

Police and Crime Commissioner's Horizon Scanning Briefing

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1. POLICY AND PRACTICE

[Government Spending Review 2020 – 25 November 2020](#)

Chancellor's [Spending Review](#) for the 2021/22 financial year includes £400 million for the recruitment of an extra 6,000 officers as part of the police uplift programme. PCCs were also given the flexibility to raise council tax precepts by up to £15 (for a Band D property) without triggering a referendum. If fully maximised by all PCCs, this would increase total funding for the police service by up to £720 million. The review also announced an extra £337 million for the wider CJS, including £275 million for measures to bring more offenders to justice by managing the 'downstream' impact of additional police officers and an additional £119 million to support the ongoing response of the wider CJS to Covid-19. An extra £63 million has been committed to tackling economic crime, including support for the National Economic Crime Centre (NECC). Public sector pay will be frozen with the exception of NHS workers and the lowest paid workers. Local Authorities will be able to increase their core spending by 4.5% in cash terms and will receive additional funding to tackle homelessness and rough sleeping (£254 million resource funding), provide extra social care provision and respond to Covid-19.

[Government plans to strengthen firearms laws for public safety – 24 November 2020](#)

Government set out [proposals](#) to strengthen firearms laws and better protect the public by removing exemptions which allow people aged 14 and over to have unsupervised possession of air weapons on private premises; making it an offence to fail to lock up an air weapon and its ammunition separately in the presence of under-18s while not in use and; working with industry and retailers to improve the safe keeping of air weapons and advice at the point of sale. Furthermore, owners would no longer be able to legally buy weapons smaller than .23-inch calibre without having a firearms certificate or informing the police, and owners of miniature rifle ranges would no longer be excluded from the licensing regime. The consultation also seeks views on how to strengthen controls on ammunition parts and security measures around powerful firearms.

[Facing the camera – 3 December 2020](#)

Surveillance Camera Commissioner publishes good practice and guidance for the police on use of overt surveillance camera systems and facial recognition technology

[Operation Modify: New interactive digital investigation learning resource – 1 December 2020](#)

College of Policing launches a new interactive learning resource to help new and serving officers, police staff and volunteers to acquire the digital skills they need to undertake investigations effectively.

[Updated Home Office guidance: Modern slavery: how to identify and support victims – 30 Nov 2020](#)

Commissioner's e-Briefing: 7 December 2020

[IOPC launches Victims' Right to Review scheme](#) – 1 December 2020

IOPC launches Victims' Right to Review scheme allowing victims to request a review of decisions not to refer matters to the Crown Prosecution Service (CPS). The scheme will apply in all independent, managed and directed investigations that have previously been designated by the IOPC as criminal investigations.

[Ask for ANI and Safe Spaces schemes Promotional Materials](#) – 1 December 2020

Training and promotional materials for pharmacies taking part in both the Ask for ANI codeword scheme and the Safe Spaces scheme to help victims of domestic abuse.

[Fire and Rescue Authority financial reserves: March 2019](#) – 30 November 2020

[Updated Sentencing Code comes into force](#) – 1 December 2020

Recent Parliamentary briefings: [Coronavirus: enforcing restrictions](#) (2 Dec), [Coronavirus: the lockdown laws](#) (2 Dec), [The Troubled Families programme](#) (27 Nov), [International development and gender-based violence](#) (23 Nov)

Recent Parliamentary debates: [Courts and Tribunals: Recovery](#) (3 Dec), [Mental Health Support: Policing](#) (25 Nov), [Hate Crime: Misogyny](#) (23 Nov)

2. RESEARCH, DEVELOPMENT AND STATISTICS

[Domestic abuse in England and Wales: November 2020](#) – Published 25 November 2020

ONS publication detailing levels and trends in domestic abuse and how it is dealt with at the local level using annual data from various sources. The reports highlights a slight but non-significant decrease in the [prevalence](#) of domestic abuse in the latest year as captured via the Crime Survey for England and Wales, while domestic abuse related crimes recorded by police increased by 9%. This is likely to reflect improved recording by the police alongside increased reporting by victims. The publication includes details of the [characteristics](#) of victims of domestic abuse, outcomes across the [criminal justice system](#) and the availability of [victim services](#). Referrals of suspects to the CPS for a charging decision fell 19% in the year to March 2020, while the charging rate (73%) has fallen from 76% in March 2018. 78% of domestic abuse-related CPS prosecutions were successful in securing a conviction. The number of refuge services for victims of domestic abuse has been decreasing in recent years, however, the number of bed spaces available has increased. An estimated 67% of referrals of women to refuge services in England were declined in 2018/19, often due to a lack of space or capacity. The number of cases discussed at multi-agency risk assessment conferences (MARACs) in England and Wales has increased by 12% over the past two years, to 99,467 and is likely to reflect an increase in reporting as opposed to an increase in victims of domestic abuse. The number of full time equivalent IDVAs for victims at high risk of domestic abuse has increased by 7% over the last two years but remains 26% below the SafeLives recommended number to support high-risk abuse cases. Data at police force area level to March 2020 is available via the updated [Domestic Abuse Data Tool](#)

