

Police and Crime Commissioner's Horizon Scanning Briefing

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1. POLICY AND PRACTICE

Government outlines plans for new Serious Violence Reduction Orders (SVROs) – 14 September 2020

Government launches consultation on plans to introduce Serious Violence Reduction Orders (SVROs) for those previously convicted of carrying a knife or an offensive weapon, including those who have received non-custodial sentences such as community orders or suspended sentences. The orders would be imposed by a court, which could also decide on the exact length of the order. Police could then stop and search those who are subject to an SVRO to check if they are unlawfully carrying a knife or offensive weapon again. If caught and convicted a second time, offenders could then expect to receive a custodial sentence under the existing 'two strikes' legislation brought in by the Criminal Justice and Courts Act 2015.

Transparency in supply chains reporting requirements on public bodies – 22 September 2020

Government response to public consultation [confirms](#) plans to extend Modern Slavery transparency reporting requirements (s54, Modern Slavery Act 2015) to public bodies. 98% of respondents supported this proposal. Public bodies with a budget of over £36m will be required to report. As with the requirements currently applicable to commercial organisations, public sector modern slavery statements will need to be signed off by the accounting officer, chief executive or equivalent and approved by the senior management body. The requirement will come into effect once parliamentary time is available to enact the legislation and further government guidance will be published in due course. [LGA response](#)

Government takes further measures to address the spread of Coronavirus – 14 to 22 September 2020

- ['Rule of six'](#) is brought into force on 14 September enabling police to disperse social gatherings of more than six people and issue fines of £100 to individuals involved, which will double up to a maximum of £3,200 for non-compliance. The change follows a rapid increase in the number of daily positive cases
- Further government guidance issued 22 September placing further restrictions on hospitality sector, close contact services and public gatherings. Government also announces £60 million funding package to support additional enforcement activity by local authorities and the police. [NPCC Response](#) [APCC Response](#)

Recent Parliamentary briefings: [Forensic Science Regulator and Biometrics Strategy 2019-20](#) (23 Sep), [Troubled Families programme](#) (23 Sep), [Serious Violence Reduction Orders](#) (16 Sep)

Recent Parliamentary debates: [Vulnerable Victim Support](#) (24 Sep), [Draft Surrender of Offensive Weapons \(Compensation\) Regulations 2020](#) (23 Sep), [Topical Questions: Criminal Justice](#) (22 Sep), [Sentencing White Paper](#) (16 Sep), [Covid-19 Secure Marshals](#) (15 Sep), [Rape: Prosecutions and Convictions](#) (14 Sep), [Serious Violence Reduction Orders](#) (14 Sep)

[Government White Paper: A Smarter Approach to Sentencing](#) - Published 16 September 2020

Ministry of Justice White Paper setting out proposals for sentencing reform in respect of protecting the public from serious offenders, supervising offenders in the community, empowering probation, reducing reoffending and improving youth sentencing. The White Paper includes proposals to:

- Ensure that serious sexual and violent offenders spend a longer proportion of their sentence in prison
- Abolition of automatic halfway release for serious violent and sexual offenders receiving standard determinate sentences of 4 to 7 years. This already applies to those serving 7 years +
- Introduce powers to prevent automatic early release for offenders of significant public protection concern
- Ensure that those committing premeditated murder of a child are expected to be given a Whole Life Order
- Change calculation for discretionary life sentence tariffs (based on 2/3 point of determinate sentence)
- Increase the time sex offenders serving a 'Sentence for Offenders of Particular Concern' spend in prison
- Change the criteria for passing a sentence below the minimum term for repeat offences
- Expand availability / use of Community Sentence Treatment Requirements and the funding available
- Consider increasing the length that Alcohol Abstinence and Monitoring Requirement tags can be imposed
- Increase maximum period of Electronic Monitoring curfew from 1 to 2 years for more serious offenders
- Give probation staff the power to vary EM requirements to provide more flexible use of curfews
- Pilot a new House Detention Order for those that have not responded to existing community sentences
- Pilot new ways of delivering timely and high-quality pre-sentence reports to improve sentencing outcomes
- Encourage courts to use existing legislation, and services such as Liaison and Diversion to deliver more effective routes for people into services and change their justice pathway – especially vulnerable women
- Simplify the Out of Court Disposals framework – ideally via community resolution or conditional caution
- Pilot 5 problem-solving courts for offenders with high-level of needs using graduated sanctions / incentives
- Launch a national 'Call for Evidence' on offenders with neurodivergent conditions in the CJS
- Improve the supervision and support available to offenders following release from custody
- Publish an update on the Cross-Government Reducing Reoffending Strategy by the end of the year
- Improve employment opportunities by legislating to reform the criminal records regime to reduce the time periods after which some sentences become 'spent' for the purpose of some criminal record checks
- Introduce a new statutory duty for key stakeholders, such as PCCs, to be consulted on the type of unpaid work projects in their area
- Modernise the Detention and Training Order for young offenders to be less prescriptive and more flexible
- Ensure that time spent in youth custody better reflects the seriousness of the offence committed and that age and seriousness of crime is better factored into starting points for murder sentencing
- Make greater provision for location monitoring and curfew flexibility in the Youth Rehabilitation Order and pilot extended duration/mandatory location monitoring for YROs with Intensive Supervision and Surveillance
- Ensure that Youth Offending Teams or probation staff (as appropriate) are the Responsible Officers for Youth Rehabilitation Orders rather than Electronic Monitoring Providers
- Abolish reparation orders to simplify sentencing options and strengthen the legal tests / threshold for custodial remand, requiring the courts to record their rationale for its use.
- Empower Probation via the new sustainable model which will be in place by June 2021, unifying sentence management under the New Probation Service, creating 12 new probation regions and delivering effective and innovate rehabilitation services through the public, private and voluntary sectors.

