

# Horizon Scanning e-Briefing: 26 October 2020



## Police and Crime Commissioner's Horizon Scanning Briefing

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## 1. POLICY AND PRACTICE

### [DASA: Market exploration for future policing initiatives](#) – 19 October 2020

The Defence and Security Accelerator (DASA) is seeking submissions from industry and academia on innovation to transform UK policing and security over the next 20 years. This will be used to identify areas requiring further development and to help influence technology policy and future procurement planning for UK law enforcement and identify potential future investment. The deadline for [submissions](#) is 13 November 2020.

### [£500,000 new funding awarded to improve support for victims of terrorism](#) – 13 October 2020

Home Office announce 4 successful bidders each receiving £125,000 to improve support for victims of terrorism

### [New Crimestoppers COVID Fraud hotline launched](#) – 13 October 2020

Cabinet Office and Crimestoppers launch a new freephone hotline (0800 587 5030) for members of the public to anonymously report suspected fraudulent activity targeting COVID stimulus schemes.

### [Updated Guidance: Authorised Professional Practice: Hate Crime](#) – 20 October 2020

Updated College of Policing guidance which addresses HMICFRS recommendations and a High Court ruling in February 2020. Also provides further information about why and how the police should record non-crime hate incidents and the care and support victims and witnesses should receive when reporting an incident.

### [Updated Guidance: Authorised Professional Practice: Undercover Policing](#) – 13 October 2020

Updated College of Policing guidance outlines how consistently high standards of conduct must be met before officers can be deployed undercover. The guidance recognises the highly stressful nature of undercover work and the need for effective welfare support. Also addressed HMICFRS recommendations made in 2014.

### [Guidance: European firearms requirements](#) – Published 14 October 2020

UK residents will no longer be able to use a European Firearms Pass from 1 January 2021

### [Updated Guidance: Code of Practice: electronic monitoring](#) - 21 October 2020

### [Updated Guidance: Employing prisoners and ex-offenders](#) – 15 October 2020

**Recent Parliamentary briefings:** [Coronavirus: the lockdown laws](#) (15 Oct), [Spending of the Ministry of Justice on Legal Aid](#) (21 Oct)

**Recent Parliamentary debates:** [Information Sharing with Police Forces: Covid-19](#) (20 Oct), [Pension Scams](#) (14 Oct), [Chinese and East Asian Communities: Racism during Covid-19](#) (13 Oct)

## 2. RESEARCH, DEVELOPMENT AND STATISTICS

### Hate crime in England and Wales, 2019/20 – Published 13 October 2020

Home Office report which showing that while hate crime recorded by the police has increased by 8% over the last year, self-reported experience of hate crime captured via the Crime Survey for England & Wales continues to show a long term decline (-38% between 2007/09 and 2018/20). The rise in police recorded hate crime is thought to reflect improvements in crime recording and a better identification of hate crime, however, spikes have been observed following events such as the EU Referendum and 2017 terrorist attacks. Police recorded hate crimes relating to race (+6%), sexual orientation (+19%) and disability (+9) and transgender identity (+16%) all saw increases in 2019/20, while religious hate crimes (-5%) fell for the first time since 2012/13. 53% of hate crimes recorded by the police were for public order offences and while 38% were for violence against the person offences. The number of charges for racially or religiously aggravated offences has been falling over recent years while the number of recorded crimes has risen. This indicates that an increasing proportion of recorded crimes are for offence types which can be more challenging to investigate, with the investigative caseload both growing and becoming more complex. Findings from the Crime Survey indicate that around 47% of hate crime incidents come to the attention of the police and around 55% of victims reporting hate crime were very or fairly satisfied with how the police handled the incident. The report was due to be published in 2021, but has been brought forward due to face-to-face interviewing via the Crime Survey for England and Wales being suspended since 17 March 2020 as a result of the pandemic. [Open data tables](#) available.

