not nominated for election for any other police area.

[Home Office Guidance: Policing professional standards, performance and integrity](#) – 5 February 2020

Revised police misconduct guidance effective for cases after 1 February 2020. This superseding Home Office guidance issued in December 2017 with changes including: further guidance on the regulations for former officers; clarification that police staff who are under local probationary rules will not be included on the barred list and; greater clarity regarding the triggers and process for the advisory list.

[IOPC Statutory Guidance on the Police Complaints System](#) – 4 February 2020

[Home Office Guidance: Removal from association and temporary confinement](#) – 31 January 2020

[Home Office Guidance: Proposed human tissue policy for police forces](#) – 27 January 2020

[NPCC Guidelines for Charging For Police Services](#) – 30 January 2020

[NPCC Guidelines for Charging For Police Services: Mutual Aid Cost Recovery](#) – 30 January 2020

[NSPCC Podcast: Assessing sexualised behaviour](#) – 27 January 2020

Latest in a [series](#) of podcasts on child protection and safeguarding. Next episode available 10 February 2020

[Updated Home Office Female genital mutilation: resource pack](#) – 4 February 2020

[IOPC Monthly Round Up: December 2019](#) - Published 5 February 2020

[College of Policing Brief: January/February 2020](#) – Published 7 February 2020

Recent Parliamentary briefings: [Policing in the UK](#) (7 Feb), [Alcohol: minimum pricing](#) (6 Feb), [Public service pension increases](#) (4 Feb), [Bullying in UK Schools](#) (4 Feb), [Predictive and Decision-making Algorithms in Public Policy](#) (3 Feb), [Youth Custody](#) (31 Jan), [Sexual harassment in education](#) (31 Jan), [Public Venues: Safety and Security](#) (28 Jan), [Policing and crime: Opposition Day Debate](#) (28 Jan), [The Troubled Families programme](#) (28 Jan), [Non-Custodial Sentences](#) (27 Jan), [Release from prison in England and Wales](#) (24 Jan)

Recent Parliamentary debates: [Organised Waste Crime](#) (6 Feb), [Crime: Support for Children and Young People](#) (5 Feb), [Policing and Crime](#) (29 Jan), [Mental Health Act: Section 136](#) (28 Jan), [Criminal Law](#) (28 Jan)

2. RESEARCH, DEVELOPMENT AND STATISTICS

Substance misuse treatment in secure settings: 2018/19 – Published 30 January 2020

Public Health England publish statistics from PHE's national drug treatment monitoring system (NDTMS) on alcohol and drug misuse treatment in prisons and other secure settings. There were 53,193 adults in alcohol and drug treatment in prisons and secure settings during 2018/19, of which around 65% (34,590) started treatment during the year. Of those starting treatment, 50% said they had a problem with opiate use, the majority of which (75%) also had a problem with crack cocaine. 30,882 people left treatment in secure settings in 2018/19, with 27% being discharged after completing their treatment free of dependence. There were 1,276 young people receiving treatment for drug and alcohol problems in secure settings in 2018/19, with cannabis being the most common problem (94%). Of the 926 young people who left treatment in secure settings in 2018 to 2019, 29% completed their treatment successfully.

A Diversity Uplift? Police Workforce gender and ethnicity trends – 30 January 2020

Police Foundation paper considers the 'once-in-a-generation' opportunity to dramatically improve diversity within the police workforce as a result of the planned 20,000 uplift in police officer numbers. The report notes that the percentage of police officers who are female has been steadily increasing across the ranks since 2007, while BAME representation differs by role, with representation among police staff and PCSOs being higher. The main driver of increasing ethnic diversity since 2007 has been the recruitment of Asian and mixed ethnicity officers, especially men, while black representation has seen little change. Diversity varies widely between police forces as do changes to diversity over time and incomplete data continues to limit our understanding. The report contains a profile of levels of ethnicity 'not stated' by police force area.