The release also includes an assessment of [domestic abuse during the coronavirus pandemic](#). Police recorded domestic abuse-related offences increased by 7% between March and June 2020 compared with the same period in the previous year however, this does not take account of a gradual increase in these offences over recent years. Demand for domestic abuse victim support services increased, with calls and contacts logged by the National Domestic Abuse Helpline rising by 65% between April and June 2020 compared with the first three months of the year. Increases in demand for support were particularly noticeable following the easing of lockdown measures in mid-May. The report notes that increases in demand for domestic abuse victim services do not necessarily indicate an increase in the number of victims, but potentially an increase in the severity of abuse being experienced.

County Lines and Looked After Children – 3 December 2020

Crest Advisory report considers the disproportionate representation of looked after children in county lines networks. The report makes recommendations for developments in policy and practice which include: legislating to create a statutory definition of child criminal exploitation (CCE) and county lines; developing a new interdepartmental national strategy to tackle CCE and balance the current emphasis on enforcement with a safeguarding approach; ensure that the forthcoming Care Review considers the exploitation of looked after children; ensure contextual safeguarding and continuous risk assessments guide local authority placement of children in care homes 'out of area' and; end the use of 'unregulated care homes' for looked after children. The National Referral Mechanism for under 18s should also be reformed to ensure local authorities assume responsibility from the Home Office as the 'competent authority' for NRM referrals for under 18s in their area.

Crime and Covid-19: How victims have been affected by the pandemic – 25 November 2020

Victim Support report highlighting increases in the severity and intensity of crime experienced by victims during the pandemic, alongside increasing demand for victim support services and a rise in compounding factors such as isolation, financial instability, anxiety around police investigations and delays to trials. The significant reduction in children and young people accessing victim support services is also of particular concern. The report concludes that further research and additional funding is required to better understand and improve the response to victims and survivors during this unprecedented time. Greater investment is also required in struggling statutory services such as housing, social services and mental health. Furthermore, the Government will need to take significant action to meaningfully address the backlog of cases awaiting trial.

Fixed Penalty Notices issued under Coronavirus restrictions – 30 November 2020

NPCC publish updated statistics on Fixed Penalty Notices issued under Coronavirus Restrictions between 27 March 2020 and 16 November 2020. At least 24,933 FPNs have been issued during this period which include:-

- 2,160 FPNs under the first Alert Levels tiers in England, 1,977 under the Coronavirus No.4 Regulations which commenced on 5 November and 133 for holding a gathering of more than thirty people in England
- 641 FPNs for breaches of the Face Coverings Regulations across England and Wales since 15 June. 169 of these fines were issued against the regulations concerning wearing a face covering on public transport
- 181 FPNs relating to businesses failing to comply under regulations introduced on 24th September
- 223 FPNs for individuals failing to self-isolate after arriving from a country on Government Quarantine list. More than 9,100 such cases were investigated by officers, with 7,040 finding the individual to be complying with regulations, 416 finding a breach of the regulation but individuals being successfully encouraged to self-isolate. 862 resulted in no answer when officers attended an address and in 586 cases officers attend an address but were unable to find the individual in question residing there.

Criminal justice system statistics quarterly: December 2019 – Published 26 November 2020

Ministry of Justice statistics showing further reductions in the total number of individuals formally dealt with by the criminal justice system in the latest year (-1%), continuing the decline seen since 2015. While the number of prosecutions has been falling since 2010, prosecutions for violence against the person offences have risen by 26% in the latest year due to the 'assaults on emergency workers' offence introduced in November 2018, and a 13% increase in and drug offences. The overall conviction ratio remained broadly stable at 87%. The proportion of defendants remanded on bail has continued to fall since 2015, while the proportion not remanded continued to increase. The custody rate for indictable offences has fallen from 33% to 32% in the latest year, but remains higher than levels in 2009 (25%). The average custodial sentence length (ACSL) increased to 21.4 months for indictable offences, continuing the trend seen since 2009 (16.5 months).

