

Horizon Scanning e-Briefing: 15 June 2020



Police and Crime Commissioner's Horizon Scanning Briefing

- | | |
|-----------------------------------|--|
| 1. Policy and Practice | <i>Government strategy, guidance and policy announcements</i> |
| 2. Research and Statistics | <i>Policing and criminal justice statistical publications and research</i> |
| 3. Audits and Inspections | <i>Criminal justice inspectorate reports and government audits</i> |
| 4. Reviews and Inquiries | <i>Government and independent inquiries and legislative reviews</i> |
| 5. Parliamentary Bills | <i>Summary of legislation currently progressing through parliament</i> |
| 6. Live Consultations | <i>Current police and criminal justice-related consultation activity</i> |

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

1. POLICY AND PRACTICE

[£7 million funding package for new coalition of vulnerable children's charities](#) - 5 June 2020

Department for Education announce £7.6m funding for the [See, Hear, Respond service](#) - a coalition, led by Barnardo's to reach out to children experiencing negative impacts and risk of harm exacerbated by COVID-19. The funding will provide access to online support for children and families, an online and telephone referral service; online counselling, youth interventions and face-to-face crisis support for those experiencing exploitation. The service will work alongside local authorities, schools and colleges, police and healthcare professionals in partnership with national children's charities and community-based organisations.

[£2.8m Child sexual abuse: support services transformation fund launched](#) – 10 June 2020

Prospectus published for the CSA support services transformation fund. The fund is open to statutory or non-statutory organisations to develop and embed best practice in support for children and young people who have experienced sexual abuse. The deadline for applications is 12 August 2020

[New Police Powers: Port Examination and National Security](#) – 8 June 2020

New Port Examination Codes of practice and National Security Guidance Regulations brought into force. The [Statutory Instrument](#) strengthens and clarifies stop, search, seizure and retention powers prompted by the military-grade nerve agent poisonings in Salisbury in 2018. This brings into operation:-

- A revised Code of Practice for counter-terrorism port examination powers under Schedule 7 to the Terrorism Act 2000 which give the police the power to stop and detain people at ports in relation to terrorist activity
- A Code of Practice for new hostile state activity port examination powers (Schedule 3 to the Counter-Terrorism and Border Security 2019 Act) which includes espionage, sabotage, assassination and subversion
- Revised guidance on [national security determinations](#) under the Protection of Freedoms Act 2012 which allow the retention and use of biometric material for national security purposes

[Guidance: Suspected immigration offenders as victims of crime](#) – Published 3 June 2020

NPCC publish new guidelines for chief officers on information sharing with the Home Office where a victim or witness of crime is a suspected immigration offender. The guidelines should be used to ensure that the general public experience consistent levels of service and will require operational choices to be made at local level in order to achieve the appropriate police response.

[The Health Protection \(Coronavirus, Restrictions\) \(Amendment\) \(No.4\) Regulations 2020](#) – 12 June 2020

Further amendment to permit the opening of retail businesses and certain outdoor attractions, to enable churches to open for private prayer, to make provision for linked households, and to permit certain gatherings

Commissioner's e-Briefing: 15 June 2020

[Justice Secretary statement on COVID-19 and reforms to probation services](#) – 11 June 2020

The Justice Secretary confirms changes to probation reform plans in view of the significant operational impact and market pressures caused by Covid-19. The National Probation Service will take control of all services from June 2021, including [unpaid work](#) and accredited programmes, as opposed to initiating a competitive process for probation delivery partners.

[COVID-19: National Framework for Prison Regimes and Services](#) – 2 June 2020

Ministry of Justice and HM Prison and Probation Service framework sets out how decisions about the cautious easing of coronavirus-related restrictions in prisons will be made. The document provides a 'conditional roadmap' for what the easing of restrictions will mean in practice and how prisons will operate while COVID-19 remains a threat, but where the most severe restrictions on prison regimes are no longer proportionate or sustainable.