### Deaths during or following police contact for 2019/20 – 22 October 2020

IOPC annual report on deaths during or following police contact shows that there were 18 deaths in or following police custody in 2019/20, marking no significant change on levels in 2018/19 (17). This is in line with levels seen over the last decade. One death took place within a police custody suite. Three people died at the scene of arrest, seven people were taken ill at the scene of arrest and died in hospital, and six people died in hospital after becoming unwell in a police cell. One person died in hospital after becoming ill in a police vehicle. There were three fatal police shootings during the year, two of which were terrorism-related.

The report also shows that there were 24 fatalities from police-related road traffic incidents in 2019/20, marking a reduction of 18 deaths in 2018/19. Of the 24 deaths, 19 were from police pursuit-related incidents and three resulted from emergency response incidents. There were also 54 apparent suicides following police custody, marking a decrease of nine on the previous year. Of the 54 apparent suicides, 16 (30%) had been arrested for an alleged sexual offence. The statistics include some force-specific data.

### Modern slavery offences: Statistical bulletin – 14 October 2020

Sentencing Council bulletin detailing outcomes for Modern Slavery Act 2015 offences since 2017 shows that:

- 26 offenders have been sentenced for slavery, servitude, and forced or compulsory labour offences (Section 1) since 2017, of which 16 were in 2019. The majority (88%) of adult offenders received immediate custody, with the remainder receiving a suspended sentence. While the statutory maximum sentence for the offence is life imprisonment, no sentences have yet exceeded a determinate sentence of 11 years imprisonment. The average custodial sentence length over the past three years has been 5 years and 4 months.
- All 34 offenders have been sentenced for human trafficking offences (Section 2) since 2017, all of which received an immediate custodial sentence in the 2017 and 2018 years. In 2019, 87% of adult offenders received immediate custody, with the remainder receiving a suspended sentence. While the statutory maximum sentence for the offence is also life imprisonment, no sentences have yet 17 years custodial. The average custodial sentence length over the past three years has been 5 years and 4 months.

The bulletin acknowledges some coding and data recording issues which mean that the figures reported are likely to underestimate the number of offenders sentenced under the Modern Slavery Act.

### CPS Quarterly data summary: Quarter 1 2020/21 – Published 22 October 2020

Overview of pre-charge receipts, timeliness, charging, prosecutions and convictions during the April to June 2020 period, including a focus on hate crime, domestic abuse and rape offences. The latest summary includes a summary of the impact of COVID-19 on court capacity and case finalisations.

## **Rape survivors and the criminal justice system – 20 October 2020**

Victims Commissioner report based on a survey of almost 500 survivors of rape finds that only 14% of respondents believed they would receive justice by reporting the crime to the police. Feedback indicated that many survivors had serious concerns about the use of digital disclosure requests and how they felt their privacy had been violated, and that many feel their credibility had been tested through each stage of the criminal justice process. The report also offers insight into the reasons some survivors chose to withdraw their rape complaints and not to take further action, such as fears of the criminal justice process and wanting to move on.

## **Integrated Domestic Abuse Court: Evidence and practice briefing – 19 October 2020**

Justice Innovation briefing summarising the evidence and models of practice in existing Integrated Domestic Abuse Courts (IDACs) internationally. Provides practitioners and policymakers with insights into how the investigative and problem-solving IDAC approach can be effectively [piloted](#) in England and Wales.

## **Association of violence with urban points of interest – 24 September 2020**

Published article details research from Cardiff University's Violence Research Group which uses machine learning to map the distribution of reported incidents of violent crime against locations where alcohol is and is not sold, such as fast-food outlets, bus stops and cash machines. Using data from 10 city centres across England and Wales, the new combined model could more accurately predict levels of violence and identify previously unmapped violence hot spots. The findings confirm the importance of broadening violence reduction strategies which have traditionally focused on licensed premises.