Police workforce statistics as at 30 September 2019 – Published 30 January 2020

Home Office mid-year update of the Police workforce statistics showing 124,784 territorial FTE police officers employed across England and Wales as at 30 September 2019, marking an increase of 1.9% on the previous year. This follows a significant decline between 2009 and 2017. Despite an overall increase, 11 police forces saw reductions in police officer numbers during the year. The number of police staff and designated officers (70,737) employed across England and Wales increased by 3.6% over the same period, while the number of PCSOs (9,292) fell by 5.1%. Experimental statistics indicate that there were around 2,360 cases assessed as misconduct or gross misconduct in 2018/19, of which proceedings were brought in around 1,373 cases.

[Workforce](#) and [misconduct](#) data available at police force level

Police Officer uplift statistics update – Published 30 January 2020

Home Office announce plans to report separately on progress with the recruitment of an additional 20,000 officers in England and Wales by end of March 2023. A new baseline will be set using headcount figures for the Police Workforce as at 31 March 2019 which makes adjustments for changes in workforce establishment levels during 2019/20 as a result of local council tax precept increases and other pre-planned variables. Progress to 31 December 2019 will be officially reported in April 2020 and at subsequent quarterly intervals.

Detailed analysis of non-fire incidents in England, 2018/19 – Published 30 January 2020

Annual Home Office report highlighting a 6% decrease in non-fire incidents attended by fire and rescue services in 2018/19. Despite this, the number of road traffic collisions (31,090) attended by fire and rescue services increased by 3%, as did the number of call outs for 'effecting entry / exit' (24,874). The number of medical incidents attended, however, fell by 40% to 19,903, largely due to the emergency medical responding trials ending. Although much lower in volume, the number of attendances for suicide (including attempts), rose by 18% to 1,907, while the number of suicide-related fatalities remained stable (265). A total of 2,458 fatalities relating to in non-fire incidents were recorded in 2018/19, marking a decrease of 36% on the previous year.

Data available at [FRS level](#)

Youth justice statistics: 2018/19 - Published 30 January 2020

Annual Youth Justice Board publication highlights an 83% reduction in the number of children receiving a caution or sentence over the last ten years and an 85% reduction in first time entrants (11,900). In the most recent year, cautions or sentences and first time entrants have reduced by 19% and 18% respectively, while the number of knife and offensive weapon offences committed by children (4,500) fell by 1% after four years of consecutive increases. The number of children held in youth custody on remand has increased by 12% in the last year and accounted for 28% of all children in youth custody. The reoffending rate, however, has fallen by 2.5% points over the last year to 38.4%, but remains higher than levels a decade ago (37.1%).

Proven reoffending statistics: January to March 2018 – Published 30 January 2020

Ministry of Justice statistics showing a 28.7% proven re-offending rate among offenders released from custody or receiving a non-custodial conviction or caution between January and March 2018. This remains broadly consistent with levels over the last 12 years which have fluctuated between 28.7% and 31.8%. The proven re-offending rate for adults and juveniles was 28.0% and 39.2% respectively.

Payment by Results statistics: October 2015 to March 2019 – Published 30 January 2020

Proven reoffending statistics for adult offenders being managed by Community Rehabilitation Companies, under Payment by Results arrangements, and by the National Probation Service. 17 out of 21 CRCs achieved significant reductions in the binary rate of reoffending compared to the 2011 baseline

Offender Management Statistics quarterly: July to September 2019 – Published 30 January 2020

Ministry of Justice statistics highlight no significant change in the total prison population (82,868) over the last year with the number of first receptions (18,806) falling by 1% and releases (15,699) falling by 8% as the prison population shifts towards those serving longer sentences. Licence recalls (7,015) increased by 12%, partly driven by increases in recalls from determinate sentences, while offenders on probation (252,197) fell by 2%.

Community performance quarterly to September 2019 – Published 30 January 2020

Latest quarterly Ministry of Justice statistics show stable CRC performance, with 8 out of 18 CRCs meeting or exceeding targets. NPS performance is also stable with all 18 NPS measures meeting or exceeding target.

Safety in custody: quarterly update to September 2019 – Published 30 January 2020

Latest Ministry of Justice prison safety statistics highlight an 8% reduction in deaths in prison (300) over the last year and a 9% reduction in self-inflicted deaths (84). Self-harm incidents continue to rise (+16%), reaching a record high of 61,461 in the latest year. The number of individuals self-harming increased by 2% to 12,740. Incidents of assault (33,222) have begun to fall (-2%), with a 1% reduction in serious assaults (3,895) and a 3% reduction in serious assaults on staff (966).