[Justice responses to COVID-19 around the world](#) – Updated 8 June 2020

Centre for Justice Innovation weekly tracker contrasting the justice system response to the COVID-19 across different regions of the world. Latest update includes a briefing on [court system responses to Coronavirus](#) among eight common law jurisdictions across the world and highlights the main issues facing the court system in England and Wales.

[The Surrender of Offensive Weapons \(Compensation\) Regulations 2020](#) – 9 June 2020

[Minister for Crime and Policing](#) lays draft Regulations before parliament as part of weapon prohibitions under the Offensive Weapons Act 2019 relating to specified rapid-firing rifles and certain other offensive weapons such as zombie knives. Details of the surrender and compensation arrangements will be published prior to commencement, including details on when the scheme will go live.

[Courts and tribunals tracker list during coronavirus outbreak](#) – Updated 10 June 2020

Tracker of open, staffed and suspended courts during the coronavirus outbreak. This includes details of a further group of [courts](#) that are expected to reopen from 15 June subject to any operational changes required.

[HMCTS weekly management information during coronavirus](#) – Updated 11 June 2020

[Criminal Justice Alliance Briefing for the Justice Select Committee on COVID-19](#) - 5 June 2020

Briefing considers the government's recovery planning for prisons and probation, and provides recommendations on prisoner release, testing, resettlement and the need for demographic data

[NSPCC Guidance: The impact of COVID-19 on child welfare: domestic abuse](#) – 9 June 2020

[NSPCC Guidance: Domestic abuse: learning from case reviews](#) – 4 June 2020

Analysis of 11 serious case reviews highlighting the importance of child protection in domestic abuse cases

[Reflection and renewal: Taking the PCC role forward](#) – 28 May 2020

Perspective from Deloitte on the impact of PCCs on governance and accountability and opportunities to further expand their role and influence in areas such as criminal justice, health and wellbeing and local resilience

Recent Parliamentary briefings: [Covid-19: The impact on victims of domestic abuse](#) (10 Jun), [Covid-19: Risking a rise in online child sexual abuse?](#) (10 Jun), [Extremism in prisons: Are UK deradicalisation programmes working?](#) (11 Jun), [Black Lives Matter protests](#) (4 Jun), [Coronavirus: the lockdown laws](#) (4 Jun),

Recent Parliamentary debates: [Public Order](#) (9 Jun), [Police Numbers](#) (8 Jun), [Health Protection \(Coronavirus, Restrictions\) Regulations](#) (2 Jun)

2. RESEARCH, DEVELOPMENT AND STATISTICS

[Policing, protest and changes to COVID-19 control measures in the UK – 29 May 2020](#)

Scientific Advisory Group for Emergencies (SAGE) paper considers the factors which may coalesce over time to increase public tensions as the COVID-19 lockdown is eased, including perceived inequalities of the effects of lockdown and ways in which restrictions are eased which may have different outcomes among younger and older members of society, or different regions within the UK. The report concludes that the UK model of police enforcement has been very restrained and this has helped to support high levels of legitimacy for police action. Each step to ease the lockdown, however, needs to be accompanied by very clear communication of the continued public health justification for any remaining restrictions. There also needs to be very careful tracking of emerging patterns of public support, non-adherence and potentiality for social disorder.

[Why do protests turn violent? – 11 June 2020](#)

Open access article from Policing Insight in the wake of the death of George Floyd and spread of tensions over racial discrimination across the world.

[Fixed Penalty Notices issued under COVID-19 regulations – 11 June 2020](#)

NPCC publishes update on the number of Fixed Penalty Notices (FPNs) issued under the new Coronavirus Restrictions regulations across England and Wales between 27 March and 8 June 2020 at police force level. A total of 15,715 FPNs were recorded by forces across England during this period, ranging from 41 and 58 in Staffordshire and Warwickshire to 1,082 and 1,063 in North Yorkshire and Metropolitan police forces respectively. Only 161 fines were issued between 1 June and 8 June when outdoor gatherings of up to six people became lawful in England. The majority of fines continue to be issued to males (80%) and people aged 18-24 (37%). 791 FPNs were issued to repeat offenders. Variances in population composition / density and force policy on enforcing non-compliance should be taken into account when interpreting force level data.

