

Police and Crime Commissioner's Horizon Scanning Briefing

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1. POLICY AND PRACTICE

[Government confirms further £60m Coronavirus surge funding – 8 October 2020](#)

An additional £30 million surge funding will be awarded to both the police and local councils to help ensure compliance with coronavirus restrictions and the NHS Test & Trace programme. The policing element will be used for enforcement, with forces being required to provide the Home Office with enforcement plans to demonstrate how the money is being used. The government will publish new guidance for councils outlining options and opportunities to use the funding, which could include enforcement activity, helping the public and businesses understand the latest regulations and funding the cost of marshals or other dedicated staff.

[Police income loss recovery scheme launched – 8 October 2020](#)

Home Office launch a one off income loss recovery scheme which enables PCCs to recover 75% of income lost as a result of the COVID-19 restrictions – once forces have absorbed 5% of their losses. The scheme will apply to income anticipated via activities such as the policing of sporting fixtures or providing security at airports.

[Domestic abuse capacity building fund announced for local authorities – 5 October 2020](#)

Ministry of Housing, Communities & Local Government [announces](#) a £6 million Domestic Abuse Capacity Building Fund to help local authorities undertake early planning and preparation for their new duty to assess the need and commission support for victims and their children in domestic abuse safe accommodation. Each Tier 1 local authority will receive £50,000. The new duty will come into force in April 2021.

[Increased funding for national child sexual abuse charities – 29 September 2020](#)

Home Office and Ministry of Justice double the Support for Victims and Survivors of Child Sexual Abuse Fund to £2.4m and provide a 2 year grant award in order to provide greater stability to the eight national voluntary sector organisations supported. Improving support for victims and survivors will be a key component of the forthcoming cross-government strategy on child sexual abuse, which will drive collaboration between law enforcement, safeguarding partners and industry to take a more joined up approach to tackling child abuse.

[Circular 002/2020: Amendments to annex U under Police Regulations 2003 – 6 October 2020](#)

Amendment enabling officers engaged on core protection duties to claim a protection allowance from 1 December 2020. Also extends flexibility for chief constables to make discretionary payments of up to £4,000 a year for officers in hard to fill and demanding roles through to 5 April 2021.

[Updated list of Nightingale courts in operation during the coronavirus outbreak – 25 September 2020](#)

Commissioner's e-Briefing: 12 October 2020

IOPC Focus: Local death or serious injury report – 30 September 2020

Publication for police professional standards departments (PSDs) and local policing bodies which provides practical guidance on dealing with complaints, conduct matters, and death or serious injury (DSI) cases. This issue focuses on handling DSI reports within the Police Reform Act 2002.

SARs In Action: September 2020 – Published 30 September 2020

Monthly UKFIU publication aimed at all stakeholders in the Suspicious Activity Reports (SARs) regime

Strengthening probation, building confidence: October Bulletin – Published 7 October 2020

Monthly update on progress of HM Prison & Probation Service's probation reform and recovery programmes.

Let Everyone Advance with Dignity (LEAD) Briefing – 1 October 2020

Launch of 'LEAD', a police-led diversion approach for young adults (18-25) who are at risk of becoming trapped in the revolving door of crime and crisis.

HMCTS management information: August 2020 – Published 8 October 2020

Recent Parliamentary briefings: [Coronavirus: the lockdown laws](#) (6 Oct), [Knife crime statistics](#) (6 Oct), [Ethnicity and the criminal justice system](#) (2 Oct), [Gang associated girls](#) (2 Oct), [Online Harms](#) (1 Oct), [Coronavirus: Rule of six regulations](#) (1 Oct), [Economic crime in the UK](#) (28 Sep), [Race and Ethnic Disparities](#) (27 Sep)

Recent Parliamentary debates: [Prisoners \(Disclosure of Information About Victims\) Bill](#) (6 Oct), [Crime: Emergency Services Staff](#) (1 Oct), [Police Funding](#) (28 Sep), [Police officer numbers](#) (28 Sep), [Rural Crime Reduction](#) (28 Sep), [Topical Questions](#) (28 Sep)

2. RESEARCH, DEVELOPMENT AND STATISTICS

Provisional data on crime and Coronavirus Restriction enforcement – 30 September 2020

NPCC release provisional data for the four weeks to 30 August 2020 which indicate that crime trends have returned close to pre-lockdown levels after a 28% reduction at the height of lockdown. Mental health incidents increased by 5% over the reporting period, while assaults on emergency service workers increased by 29% compared to the same period during the previous year. Reported rape increased by 4% and recorded domestic abuse incidents increased by 7%. Overall however, domestic abuse incidents have remained relatively stable through 2020 with observable increases above 2019 levels reported around bank holiday weekends.