[Lord Chancellor's Speech: A Smarter Approach to Sentencing](#) – Delivered 16 September 2020

2. RESEARCH, DEVELOPMENT AND STATISTICS

[An analysis of TASER® use in British Policing](#) – 21 September 2020

NPCC publish report from 2019 which provides an evidence base for forces considering an uplift in TASER®. The report highlights case studies and consequences of occasions where officers trained in the use of TASER® have been unavailable. In considering their annual Strategic Threat and Risk Assessment, forces are encouraged to fully explore data concerning assaults on their workforce together with how their protective equipment is currently used. In making this assessment, forces are encouraged to ensure their TASER® arrangements provide the best possible public and officer safety.

[Football-related arrests and banning orders: 2019 to 2020 season](#) – 24 September 2020

Home Office statistics showing a steady decline in the number of football banning orders in force since 2011 (3,174) with a further 8% reduction seen in the latest year (1,621 as at 1 August 2020). There were 1,089 football-related arrests under s1 of the Football Spectators Act 1989 during the 2019/20 season. While this marked a 21% decrease on the previous season, 319 fixtures were cancelled during 2019/20 as a result of the COVID-19 pandemic, with Premier League and Championship fixtures resuming without spectators in June 2020. Of the 1,089 arrests recorded during 2019/20, the most common offence types were public disorder (34%) and violent disorder (26%). Clubs with the highest number of supporters arrested were Leeds United (52), Birmingham City (49) and Bolton Wanderers (45). 114 arrests were also recorded by British Transport Police. 'Incidents' were reported at 969 (36% of) fixtures, which was comparable to the previous season (33%). The most common incident types were pyrotechnics (32%), hate crime (30%) and throwing missiles (27%).

[Modern Slavery National Referral Mechanism Statistics: Apr - Jun 2020](#) – Published 17 September 2020

The number of potential victims of modern slavery referred to the NRM increase markedly between Oct-Dec 2016 (1,010) and Oct-Dec 2019 (3,345). Since peaking in December 2019, however, referrals fell by 14% in Jan-Mar 2020 (2,865) and by a further 23% in Apr-Jun (2,209). Of the potential victims recorded in the latest quarter, 75% (1,650) claimed exploitation in the UK only and 15% (339) claimed the exploitation took place overseas only. 38% related to the exploitation of adults and 58% related to exploitation of children. Labour exploitation was the most common exploitation type for adult potential victims, whilst criminal exploitation was most reported among child potential victims. The UK, Albania and Vietnam remain the three most common nationalities referred into the NRM. 2,284 reasonable grounds and 840 conclusive grounds decisions were made by the Single Competent Authority in the latest quarter of which 94% and 89% were positive.

[Operation of police powers under the Terrorism Act 2000 to June 2020](#) – 18 September 2020

There were 229 arrests for terrorism-related activity in the year ending 30 June 2020, marking a 17% reduction on the previous year (182). Of those arrested, 71 (31%) resulted in a charge; 69 (30%) were released pending further investigation; 49 (21%) were released without charge and 27 (12%) faced alternative action such as a caution or recall to prison. 13 (6%) were awaiting an outcome to be assigned.