[Operation of police powers under the Terrorism Act 2000: 2019/20 – Published 11 June 2020](#)

Home Office statistics showing that there were 261 arrests for terrorism-related activity in 2019/20, marking a fall of 7% on the previous year (280). Of the 261 arrests, 92 (35%) were either released under bail pending further investigation or released under investigation without bail conditions, 82 (31%) resulted in a charge, of which 66 were for terrorism-related offences. 58 people (22%) were released without charge and 19 (7%) faced alternative action, for example receiving a caution, being recalled to prison or being transferred to immigration authorities. 10 cases were awaiting an outcome to be assigned.

[Snapshot paper: Facial Recognition Technology – 28 May 2020](#)

CDEI briefing considers the uses and potential implications of the deployment of facial recognition technology by the police and other agencies in the UK. The report concludes that, used responsibly, FRT has the potential to enhance efficiency and security across many contexts, but also highlights its risks to the privacy and fair treatment of individuals and potential for algorithmic biases and inaccuracies. The extent to which FR is beneficial or detrimental to society depends on the context and must be assessed according to its own merits and risks. A standalone code of practice for FR Technology has yet to be drawn up and policymakers should consider whether there is sufficient oversight of FRT in contexts such as retail and private developments.

[24 hours in police custody: Is police custody overused? – 2 June 2020](#)

Transform Justice report considers the disparity between police use of custody and use of remand by the courts and calls for greater oversight and scrutiny of the reasons for which suspects are detained.

[How to Count Crime: the Cambridge Harm Index Consensus – 3 June 2020](#)

Open access article from the Cambridge Journal of Evidence-Based Policing offers a 'blueprint for radical transformation' in the way crime statistics are made available to the general public and used for police operational decision-making using the Cambridge Crime Harm Index (CCHI).

Victims Statistics, Victims' services, restorative justice, advice and support – 11 June 2020

Victims' Commissioner [publishes](#) her second analysis of findings on victimisation based on the Crime Survey for England and Wales between 2014 and 2019. The paper highlights that few victims recall having contact with victim services, with the rate having fallen from 12.9% in 2014/15 to 9.8% in 2018/19 among those reporting crime to the police. Most victims that do have contact, however, report being satisfied (78%) with the service they receive and that the service helped them to cope (60%) and recover (40%) from the impact of the incident. Victims of sexual offences (77.3%), burglary (72.2%) and violent crimes (55.8%) were most likely to report that the service helped them. A decreasing proportion of victims are being offered the opportunity to meet with their offender, (down from 7.8% in 2017/18 to 4.8% in 2018/19), while 26% of those that were not offered RJ said that they would have accepted. 30.1% of those that were offered RJ accepted the offer.

National Referral Mechanism statistics: January to March 2020 – Published 4 June 2020

Latest quarterly NRM statistics showing a 33% increase in the number of potential victims of modern slavery were referred (2,871) between January and March 2020 when compared to the same period in 2019. Of those referred, just over half (52%) were for individuals who claimed they were exploited as adults, with the remainder claiming they were exploited as children (43%) or their age at exploitation was unknown (5%). Labour exploitation remains the most common exploitation type for adult potential victims, whilst criminal exploitation was most commonly reported for child potential victims. Potential victims from the UK, Albania and Vietnam remain the three most common nationalities to be referred to the NRM.