In terms of Coronavirus Restriction enforcement, a total of 18,912 FPNs have been recorded as issued in England and Wales under Coronavirus Regulations between 27 March and 21 September. 20 FPNs have been issued under regulations relating to holding a gathering of more than thirty people and 15 FPNs were issued under the new 'Rule of Six' in England since 14 September. 89 fines were issued between 15 June and 21 September for breaches of the Face Coverings Regulations across England and Wales, the majority of which were issued against the regulations concerning wearing a face covering on public transport (61). Of the 4,114 public health authority referrals to territorial police forces to investigate compliance with International Travel Quarantine requirements, 218 cases found a person to be in breach of the regulation, but no further action was necessary as they were successfully encouraged to self-isolate. A further 38 cases saw fines issued for failing to self-isolate after arriving in England from a country on the UK Government Quarantine list. Out of a total of 18,646 enforcement letters for payment of fines sent by ACRO across England and Wales, 9,413 have not yet paid and therefore fall to be considered for prosecution. [FPN data available at police force level](#)

[A Process Evaluation of the Enhanced Through the Gate specification](#) – 1 October 2020

Ministry of Justice evaluation of enhanced HM Prisons and Probation Service resettlement offer finds that the enhanced specification has delivered positive change and more manageable caseloads which has created more time for multi-agency working and one-to-one time with service users. Staff reported that some cohorts, however remain disadvantaged in the provision of ETTG services due to their short time in custody.

[Reported road casualties Great Britain, annual report: 2019](#) – Published 30 September 2020

Final statistics showing that there were 1,752 reported road deaths in Great Britain in 2019, similar to the level seen since 2012. 153,158 road traffic accident casualties were reported, representing a 5% decrease on 2018. There were 25,945 seriously injured road traffic casualties reported in 2019, however this is not comparable to previous figures due to a number of police forces introducing new reporting systems since 2016 (24,101).

[Knife crime statistics: Commons Briefing Paper](#) - 6 October 2020

Provides an overview of recorded crime, findings from the Crime Survey for England and Wales, homicide rates, hospital admissions and sentencing statistics and details of knife crime offences by police force area.

[National DNA Database statistics to September 2020](#) – Published 6 October 2020

Quarterly Home Office statistical release profiling the number of crime matches and subject samples from the national DNA database, including breakdown by gender, ethnic appearance and age.

[Detailed analysis of fires attended by Fire and Rescue Services 2019/20](#) – Published 1 October 2020

In 2019/20, 557,299 incidents were attended by FRSs in England, marking a 3% decrease on 2018/19. This was largely driven by a decrease in the number of secondary fires attended following the hot, dry summer of 2018. [Data available at FRS and LSOA level.](#)

[Poverty, Isolation and Uncertainty: COVID-19 and the Revolving Door](#) – 8 October 2020

Revolving Doors paper exploring the experiences of people in regular contact with the justice system or with combined mental ill-health, substance use, domestic violence and/or homelessness issues during lockdown.