## **Fire and rescue workforce and pensions statistics 2019/20 – Published 22 October 2020**

Home Office statistics showing no significant change in FTE firefighter staffing (32,171) over the last year, despite a 23% decrease since 2010. Similar reductions have been seen among Fire and Rescue Authority employees (-22%), fire control employees (-29%) and fire and rescue support staff (-16%). The proportion of firefighters that are female increased to 7% (2,461) continuing the upward trend seen since 2006. The proportion of firefighters that are from BAME backgrounds rose to 4.4% (1,410), up from 3.8% (1,276) five years ago. Of those who stated their sexual orientation, 3.3% (872) were Lesbian/Gay or Bisexual, compared to 2.7% (501) five years ago. The report notes that there were 897 incidents involving attacks on firefighters in 2019/20, marking a 7% decrease on the previous year. The majority of attacks involved verbal abuse (64%).

## **Update on the Commercial Victimisation Survey – 13 October 2020**

The Commercial Victimisation Survey was paused during 2019 while a review was undertaken to assess user needs. Interviews with businesses were due to commence in September 2020 as part of a new survey programme, however, fieldwork has been delayed until the first half of 2021 due to the Covid-19 pandemic.

## **HMCTS management information: September 2020 – Published 16 October 2020**

### **Upcoming statistical publications**

- Police powers and procedures, England and Wales, 2019/20 – 27 October 2020
- Crime and crime outcomes in England and Wales to June 2020 – 28 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
- Guilty pleas, Sentencing children and young people – 17 November 2020
- Domestic abuse in England and Wales (ONS) – 25 November 2020
- Individuals referred to and supported through the Prevent Programme 2019/21 – 26 November 2020

## 3. AUDITS AND INSPECTIONS

### Victim Communication and Liaison scheme: letters to victims – 22 October 2020

HMCPSP's follow-up inspection considers progress since November 2018 in improving the effectiveness of the CPS's communication with victims of crime under the Victims' Code. Due to the COVID-19 pandemic, the main source of evidence for this inspection was a file sample of 490 letters. The inspectorate found little improvement in the overall quality of letters sent out under the VCL scheme, with 24% being of the right quality. The overall timeliness of letters sent out by the CPS has deteriorated, with 65.1% of letters sent in a timely manner, compared to 72% in the 2018 inspection. The reasons for this included prosecutors failing to notify the VLU of the need for a letter to be sent, and the information provided to the VLU being of insufficient quality. All CPS Areas have, however, introduced processes to identify letters that may be missed. The three main issues directly affecting the quality of VCL letters were the sufficiency of the explanation, the level of empathy and the ease of understanding the explanation. The inspectorate also found variation between the quality of letters examined for RASSO and domestic abuse cases with 18.6% of letters sent in RASSO cases and 28.3% of letters sent in domestic abuse case as being of the right quality. The explanation was sufficient in 62.9% of letters sent in RASSO cases and in 57.5% of letters in domestic abuse cases. Empathy was sufficient in 52.9% of RASSO case letters and 62.1% of domestic abuse case letters. HMCPSP recommends that the CPS fundamentally reviews how the VCL scheme is being delivered.

### HM Prisons Annual Report 2019/20 – 20 October 2020

HM Chief Inspector of Prisons' annual report on findings from the 2019/20 inspection programme for men, women and children in custody and use of both police and court custody.

### Upcoming reports and inspection activity

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|---|-------------------|
| • HMIP: Minority ethnic prisoners' experiences of rehabilitation & release planning | 28 October 2020   |
| • <a href="#">Fire and rescue service response to COVID-19</a>                      | January 2021      |
| • <a href="#">Policing response to COVID-19</a>                                     | 2020 – early 2021 |
| • Policing of protests  | Underway          |
| • <a href="#">HMIC: Crime data integrity (individual force reports)</a>             | Ongoing           |
| • <a href="#">HMI Prisons: Joint inspection of Police Custody Arrangements</a>      | Ongoing           |
| • <a href="#">HMICFRS: Police Effectiveness - Child Protection (x6)</a>             | Ongoing           |
| • <a href="#">HMI Probation: Joint inspection of Youth Offending Teams</a>          | Ongoing           |