Crime and Problem Gambling – 1 June 2020

Academic literature review prepared for the Howard League's Commission on Crime and Problem Gambling

Upcoming publications

- Statistics on firearm and shotgun certificates, 2019/21 – June 2020
- Crime outcomes in England and Wales 2019 to 2020 – 17 July 2020

3. AUDITS AND INSPECTIONS

Women's prisons short scrutiny visits – 5 June 2020

HMI Prisons report on women's prisons (Bronzefield, Eastwood Park and Foston Hall) highlights particular challenges of running these establishments safely during COVID-19 restrictions, and the acute impact of a sudden withdrawal of interventions and suspension of visits on this vulnerable cohort of prisoners. The report notes increases in levels of self-harm during the period of COVID-19 restrictions, despite enhanced welfare checks and access to peer support. The two early release schemes were considered largely ineffective in reducing the prison population, with only six prisoners being released as part of a process which consumed a significant amount of management time. This was a failure of national planning and was undermined by the lack of accommodation for many on release. Despite these issues, the report highlights many areas of positive practice which have served to maintain positive staff-prisoner relationships. This included the maintenance of peer support work, a Listener service, a safer custody phone line staffed by peer support workers and a new scheme at Eastwood Park enabling prisoners to read a bedtime story to their children. An effective triage system also remained in place at all prisons, with prisoners able to access a nurse or GP as necessary. Inspectors also found that social distancing was well understood by both staff and prisoners and was generally adhered to at Eastwood Park and Foston Hall, despite some narrow corridors and small offices.

Upcoming reports and inspection activity

- | | |
|------------------------------------|-----------|
| • Regional Organised Crime Units | Pending |
| • PEEL Reports 2020/21 – Tranche 1 | Pending |
| • HMICFRS: State of Policing 2020 | July 2020 |

4. REVIEWS AND INQUIRIES

The Macpherson Report: twenty-one years on – Oral evidence session 17 June 2020

Home Affairs Committee confirms plans to take new evidence on policing and race as part of The Macpherson Report: twenty years on inquiry. This will include evidence on concerns raised about the policing of the Covid-19 lockdown and reported disproportionality in fines and investigations of individuals from BME communities. The inquiry's [call for evidence](#) will be open until Tuesday 30 June 2020.

Government review of employment rights for survivors of domestic abuse launched – 9 June 2020

Business Minister launches review of employment rights for survivors of domestic abuse to explore how employers and government could better support survivors at work. This includes a review of the availability of flexible working and unplanned leave and options to better tackle economic abuse by paying wages to a different bank account or making emergency salary payments available for those in real financial hardship. The government will explore examples of UK and international best practice and has launched a call for written evidence from stakeholders on specific employment needs and how they are currently met. Written submissions to domesticabuse.employmentreview@beis.gov.uk will be accepted until 9 September 2020.

Troubled Families Annual Report – 3 June 2020

Ministry of Housing, Communities and Local Government publish the fourth annual report setting out how the Troubled Families Programme (2015-20) has been supporting disadvantaged facing multiple and complex problems.

Modern Slavery and Exploitation Helpline: Annual Report 2019 – Published 2 June 2020

5. LEGISLATION

Sentencing (Pre-consolidation Amendments) Act 2020 – Royal Assent – 8 June 2020

[Briefing](#)

Government Bill to make provision for pre-consolidation amendments of sentencing law receives royal assent. The Bill was introduced in the House of Commons on 4 March 2020 and paves the way for the sentencing code to be enacted as a consolidation bill by removing historic layers of legislation, giving effect to a “clean sweep”.

Government Bills

Sentencing Bill – Second reading in the Lords – 25 June 2020

Government Bill to: change the automatic release point from halfway to the two-thirds point for adult offenders serving sentences of four years or more for serious violent or sexual offences; align how life tariffs are calculated with the extended release points for serious sexual and violent offenders; extend the range of reasons where the starting point for the sentence in cases of murder is a whole life order; require judges to explain in their sentencing remarks what the sentence means for an offender's release arrangements; strengthen community orders, so they also answer their mental health and alcohol or drug misuse needs or provide reparation for the benefit of the wider community

Prisoners (Disclosure of Information about Victims) Bill – Lords Report stage – 1 July 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

[Domestic Abuse Bill](#) – Public Bill Committee - 10 June 2020

[Commons Briefing](#)