[Coronavirus \(COVID-19\) roundup: People and social impacts](#) – 9 October 2020

ONS round up of the latest data and analysis related to the coronavirus (COVID-19) pandemic and its impact

Upcoming statistical publications

- Hate crime, England and Wales, 2019 to 2020 – 13 October 2020
ONS publication detailing trends in hate crime from police data and findings from the Crime Survey for England and Wales. Information will also be published on offences during the COVID-19 restrictions period
- Crime and crime outcomes in England and Wales to June 2020 – 15 October 2020
- Police powers and procedures, England and Wales, 2019/20 – 22 October 2020
- Fire and rescue workforce and pensions statistics 2019/20 – 22 October 2020
- Police officer uplift, quarterly update to September 2020 – October 2020
- Modern Slavery: NRM and Duty to Notify statistics to September 2020 – 5 November 2020
- Fire and rescue incident statistics to June 2020 – 12 November 2020
- Domestic abuse in England and Wales (ONS) – 25 November 2020

3. AUDITS AND INSPECTIONS

[HMICFRS update on inspection programme – 5 October 2020](#)

HMICFRS resumed their inspection activity in September 2020 following suspension in March 2020. New inspections of how forces and fire & rescue services are responding to COVID-19 have been prioritised alongside an inspection of the policing of public protests which has been commissioned by the Home Secretary. Consequently, some inspections planned for this year have been delayed until 2021.

[Inspection of the policing of protests – Terms of Reference – 5 October 2020](#)

Home Secretary commissions HMICFRS to undertake a review of how effectively the police manage intelligence, plan, prepare and collaborate with other forces and agencies their response to public protests. The inspection will also consider the decision-making processes and how they affect the police response to protests, particularly in the use of powers to manage protests, enforce the law, minimise disruption and balance the rights of protesters with the rights of others. The inspection will include an assessment of whether additional legislation would enable more effective policing in this area.

[CPS Charging Inspection 2020 – 29 September 2020](#)

HMICPSI inspection highlights significant changes in the CPS approach to charging since 2015, with areas now responsible for charging bail cases during daytime working hours which used to be mainly the responsibility of CPS Direct. Several CPS Areas are also piloting a new charging model designed by the Joint (CPS/Police) National Charging Review Working Group. The report concludes that the public can have confidence that the CPS is making correct decisions to charge or to take no further action. The public can, however, have less confidence that those decisions are being adequately thought through, that prosecutors are taking a firm grip of a case at an early stage and that they are adding the necessary legal value. The report highlights significant room for improvement in respect of the quality of prosecutors' legal analysis, timeliness of decision making and familiarity with both the CPS's own policies and the Director's Guidance on Charging.

Upcoming reports and inspection activity

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| • Fire and rescue service response to COVID-19 | January 2021 |
| • Policing response to COVID-19 | 2020 – early 2021 |
| • Policing of protests | Underway |
| • PEEL Reports 2020/21 – Tranche 1 | TBC |
| • PEEL Reports 2019/20 – Tranche 2 | TBC |
| • Joint Inspection of Prosecution team case file quality (Police / CPS) | TBC |
| • Released Under Investigation: Impact of changes to police bail procedures | TBC |
| • HMICFRS: Independent study of police air support | TBC |
| • HMICFRS: Older people in the criminal justice system | TBC |
| • HMICFRS: Use of PNC by non-police organisations (Home Office commission) | TBC |
| • HMICFRS: Police response to domestic abuse (annual review) | TBC |
| • National Joint Targeted area inspections of Child Protection Thematic | TBC |
| • Fire and Rescue Service inspection (third tranche) | TBC |

4. REVIEWS AND INQUIRIES

Search Warrants – 7 October 2020

Law Commission publishes final report following a review of the law governing search warrants which commenced in January 2017. The report makes 64 recommendations which aim to make the law simpler, fairer, more modern and efficient and to strike a balance between effectively investigating crime whilst strengthening safeguards for those being investigated. Key recommendations include:-

- Strengthening law enforcement powers by ensuring they more clearly apply to electronic devices and data; expanding use of “multiple entry warrants” and “all premises warrants”; permitting a police constable to search a person found on premises under the authority of a search warrant issued under PACE and; giving the Insolvency Service and NHS Counter Fraud Authorities the ability to apply for and execute warrants
- Improving the process to ensure procedural efficiency, reduce the scope for serious errors and ensure that the issuing authority is presented with an accurate and complete picture of the investigation. The Commission proposes the introduction of an online search warrants application portal and steps to ensure that the duty of an applicant to provide full and frank disclosure to the court is properly adhered to.
- Reform to the legal framework governing electronic evidence and materials: As digital devices increasingly provide evidence in criminal trials, the commission makes proposals to facilitate more effective collection and prompt examination of electronic material in a way which does not inhibit criminal investigations or impose unreasonable demands on law enforcement agencies.
- Reforming the safeguards followed when applying for and executing warrants, including ensuring that non-police investigators, such as members of the Serious Fraud Office, are subject to similar safeguards as the police and clarifying when and in what form a search warrant must be provided to an occupier. The Commission also recommends the introduction of a statutory requirement for law enforcement agencies executing search warrants to provide an occupier with a notice of powers and their rights.