[Reoffending following custodial sentences or community orders](#) – 22 September 2020

Ministry of Justice research report analysing the link between reoffending risk and custodial sentence length and community orders. The study analysed data from the Police National Computer on custodial sentences and community orders received by a cohort of offenders who entered the criminal justice system in 2000. The analysis suggests that those serving longer custodial sentence may be disproportionality hindered from opportunities to fully participate in society by needing to disclose their convictions even though their criminal risk becomes low. Adults who had committed offences listed on Schedule 15 (i.e., highly serious) and sentenced to over four years in custody reached the offending risk of the general population at around four years, whereas children took over seven offence-free years to reach this point when sentenced to the same sentence length. For community orders, regardless of offence type or age, it took approximately 15 offence-free years for them to reach the same level of criminal risk as the general public, however, offenders tended to receive community orders for lower harm offences, such as Summary offences which may become recurring events.

Criminal court statistics quarterly: April to June 2020 – Published 24 September 2020

April to June 2020 saw a significant decrease in criminal court receipts (-36 to -45%) and disposals (-50% to -62%) as a result of measures taken in response to the COVID-19 pandemic with throughput dropping to unprecedented low levels. The volume of outstanding cases in the Magistrates and Crown Courts increased by 44% and 25% respectively, with the median waiting time for Crown Court cases increasing by 38% on the same period last year to 7.3 weeks. This remains below the peak of 12.1 weeks seen in 2015.

Upcoming statistical publications

- Detailed analysis of fires attended by FRS 2019/20 – 1 October 2020
- Hate crime, England and Wales, 2019 to 2020 – 13 October 2020
- Police powers and procedures, England and Wales, 2019/20 – 22 October 2020
- Crime and crime outcomes in England and Wales to June 2020 – 15 October 2020
- Police officer uplift, quarterly update to September 2020 – October 2020

3. AUDITS AND INSPECTIONS

Upcoming reports and inspection activity

• Released Under Investigation: Impact of changes to police bail procedures	Pending
• PEEL Reports 2020/21 – Tranche 1 and 2	Pending
• Joint Inspection of Prosecution team case file quality (Police / CPS)	2020
• HMICFRS: Independent study of police air support	2020
• HMICFRS: Older people in the criminal justice system	2020
• HMICFRS: Use of PNC by non-police organisations (Home Office commission)	2020
• HMICFRS: Police response to domestic abuse (annual review)	2020
• Fire and Rescue Service inspection (third tranche)	December 2020
• HMICFRS State of Fire and Rescue Services in England 2020	January 2021
• Findings from survey of public perceptions of the fire and rescue service	January 2021
• PEEL Reports 2020/21 – Tranche 3	January 2021
• Joint CJS Inspection of the Police, FRS and CJS response to COVID-19	Early 2021
• HMIC: Crime data integrity (individual force reports)	Ongoing
• HMI Prisons: Joint inspection of Police Custody Arrangements	Ongoing
• HMICFRS: Police Effectiveness - Child Protection (x6)	Ongoing
• HMI Probation: Joint inspection of Youth Offending Teams	Ongoing
• HMICFRS: Investigating and prosecuting rape cases	2020/21
• HMICFRS: Multi-agency response to suspects suffering mental ill health	2020/21
• HMICFRS: Serious Youth Violence	2020/21
• HMICFRS: Police response to serious and organised crime (SPR)	2020/21
• HMICFRS: Police response to public order (SPR)	2020/21

4. REVIEWS AND INQUIRIES

[Emerging trauma and poverty informed strategies among PCCs](#) - 21 September 2020

Revolving Doors Agency review of strategies and activities led by PCCs to address the impact of trauma and poverty among people who are in or at risk of entering the 'revolving door'. The review highlights a growing focus on vulnerability and a commitment to prevention across the offices of PCCs since 2016 in collaboration with police, health and local authority partners. The review showcases examples of good practice in areas such as early intervention to support children experiencing Adverse Childhood Experiences, multi-agency partnerships to support children in the CJS, women's centres that adopt trauma-informed approaches, and a growing focus on the role of trauma in violence reduction. Evidence shows that effective diversion, alongside an offer of long-term and culturally competent support, can foster positive and stable relationships and reverse some of the combined impact of poverty and trauma and help to reduce racial disparities in the CJS.