The sixth sitting of the [Public Bill Committee debate](#) was held on 10 June 2020. Commons Committee stage is yet to be announced. The Bill will introduce measure to legislate for a [statutory definition](#) of domestic abuse, provide for [Domestic Abuse Protection Notices and Orders](#) to better protect victims, place a duty on local authorities to provide [accommodation-based services](#), help victims give [best evidence](#) and prevent [cross-examination](#) by abusers; introduce a [Domestic Abuse Commissioner](#) to drive consistency and improvements; [secure tenancies](#) to support for victims in social housing in leaving abusive situations; introduce mandatory [polygraph testing](#) as a license condition for perpetrators and bring forward new statutory guidance on the [Domestic Violence Disclosure Scheme](#) (Clare's law).

- o [NSPCC Call for greater recognition of the needs of children affected by domestic abuse](#) – 10 June

[Counter-Terrorism and Sentencing Bill](#) – second reading in Commons - 9 June 2020 [Commons briefing](#)

Government Bill received second reading in Commons on 9 June 2020. **Commons Committee Stage is yet to be announced.** The Bill, announced as part of [The Queen's Speech](#) will 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. A new Serious Terrorism Sentence will be introduced requiring those convicted of offences such as preparing acts of terrorism or directing a terrorist organisation to spend a mandatory minimum of 14 years in prison and remain on license for up to 25 years. The list of offences that can be classed as terror-related will be widened and Terrorism Prevention and Investigation Measures (TPIMs) will be strengthened alongside the use of Serious Crime Prevention Orders (SCPOs) in terrorism cases. The government also plans to double the number of specialist counter-terrorism probation officers and introduce measures such as mandatory polygraph testing.

[Divorce, Dissolution and Separation Bill](#) – Committee stage in Commons – 17 June 2020

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

[Air Traffic Management and Unmanned Aircraft Bill](#) – Second reading in the Lords - 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.

[Extradition \(Provisional Arrest\) Bill](#) – Third reading in the Lords - 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

[Serious Violence Bill](#) – Second reading - TBA

Government Bill placing a new duty on schools, councils, police and health authorities to work together to prevent serious; introducing measures to ensure that the most serious offenders serve longer in custody, with automatic release only being considered after two thirds of the sentence is served. Those charge with knife possession will face "swift justice", introduce new court orders to target known knife carriers will make it easier for the police to stop and search those convicted for knife crime offences

[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

[Prisons \(Substance Testing\) Bill](#) - Second reading in Commons – 12 June 2020

Bill sponsored by Dame Cheryl Gillan to make provision about substance testing in prisons and similar institutions

[Victims of Abuse \(Support\) Bill](#) – Second reading in Commons – 26 June 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.

[Forensic Science Regulator and Biometrics Strategy Bill](#) - Second reading in Commons – 26 June 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

[Protest \(Abortion Clinics\) Bill](#) – Second reading in Commons – 10 July 2020

Bill sponsored by Sarah Olney to prohibit anti-abortion protests within 150 metres of abortion clinics; and for connected purposes.

[Foreign Nationals \(Offender and Prisoner Removal\) Bill](#) – Second Reading in Commons – 11 Sept 2020

Bill sponsored by Sir Christopher Chope to improve the justice system's response to foreign national offenders & increase maximum penalty for those who return to the UK in breach of a deportation order

[Assaults on Retail Workers \(Offences\) Bill](#) - Second reading in Commons – 11 September 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.

[Hate Crime \(Misogyny\) Bill](#) – Second reading in Commons – 13 November 2020

Bill sponsored by Wera Hobhouse to make motivation by misogyny an aggravating factor in criminal sentencing; to require police forces to record hate crimes motivated by misogyny; and for connected purposes.

[Hate Crime \(Misandry and Misogyny\) Bill](#) – Second reading in Commons – 13 November 2020

Bill sponsored by Mr Philip Hollobone to make motivation by misandry or misogyny an aggravating factor in criminal sentencing; to require police forces to record hate crimes motivated by misandry or misogyny; and for connected purposes.