Women and the Criminal Justice System 2019 – 26 November 2020

Ministry of Justice report compiling statistics from data sources across the Criminal Justice System to provide a combined perspective on the typical experiences of males and females in England and Wales.

Prison population projections – Published 26 November 2020

Annual National Statistics update on projected monthly prison population covering the period 2020 to 2026. Includes sub-population estimates and the effects of relevant factors such as legislation and sentencing activity.

Individuals referred to and supported by the Prevent Programme, 2019/20 – 26 November 2020

6,287 referrals to Prevent were made in 2019/20, marking a 10% increase on the record low recorded in 2018/19 (5,737). The Police (31%) and education sector (31%) made the highest number of referrals. Most referrals were for males (5,514; 88%), and for people aged 20 or under (3,423; 54%). The number of referrals discussed at a Channel panel (1,424) and adopted as a Channel case (697) saw a further 7.2% and 25% increase respectively. Of the 697 Channel cases, the most common were cases referred due to concerns regarding right-wing radicalisation (302; 43%), followed by Islamist radicalisation (210; 30%).

Problem Orientated Policing Review - 3 December 2020

College of Policing update narrative on Problem Oriented Policing following a meta-analysis of 34 individual studies which found that POP led to a statistically significant effect on crime and disorder compared to control groups. The review reported a 33.8% reduction in crime and disorder when using an analysis approach recommended for place-based studies.

Mean streets – 25 November 2020

Children's Commissioner report seeking to better understand where and why children feel unsafe, and what can be done to address these fears. The report is based on the findings from seven focus groups conducted with children aged 7 to 18 in Sheffield.

Who are they? Where are they? 2020 – 27 November 2020

Children's Commissioner's second annual report on children living in secure accommodation finds 1,340 children living in secure settings of which 715 were living in Secure Children's Homes, Secure Training Centres and Young Offenders Institutions because they had either been sentenced or remanded there by a court. This is down from 873 in the previous year. The report also explores what is known about groups of 'invisible children' who do not appear in statistics and update on the numbers of children who have been deprived of their liberty through the 'inherent jurisdiction' of the high court. This is used when no existing piece of legislation allows for a child to be deprived of liberty, but it is judged necessary to keep them safe.

Upcoming statistical publications

- Drug Misuse in England and Wales: year ending March 2020 – 9 December 2020
- Seizures of drugs in England and Wales, financial year ending 2020 – 9 December 2020
- Operation of police powers under the Terrorism Act 2000 to September 2020 – 10 December 2020
- So called 'honour-based' abuse offences, England and Wales, 2019/20 – 16 December 2020
- Police use of force statistics, England and Wales: 2019/20 – 17 December 2020
- Response times to fires attended by fire and rescue services: England, 2019/20 – 14 January 2021
- Police officer uplift, quarterly update to December 2020 – January 2021
- Crime in England and Wales: year ending September 2020 – 28 January 2021
- Detailed analysis of non-fire incidents: England, 2019/20 – 28 January 2021
- Fire and rescue incident statistics to September 2020 – February 2021

3. AUDITS AND INSPECTIONS

[Disclosure of unused material in the Crown Court - a follow-up](#) – 1 December 2020

HMCPPI follow-up to the January 2020 inspection of the CPS's handling of the disclosure of unused material in the Crown Court. The most recent cases reviewed indicate that there has been some improvement in terms of:

- completion of disclosure management documents by police & CPS & police response to defence statements
- the identification of material that needed to be disclosed at the first hearing; the instructions given in the
- charging advice to court prosecutors and timeliness of serving initial and continuing disclosure.

The follow up also found, however, that a number of performance measures to had deteriorated, including:-

- the service provided by the police to the CPS and the identification of reasonable lines of enquiry
- the quality of prosecutor's review at charging, in relation to the consideration of disclosure issues

The report makes recommendations for the CPS to work with the police at an Area level to identify and address deficiencies in file quality against the agreed file standards and use this work to influence improvements within the prosecution team performance meeting and/or Local Criminal Justice Board structures. The CPS should also develop a clear strategy to improve the quality and standard of pre-charge reviews and case file reviews.