5. LEGISLATION

Coronavirus Act report: September 2020 – Published 1 October 2020

Ministerial report on which powers afforded by the Coronavirus Act 2020 are currently active. The report is a requirement of the Act given that the temporary powers are designed to be switched on when necessary and off when no longer needed.

Government Bills

Sentencing Bill – Commons Second Reading – Awaiting Royal Assent

Government Bill to consolidate existing sentencing legislation into a single sentencing statute was passed by the House of Commons without amendment on 30 September 2020 and is now awaiting Royal Assent.

Prisoners (Disclosure of Information about Victims) Bill – Ping Pong – 6 October 2020

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. The House of Lords returned the Bill to the House of Commons with amendments. The amendments were considered on [6 October 2020](#) and the Commons disagreed with Lords amendment. The Bill will now be returned to the Lords.

Covert Human Intelligence Sources (Criminal Conduct) Bill – Commons Committee Stage – 15 Oct 2020

Government bill making provision for a limited number of public authorities to continue to authorise participation in criminality in carefully managed circumstances in the conduct of covert human intelligence. The bill aims to provide a clear and consistent statutory basis for this longstanding capability. [Commons briefing](#) (2 October)

Counter-Terrorism and Sentencing Bill – Lords Committee Stage – TBA

Government Bill to make provision about the sentencing of offenders convicted of terrorism offences. This aims to ensure that the most serious and dangerous terrorist offenders receive longer sentences and those that receive extended determinate sentences are no longer eligible for early release.

Domestic Abuse Bill – Lords Second reading - TBA

Government Bill to raise awareness and understanding of the impact of domestic abuse on victims and families, improve the effectiveness of the justice system in providing protection for victims and bringing perpetrators to justice, and strengthen support for victims of abuse across statutory agencies.

Fire Safety Bill – Lords Committee Stage – TBA

Government bill to amend the Fire Safety Order 2005 to clarify that the responsible person or duty-holder for multi-occupied, residential buildings must manage and reduce the risk of fire for the structure and external walls. Received second reading in Lords on 1 October 2020. [Briefing](#)

Extradition (Provisional Arrest) Bill – Ping Pong Stage - TBA

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

Air Traffic Management and Unmanned Aircraft Bill – Lords Report Stage - TBA

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.

Police Powers and Protections Bill – Second reading - TBA

Government Bill establishing a Police Covenant and ensuring the police are able to fully conduct their duties by providing them with additional support and protection. Includes clearer protections and a new test for police drivers, new powers to tackle illegal encampments and enabling Police Specials to join the Federation.

Private Member's Bills – Recent Developments

Problem Drug Use Bill – Introduced under Ten Minute Rule - 29 September 2020 **NEW**

Bill sponsored by Tommy Sheppard to require the Secretary of State to declare problem drug use a public health emergency; review the effects of welfare sanctions on people who use drugs; make the Department for Health and Social Care the lead department for drugs policy; make provision for safe drug consumption facilities and; decriminalise the possession of small quantities of drugs for personal use. Second reading is scheduled to take place on 13 November 2020.

Forensic Science Regulator and Biometrics Strategy Bill – Second reading in Commons 25 Sept 2020

Bill sponsored by Darren Jones to make provision for the appointment of the Forensic Science Regulator; regulation of forensic science and requiring the Secretary of State to publish an annual strategy. Received second reading in Commons on 25 September 2020. Commons Committee stage still to be confirmed.