CPS data summary to September 2019 – Published 30 January 2020

CPS commences publication of [quarterly data summaries](#) as part of their ongoing commitment to transparency. Latest data highlights an ongoing decrease in receipts from the police which are resulting in fewer defendants prosecuted in the magistrates' and crown courts. The average time to charge is also increasing linked to the increasing complexity of offences prosecuted. Pre-charge receipts for domestic abuse (86,665), [rape](#) (2,890) and child abuse (6,609) saw quarter on quarter reductions during the year to September 2019.

Police Knowledge Hub webinars – 19 February 2020

The College of Policing and the Police ICT Company are working to promote the '[Knowledge Hub](#)' website as an accessible and secure place for those working in policing to share information and good practice following the closure of Police Online Knowledge Area (POLKA) on 31 January 2020. Those wishing to find out more can access the [frequently asked questions](#) or join a [webinar](#) taking place at 3pm on Wednesday, 19 February.

3. AUDITS AND INSPECTIONS

[PEEL spotlight report: Diverging under pressure - Overview of 2018/19 inspections](#) – 7 February 2020

HMICFRS overview report of the PEEL (Police effectiveness, efficiency and legitimacy) inspections of all 43 forces in 2018/19 highlights that while many forces are performing well under pressure, particularly in protecting vulnerable people and tackling serious and organised crime, victims of crime face increasingly divergent experiences. The report notes a divergence in performance and delivery across England and Wales, most notably with regard to efficiency, understanding capacity and demand and planning for the future.

Specific areas for improvement identified by the 2018/18 PEEL inspections include:-

- Improving the use of community intelligence – affected in part by a lack of neighbourhood policing capacity
- Improving the ability to retrieve digital information to reduce investigation delays and impact on victims
- Doing more to progress cases in which victims do not support prosecution (evidence-led prosecutions)
- Information and communications technology where systems are not interoperable or procured jointly
- Understanding the cause of disproportionate use of stop and search, particularly as use of these powers increases. HMICFRS express disappointment that no force has fully complied the recommendation made in 2017 legitimacy inspection to ensure they understand how and why they are using these powers

HMICFRS also announce plans to introduce a victim service assessment into future PEEL inspections which will track victims' experiences of a force, including the initial call and response, the recording, allocation and investigation of crime, and the appropriateness of the outcome.

[HMICFRS PEEL: Police effectiveness, efficiency and legitimacy 2018/19 \(Group 3\)](#) – 7 February 2020

Findings from the final 14 forces inspected as part of the 2018/19 PEEL inspection programme show that:

- 13 were assessed as 'good' at effectively reducing crime and keeping people safe (1 requiring improvement)
- 8 were assessed as 'good' at operating efficiently and providing sustainable services to the public. This area showed the greatest variation, with 3 'requiring improvement' and 3 being assessed as 'outstanding'
- 13 were assessed as 'good' in how they treat the public and their workforce, with 1 requiring improvement

[The multi-agency response to child sexual abuse in the family environment](#) – 4 February 2020

HMICFRS, HMI Probation, Care Quality Commission and Ofsted joint thematic inspection report on the multi-agency response to child sexual abuse in the family environment concludes that:-

- Frontline professionals are not sufficiently equipped to identify perpetrators and their escalation patterns
- Preventative work is largely absent or focused on known offenders rather than being community or child
- Professionals rely too heavily on children verbally disclosing abuse rather than spotting signs and symptoms
- Professionals often react solely to the act of harmful sexual behaviour as opposed to its causes
- Practice is too police-led and not sufficiently child-centred. Too often, health agencies are not involved at all.
- The quality of criminal investigations is sometimes poor. This can include delays in arresting or questioning suspects, delays in forensic examination of digital equipment and police accepting voluntary attendance
- Children and non-perpetrating parents and family members are not supported well enough.

The report calls on children's social care, health professionals, the police and probation officers to give sexual abuse a higher priority and for local area leaders across all agencies to provide better training and support for frontline professionals on the issue in the absence of clear national and local strategies and approaches.