['It's everywhere' – alcohol's public face and private harm](#) – 14 September 2020

Report of the Commission on Alcohol Harm examines the current evidence on alcohol harm and highlights the impact on and costs to society. The report notes that alcohol's ill-effects on both health and crime fall disproportionately on the poorest, with alcohol-related crime in England and Wales estimated to cost society around £11.4 billion per year. The report calls for a UK Government alcohol strategy to be developed and coordinated with devolved national governments. The strategy should include specific measures to support families and protect children from harm, including alcohol-fuelled violence.

[Independent Anti-Slavery Commissioner's Annual Report 2019-20](#) – Published 17 September 2020

Annual Report outlining the Commissioner's work so far to achieve her objectives as outlined in the Strategic Plan 2019-2021, within the four priority areas of: improving victim care and support; supporting law enforcement and prosecutions; focusing on prevention; and getting value from research and innovation.

5. LEGISLATION

Government Bills

[Covert Human Intelligence Sources \(Criminal Conduct\) Bill](#) **NEW**

Government bill [introduced](#) 24 September 2020 to make 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. [Draft revised Codes of Practice](#) and [factsheet](#) available. Second reading in the Commons is scheduled for 5 October 2020

[Sentencing Bill](#) – Commons Second Reading – 30 September 2020

Government Bill to change the automatic release point from halfway to the two-thirds point for adult offenders serving sentences of 4 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. [Commons briefing](#) published 23 September 2020.

[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

[Fire Safety Bill](#) – Second reading in Lords – 1 October 2020

[Extradition \(Provisional Arrest\) Bill](#) – Ping Pong Stage – TBA

[Counter-Terrorism and Sentencing Bill](#) – Lords Committee Stage – TBA

Second reading in the Lords was held on 21 September 2020.

[Domestic Abuse Bill](#) – Lords Second reading - 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

Progress of Private Member's Bills

[Assaults on Retail Workers \(Offences\) Bill](#) - Commons Second reading – 25 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.

[Forensic Science Regulator and Biometrics Strategy Bill](#) - Commons Second Reading – 25 September

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

[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 – 16 Oct 2020

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

Bill sponsored by Sir Edward Davey to repeal sections of the Criminal Justice and Public Order Act 1994

[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

[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

[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.

[Protest \(Abortion Clinics\) Bill](#) – Second reading in Commons – 30 October 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

[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.

[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

6. CONSULTATIONS

[Draft guidelines for effective supervision](#)

College of Policing consultation on draft guidelines for how the police service can best support the wellbeing, development and performance of officers, staff and volunteers.

Open date: 25/08/2020

Close date: 30/09/2020

[Strengthening the Independent Scrutiny Bodies through Legislation](#)

Ministry of Justice consultation exploring options to strengthen the Arm's Length Bodies' ability to scrutinise and improve accountability within the CJS, particularly in relation to prisons, probation and custodial settings.

Open date: 19/08/2020

Close date: 30/09/2020

[Road and enforcement and safety survey](#)

APCC consultation seeking the public's views on roads safety, fixed penalties, and wider enforcement to inform the Home Office and Department for Transport's review of roads policing.

Open date: 01/09/2020

Close date: 30/09/2020

[Roads policing review: future methods to improve safety and reduce casualties](#)

DfT consultation to identify which current methods are most effective and to how the capability and capacity of enforcement services can be enhanced to improve safety and reduce future casualties on roads.

Open date: 13/07/2020

Close date: 05/10/2020

[Criminal Injuries Compensation Scheme Review 2020](#)

Ministry of Justice consultation to inform a review of the Criminal Injuries Compensation Scheme which compensates victims of violent crime, including physical and sexual assault and domestic terrorist attacks to support their coping and recovery. The Scheme was last reviewed in 2012.

Open date: 16/07/2020

Close date: 09/10/2020

[Serious Violence Reduction Orders](#) **NEW**

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

[Law Commission Consultations relating to:](#) **NEW**

- [Reform of the communications offences](#): **Launched 24 Sep 2020, Closes 18 Dec 2020**
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.
- [Hate crime laws](#): **Launched 23 Sep 2020, Closes 24 Dec 2020**
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.
- [Post-conviction confiscation regime](#): **Launched 17 Sep 2020, Closes 18 Dec 2020**
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.