## 4. REVIEWS AND INQUIRIES

### **Root and Branch review of the parole system launched – 20 October 2020**

Government [launches](#) a root and branch review of the parole system in England and Wales to help improve public trust and victim confidence. The review will consider whether the constitution and status of the Parole Board needs to change in order to better reflect the court-like decisions it takes and whether alternatives such as a tribunal might deliver the parole function in a more efficient way. The review will also consider whether additional measures are needed to strengthen powers within the parole system. A [public consultation](#) has been launched inviting views on whether victims, the media and wider public should be allowed greater access to parole hearings. A [tailored review paper](#) and [terms of reference](#) for the wider review have also been published.

### **Economic Crime inquiry launched – 23 October 2020**

Treasury Committee launches new inquiry to review progress in combatting economic crime. This will focus on anti-money laundering systems and the sanctions regime and consumers, including emerging trends as a result of coronavirus and Authorised Push Payment Fraud. The Committee will continue to examine economic crime related to Bounce Back Loans as part of its ongoing inquiry into the economic impact of coronavirus.

### **IICSA: Victims and Survivors Forum Consultation on Redress: Summary Report – 14 October 2020**

IICSA Inquiry publishes a summary of victims and survivors' views on redress based on feedback from members of the Inquiry's Victims and Survivors Forum. More than half (52.7%) of those who had sought redress described the overall process as negative or mostly negative (21.6%).

### **Response to the Operation of the Terrorism Acts in 2018 Report – 22 October 2020**

Home Secretary publishes Government response to the Annual Report on the Operation of the Terrorism Acts which was published in March 2019. The government accepts fifteen of the twenty-eight recommendations made by Jonathan Hall QC, rejected nine, and are further considering three. The government's Counter-Terrorism and Sentencing Bill will aim to strengthen every stage in the process of dealing with terrorist offenders across the UK, from sentencing and release through to monitoring in the community.

### **Combating violence against women and domestic violence - progress report 2020 – 22 October 2020**

Home Office publishes fourth progress report on the UK's progress toward ratification of the Istanbul Convention. The UK already complies with, or goes further than, almost all the 81 Convention articles aimed at tackling VAWG. The Domestic Abuse Bill, which is expected to achieve Royal Assent by spring 2021, will enable England and Wales to be compliant with Article 44 (extraterritorial jurisdiction) allowing relevant UK offences committed overseas to be prosecuted in the UK. Compliance with Articles 4(3) and 59 (non-discrimination on the grounds of migrant or refugee status) remain "under review" pending findings from the Government's £1.5 million Support for Migrant Victims (SMV) scheme pilot.

### **2020 UK annual report on modern slavery – 19 October 2020**

Home Office report on how the UK has responded to this threat of modern slavery over the last year. This includes a continued uplift in operational activity with active law enforcement investigations rising from 1,479 in June 2019 to 1,845 in June 2020. Prosecutions (349) and conviction rates (71.9%) both saw marked increases in 2019. The Home Office has invested an additional £2 million to continue to support the law enforcement activity in 2020/21 under the new Modern Slavery and Organised Immigration Crime Programme while communication campaigns, such as 'Hidden in Plain Sight' have helped to secure over 1,000 referrals to the Modern Slavery Helpline. The Home Office is embarking on an ambitious NRM Transformation Programme that will include work to improve support for child victims.