Upcoming reports and inspection activity

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| • HMICFRS: Police Control Room (Thematic) | Pending |
| • <u>National Joint Targeted area inspections of Child Protection Thematic</u> | Pending |
| • Integrated Offender Management: Follow-up to explore IOM in TR environment | Early 2020 |

4. REVIEWS AND INQUIRIES

[Independent Review of statutory multi-agency public protection arrangements \(MAPPA\) – 24 Jan 2020](#)

Ministry of Justice launches independent review of the effectiveness of MAPPA in managing Terrorism Act (TACT) and TACT-related offenders and those who are assessed to be engaging in terrorism-related activity within the Prison Estate. The review will be distinct but complementary to any ongoing work including the Multi Agency Case Review and the current HMPSS Reviews of MAPPA Level 1.

[Improving the prison estate – 7 February 2020](#)

National Audit Office report examines how HMPPS have handled prison reforms since 2015 by assessing HMPPS's approach to managing the maintenance of its prisons; and HMPPS's performance in building new prisons, selling unsuitable prisons and reorganising prison places. The report concludes that while HMPPS has committed to providing a safe, secure and decent prison estate, its plans to achieve this are failing. It has not been able to provide enough prison places, in the right type of prisons, and at the right time, to meet demand. The Prison Estate Transformation Programme has not delivered expected efficiencies and represents poor value for money. The report notes that HMPPS is taking welcome steps to improve its understanding of the condition of the prison estate, and now better understands the significant gap between its ambitions and the available resources. In responding to the government's new commitment to create 10,000 new prison places, HMPPS must resist a reactive approach and put its long-term plans on a secure footing.

[HMCTS Transforming courts and tribunals update – 30 January 2020](#)

HMCTS update on each of the stakeholder engagement commitments made since November 2018 following Public Accounts Committee recommendations. The response also outlines plans and commitments for 2020.

5. LEGISLATION

[Air Traffic Management and Unmanned Aircraft Bill](#)

Government Bill includes further provisions to tackle unlawful use of drones including new powers for police and prison authorities to tackle the unlawful use of unmanned aircraft (UA), require a person to land UA and enhanced stop and search powers when UA-related offences are suspected.

- [Commons Library Briefing](#) – 4 February 2020
- [Committee stage in the House of Lords](#) – 10 February

[Extradition \(Provisional Arrest\) Bill](#)

Government Bill to create a power of arrest, without warrant, for the purpose of extraditing people for serious offences. Addresses gaps' in current arrangements for cooperation with foreign states in the event of no longer having access to the European Arrest Warrant

- [Second reading in House of Lords](#) – 4 February 2020

[Prisoners \(Disclosure of Information about Victims\) Bill 2019-20](#)

Government Bill to require Parole Board to take account of failure by prisoners serving sentence for unlawful killing or for taking or making an indecent image of a child to disclose information about the victim

- [Commons Library briefing](#) – 6 February 2020
- Second reading – 11 February 2020

[Sentencing \(Pre-consolidation Amendments\) Bill](#)

Government Bill to consolidate the law on sentencing procedure in England and Wales and to ensure the most serious and violent offenders serve more of their sentences in custody

- [Lords Library Briefing](#) – 4 February
- Second reading – 11 February 2020

[Divorce, Dissolution and Separation Bill](#)

Government Bill to remove unnecessary conflict during the divorce process in which children are often caught up, while ensuring that divorce remains a carefully considered decision

- o [Second reading in the House of Lords](#) – 5 February 2020

Other Government Bills

- [Counter-Terrorism \(Sentencing and Release\) Bill](#)
- [Serious Violence Bill](#)
- [Police Powers and Protections Bill](#)
- [Foreign National Offenders Bill](#)
- [Domestic Abuse Bill](#)
- [Online Harms Bill](#)

Private Member's Bills

[Prisons \(Substance Testing\) Bill 2019-20](#) - Introduced 5 February 2020

Private Member's Bill to make provision about substance testing in prisons and similar institutions.