[Sentencing \(Women\) Bill](#) - Second reading in Commons – 13 November 2020

Bill sponsored by Daisy Cooper to require courts to impose community sentences on women offenders unless they have committed a serious or violent offence and pose a threat to the public; and for connected purposes.

[Speed Limits \(England\) Bill](#) - Second reading in Commons – 13 November 2020

Private Member's Bill sponsored by Sir Christopher Chope to prohibit permanent derogations from a 30 mile per hour speed limit in built-up areas and enable circumstances for speed limits below 30 miles per hour

[Criminal Fraud \(Private Prosecutions\) Bill](#) - Second reading in the Commons – 27 November 2020

Private Member's Bill sponsored by Sir Christopher Chope to make provision about private prosecutions in cases of suspected criminal fraud in certain circumstances

[Human Trafficking \(Child Protection\) Bill](#) - Second reading in the Commons – 27 November 2020

Private Member's Bill sponsored by Peter Bone to make provision for the creation of secure safe houses for children that have been subject to human trafficking;

[Criminal Records Bill](#) - Second reading in the Lords – TBA

Bill sponsored by Lord Ramsbotham to amend the length of time for which an individual may have a criminal record under the Rehabilitation of Offenders Act 1974

[Police Conduct \(Operation Conifer\) Inquiry Bill](#) - Second reading in the Lords – TBA

Bill sponsored by Lord Black of Brentwood to make provision for an inquiry into police conduct of Operation Conifer

[Online Harms Reduction Regulator \(Report\) Bill](#) - Second reading in the Lords – TBA

Bill sponsored by Lord McNally to require Ofcom to prepare for regulation as an interim online harms regulator.

[Policing Resources Bill](#) - Second reading in the Lords – TBA

Bill sponsored by Lord Wigley to make provision to ensure that the police forces in England and Wales have sufficient resources to deliver police services; and for connected purposes

6. CONSULTATIONS

Protecting places of worship

Home Office consultation on what steps should be taken to provide greater protection from hate crime for places of worship. The consultation is open to the public and targeted at individuals, businesses and organisations in England and Wales with an interest in the security of places of worship and other faith related locations, including schools and community centres.

Open date: 15/03/2020

Close date: 28/06/2020

Call for Evidence: The Macpherson Report: twenty-one years on

Home Affairs Committee reopens inquiry in light of concerns raised about the policing of the Covid-19 lockdown and reported disproportionality in fines and investigations of individuals from BME communities. The inquiry welcomes new evidence submissions on changes in police powers and practice since the July 2019 and the impact of changes and of the lockdown on police/community relations, particularly in relation to BME communities.

Open date: 03/06/2020

Close date: 30/06/2020

Counter-Terrorism and Sentencing Bill

Public Bill Committee call for written evidence on the Have your say on the Counter-Terrorism and Sentencing Bill 2019-21 which will be subject to line by line scrutiny from 25 June 2020

Open date: 11/06/2020

Close date: 09/07/2020

What next for the Sentencing Council?

Sentencing Council launch public consultation to determine its future direction and balance its priorities against limited resources. The consultation seeks views in relation to guideline development, analysis and research, increasing public confidence, cost and effectiveness of sentencing and how the Council works.

Open date: 10/03/2020

Close date: 09/09/2020

Review of employment rights for survivors of domestic abuse

Government call for evidence on current practice and further opportunities to better support survivors of domestic abuse at work. The review is seeking views on: practical circumstances that arise in relation to domestic abuse and work; support that can be offered for victims of domestic abuse; what is possible within the existing framework; what current best practice looks like and; where there is potential to do more. Written submissions should be submitted to domesticabuse.employmentreview@beis.gov.uk

Open date: 09/06/2020

Close date: 09/09/2020

Assault Offences

Sentencing Council consultation to inform a review of the Assault Definitive Guideline and identify the causes of the unintended impacts of the guidelines since introduced in 2011 and take account of new legislation to increase sentences for Assaults on Emergency Workers.

Open date: 16/04/2020

Close date: 15/09/2020