### **Modern Slavery Innovation Fund: phase 1 end term review – 19 October 2020**

An independent review of the £5.7 million Modern Slavery Innovation Fund (Phase 1), which supported innovative projects to tackle modern slavery around the world



## 5. LEGISLATION

### **Sentencing Act – Received Royal Assent 22 October 2020**

Government Act to consolidate certain enactments relating to sentencing. The Bill was passed by the House of Commons without amendment on Wednesday 30 September 2020. [Commons briefing](#) (23 September 2020)

### **Extradition (Provisional Arrest) Act – Received Royal Assent on 22 October 2020**

Government Act set out in [the Queen's Speech](#) to create a power of arrest, without warrant, for the purpose of extraditing people for serious offences. This addresses gaps in current arrangements for cooperation with foreign states in the event of no longer having access to the European Arrest Warrant. Bringing EU citizens in line with arrangements for non-EU citizens, foreign criminals sentenced to at least a year in jail will be banned from entering the UK. The Home Office will consider on a case-by-case basis their full criminal history and whether they have ties to the UK such as family members. New powers will come into force 1st January 2021. [Home Office press release](#) (22 October 2020), [Commons Briefing](#) (19 June 2020)

## **Government Bills**

### **Covert Human Intelligence Sources (Criminal Conduct) Bill – Lords Second reading - TBA**

The Government bill has completed its passage through the Commons and received its first reading in the lords on 19 October 2020. The Bill makes 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 which is deemed critical for national security and in preventing and safeguarding victims from the most serious crimes such as terrorism and child sexual abuse. [Bill factsheets](#) (24 September 2020), [Commons briefing](#) (2 October 2020)

### **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. A new Serious Terrorism Sentence will be introduced requiring those convicted of offences such as preparing acts of terrorism to spend a mandatory minimum of 14 years in prison and remain on license for up to 25 years.

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

The House of Lords returned the Bill to the House of Commons with amendments. The amendments were considered on the floor of the House on Tuesday 6 October 2020 and the Commons disagreed with Lords amendment 1. The Bill will now be returned to the Lords. Bill to require the 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 briefing](#) (29 September 2020)

### **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**

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

### **Serious Violence Bill – Second reading - TBA**

### **Police Powers and Protections Bill – Second reading - TBA**

### **Online Harms Bill – pending**

## Progress on Private Member's Bills

### **Prisons (Substance Testing) Bill - Commons Committee Stage – TBA**

Bill sponsored by Dame Cheryl Gillan to make provision about substance testing in prisons and similar institutions. Received second Reading in House of Commons on 16 October 2020. [Commons briefing](#)

### **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

### **Death by Dangerous Driving (Sentencing) Bill – Second Reading in Commons – 6 November 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 – 16 Oct 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.

### **Hate Crime (Misogyny) Bill – Second reading in Commons – 13 November 2020**

Bill sponsored by Wera Hobhouse to 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

### **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

### **Problem Drug Use Bill – Second reading in Commons - 13 November 2020.**

Bill introduced under Ten Minute Rule 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; decriminalise the possession of small quantities of drugs for personal use.

### **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

## 6. CONSULTATIONS

### 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

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**

### Root and Branch review of the parole system **NEW**

Ministry of Justice public consultation inviting views on whether victims should be allowed to observe parole hearings and whether the media and wider public could have greater access to hearings. At present, victims are entitled to read a victim impact statement but cannot attend the rest of the hearing.

**Open date: 20/10/2020**

**Close date: 01/12/2020**

### Youth Endowment Fund Priorities

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**

### Modern Slavery Offences **NEW**

Ministry of Justice consultation seeking views on a draft of the first dedicated sentencing guidelines for offences under the Modern Slavery Act 2015.

**Open date: 15/10/2020**

**Close date: 15/01/2021**

### Expanding the offence of using a hand-held mobile phone while driving **NEW**

DfT consultation on proposals to broaden the offence 'using a hand-held mobile phone while driving' to capture standalone mode functions as well as interactive communication functions and to introduce a new exemption to the offence to allow drivers to make contactless payments using a mobile phone at appropriate locations

**Open date: 17/10/2020**

**Close date: 17/01/2021**

### Reform of the communications offences

**Close date: 18/12/2020**

### Post-conviction confiscation regime

**Close date: 18/12/2020**

### Hate crime laws

**Close date: 24/12/2020**