Second Reading in House of Commons – 15 May 2020

[Policing Resources Bill 2019-20](#) - Introduced 5 February 2020

Private Member's Bill to make provision to ensure that the police forces in England and Wales have sufficient resources to deliver police services; and for connected purposes. Second Reading in House of Lords – TBA

[Age of Criminal Responsibility Bill 2019-20](#) - Introduced 4 February 2020

Private Member's Bill to raise the age of criminal responsibility. Second Reading in House of Lords – TBA

[Automated Facial Recognition Technology \(Moratorium and Review\) Bill](#) - Introduced 4 February 2020

Private Member's Bill to prohibit the use of automated facial recognition technology in public places and to provide for a review of its use. Second Reading in House of Lords – TBA

[Duty to Plan for Terrorism \(Consultation\) Bill](#) - Introduced 3 February 2020

Private Member's Bill to provide for a consultation on the introduction of a Duty to Plan requiring Category 1 responders to plan for terrorist threats and requiring those responsible for places to which the public have access to consider the vulnerability of those places to attack and take measures to mitigate any such vulnerability. Second Reading in House of Lords – TBA

[Public Contracts \(Modern Slavery\) Bill](#) - Introduced 3 February 2020

Private Member's Bill to make provision for the avoidance of modern slavery in the procurement of public contracts; and for connected purposes. Second Reading in House of Lords – TBA

[Police Conduct \(Operation Conifer\) Bill](#) - Introduced 29 January 2020

Private Member's Bill to make provision for an inquiry into police conduct of Operation Conifer to be established. Second Reading in House of Lords – TBA

- [Criminal Records Bill](#)
- [Online Harms Reduction Regulator \(Report\) Bill](#)
- [Victims of Crime \(Rights, Entitlements, and Notification of CSA\)](#)
- [Modern Slavery \(Victim Support\) Bill](#) – 13 January 2020

6. CONSULTATIONS

[Call for Evidence: Use of the Modern Slavery Act's Section 45 statutory defence](#)

Independent Anti-Slavery Commissioner call for written evidence from experts, stakeholders and those with practical experience and knowledge of cases involving use of the Modern Slavery Act's Section 45 statutory defence. The Commissioner will hold a roundtable in late April to discuss issues raised which will go on to inform a publication highlighting issues, trends and policy recommendations.

Open date: 17/01/2020

Close date: 02/03/2020

[Decriminalising TV licence evasion](#)

Department for Digital, Culture, Media and Sport consultation on proposals to decriminalise TV licence evasion in order to ensure a proportionate and fair approach to licence fee penalties and payments is in place, which protects the most vulnerable people in society.

Open date: 05/02/2020

Close date: 01/04/2020

[Strengthening police powers to tackle unauthorised encampments](#)

Home Office consultation on measures to criminalise trespassing when setting up an unauthorised encampment or alternative approaches such as permitting the police to direct trespassers to suitable authorised sites located in neighbouring local authority areas, increasing the period of time in which trespassers directed from land would be unable to return from 3 months to 12 months or lowering the number of vehicles needing to be involved in an unauthorised encampment before police powers can be exercised.

Open date: 05/11/2019

Close date: 04/04/2020

[Drug offences consultation](#)

Sentencing Council consultation on proposals to revise sentencing guidelines for five drug offences under the Misuse of Drugs Act (MDA) 1971 in line with the changing nature and severity of offending involving emerging drugs and new offences in psychoactive substances – and to introduce four guidelines for new offences created by the Psychoactive Substances Act (PSA) 2016.

Open date: 15/01/2020

Close date: 07/04/2020

[Magistrates' Court Sentencing Guidelines for driving offences disqualifications](#)

Sentencing Council consultation on proposals revise guidelines for driving offences disqualifications, breach of community orders and clarifications to some explanatory materials. Proposed new guidance covers 'totting up' disqualifications, which are imposed when an offender incurs 12 or more points on their licence. Drivers can avoid disqualification if they successfully claim that not being able to drive would lead to "exceptional hardship".

Open date: 22/01/2020

Close date: 15/04/2020

[Police powers: pre-charge bail](#)

Home Office consultation on proposals to end the presumption against pre-charge bail, introduce requirements for consideration when applying pre-charge bail, amending statutory timescales and authorisations and introducing a new framework for the supervision of suspects released under investigation (RUI) and Voluntary Attendance. The consultation forms part of the government's review of pre-charge bail legislation following stakeholder concerns raised about the impact of rule changes made in 2017.

Open date: 05/05/2020

Close date: 29/04/2020