Private Member's Bills – Upcoming Activity

Death by Dangerous Driving (Sentencing) Bill – Second Reading in Commons – 16 October 2020

Bill sponsored by Theresa May to increase the maximum sentence for causing death by dangerous driving to life imprisonment. Introduced under the Ten Minute Rule Motion. Second Reading in Commons is scheduled for 16 October 2020

Police Stop and Search (Repeal) Bill – Second reading in Commons – 16 October 2020

Bill sponsored by Sir Edward Davey to repeal sections 60, 60AA and 60A of the Criminal Justice and Public Order Act 1994. Second Reading in Commons is scheduled for 16 October 2020

Prisons (Substance Testing) Bill – Second reading in Commons – 16 October 2020

Bill sponsored by Dame Cheryl Gillan to make provision about substance testing in prisons and similar institutions. Second Reading in Commons is scheduled for 16 October 2020

Sexual Offences (Sports Coaches) Bill – Second reading in Commons – 23 October 2020

Bill sponsored by Tracey Crouch to amend the Sexual Offences Act 2003 to make sports coach a position of trust for the purposes of child sex offences. Second Reading in Commons is scheduled for 23 October 2020

Victims of Abuse (Support) Bill – Second reading in Commons – 23 October 2020

Bill sponsored by Munira Wilson to establish a right to specialist sexual violence and abuse support services for victims of sexual, violent and domestic abuse; and for connected purposes. Second Reading in Commons is scheduled for 23 October 2020

Protest (Abortion Clinics) Bill – Second reading in Commons – 6 November 2020

Bill sponsored by Sarah Olney to prohibit anti-abortion protests within 150 metres of abortion clinics; and for connected purposes. Second reading scheduled for 26 June 2020. Second Reading in Commons is scheduled for 6 November 2020

Assaults on Retail Workers (Offences) Bill - Second reading in Commons – 6 November 2020

Bill sponsored by Alex Norris introduced under the Ten Minute Rule. Aims to make certain offences aggravated when perpetrated against a retail worker in the course of their employment. Second Reading in Commons is scheduled for 6 November 2020

6. CONSULTATIONS

[Draft practice advice for powers under Schedule 21 of the Coronavirus Act 2020](#)

College of Policing consultation on the application of powers which enable police officers to support public health officials in the management of and response to potentially infectious persons. The powers enable police to keep a person they reasonably suspect is potentially infectious at a place for screening and assessment

Open date: 17/09/2020

Close date: 14/10/2020

[Serious Violence Reduction Orders](#)

Home Office consultation on plans to introduce a new court order which would empower the police to stop and challenge those who are known to offensive weapons. Seeking views from anyone with an interest in this issue, including law enforcement, victims of knife crime and their families.

Open date: 14/09/2020

Close date: 08/11/2020

[Funding allocation methods: new domestic abuse duty](#) **NEW**

MHCLG consultation seeking views on the funding allocation methodology for a new duty on local authorities to provide support to victims in safe accommodation as part of the Domestic Abuse Bill. Subject to the successful passage of the Bill, the new duty will commence in April 2021

Open date: 05/10/2020

Close date: 13/11/2020

[Youth Endowment Fund Priorities](#) **NEW**

Seeking views from stakeholders on priorities for the £200 million ten year programme to prevent children becoming involved in violence. The consultation will help to determine which two thematic areas the programme will focus funding on through to 2023.

Open date: 07/10/2020

Close date: 01/12/2020

[Reform of the communications offences](#)

Law Commission consultation on proposals to improve protection afforded to victims of harmful online behaviour such as abusive messages, cyber-flashing, pile-on harassment, and the malicious sharing of information known to be false.

Open date: 24/09/2020

Close date: 18/12/2020

[Post-conviction confiscation regime](#)

Law Commission consultation on proposals to improve the process by which confiscation orders are made, to ensure the fairness of the confiscation regime, and to optimise the enforcement of confiscation orders.

Open date: 17/09/2020

Close date: 18/12/2020

[Hate crime laws](#)

Law Commission consultation on reforms to make hate crime laws fairer including extending the application of aggravated offences (stirring up hatred and football chanting offences) and adding sex / gender to protected characteristics.

Open date: 23/09/2020

Close date: 24/12/2020