Upcoming reports and inspection activity

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| • Joint inspection of pre-charge bail and RUI (HMICFRS and HMCPPI) | 8 December 2020 |
| • Joint Targeted Area Inspection thematic report on Mental Health (Ofsted) | 9 December 2020 |
| • <u>Policing response to COVID-19</u> – Early findings shared with forces w/c 7 Dec | Early February 2020 |
| • <u>Fire and rescue service response to COVID-19</u> | January 2021 |
| • HMICFRS: Multi-agency response to suspects suffering mental ill health | 2021 |
| • Policing of protests | Underway |

4. REVIEWS AND INQUIRIES

[Constitutional powers of the Victims' Commissioner for England and Wales](#) – 3 December 2020

Independent report highlighting gaps in the powers of the Victims' Commissioner when compared to other public scrutiny bodies. The report makes recommendations for the Commissioner to have additional powers to: require action if bodies are found not to be complying with the Victim's Code; require changes to the Code if it is found to be inadequate; recommend changes to the law; receive and direct complaints from victims as users of services provided by bodies named in the Code; conduct and commission research and training what constitutes good practice and on victims' emergent need and; ensure that Parliament is fully aware of victims' needs, and upholds their entitlements and rights.

[HM Prison and Probation Service offender equalities annual report 2019/20](#) – 26 November 2020

Annual report providing statistics on protected characteristics of offenders in prison and in the community. Prisoners from BAME backgrounds made up 27% of all prisoners in March 2020. This proportion has remained similar since 2013. Males continue to account for 96% of the prison population, with numbers peaking in the 30 to 39 age group. 97% of prisoners who declared a sexual orientation reported that they were heterosexual. This remains comparable with trends reported over the past decade.

[Inspection of probation services Annual Report 2019/20](#) – 3 December 2020

[Inspection of youth offending services Annual Report 2019/20](#) – 24 November 2020

5. LEGISLATION

Government Bills

[Fire Safety Bill](#) – Ping Pong – 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 of the building, including cladding, balconies and windows and entrance doors to individual flats that open into common parts. Builds on action already taken in the wake of the Grenfell Tower tragedy. [Briefing](#)

[Covert Human Intelligence Sources \(Criminal Conduct\) Bill](#) - Lords Committee Stage - TBA

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 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.

[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 and the list of offences classed as terror-related will be widened.

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

Government Bill to improve the response to and understanding of domestic abuse, improve the effectiveness of the justice system in protecting victims and bringing perpetrators to justice, and strengthen support for victims of abuse across statutory agencies. This includes creating a [statutory definition](#) of domestic abuse, establishing a [Domestic Abuse Commissioner](#), providing for a [Domestic Abuse Protection Notices and Domestic Abuse Protection Orders](#), placing a duty on local authorities in England to provide support to victims of domestic abuse and their children in refuges and other [safe accommodation](#) and placing guidance supporting the [Domestic Violence Disclosure Scheme](#) (Clare's law) on a statutory footing.

[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.

[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.

[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.

[Online Harms Bill](#) - April 2019 White Paper

April 2019 White Paper set out the Government's plan for world-leading legislation to make the UK the safest place in the world to be online. The Government will continue to develop this legislation

Private Member's Bills – Upcoming activity

[Protest \(Abortion Clinics\) Bill](#) – Second reading in Commons – 8 January 2021

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 – 8 January 2021

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 – 8 January 2021

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.

[Problem Drug Use Bill](#) – Second reading in Commons – 15 January 2021

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 provision for safe drug consumption facilities and; decriminalise the possession of small quantities of drugs for personal use.

[Hate Crime \(Misogyny\) Bill](#) – Second reading in Commons – 15 January 2021

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 – 15 January 2021

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 – 15 January 2021

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 – 15 January 2021

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

[Foreign Nationals \(Offender and Prisoner Removal\) Bill](#) – Second Reading in Commons – 15 Jan 2021

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

[Police Stop and Search \(Repeal\) Bill](#) – Second reading in Commons – 15 January 2021

Bill sponsored by Sir Edward Davey to repeal sections 60, 60AA and 60A of the Criminal Justice and Public Order Act 1994

[Prisons \(Substance Testing\) Bill](#) – Report Stage – 22 January 2021

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

[Human Trafficking \(Child Protection\) Bill](#) - Second reading in the Commons – 22 January 2021

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

[Revisions to the extradition police codes of practice](#) **NEW**

Home Office consultation on revisions to the Extradition Act 2003 police codes of practice following significant changes to PACE codes and a new power of arrest brought about by the Extradition (Provisional Arrest) Act 2020 - where the UK is arresting, transporting or detaining an individual subject to a valid extradition request.

Open date: 17/11/2020

Close date: 14/12/2020

[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

[Supporting effective investigations guideline](#) **NEW**

College of Policing consultation seeking knowledge and experience of front line police officers and staff to inform the development of new investigation guidelines to ensure a consistent approach.

Open date: 24/11/2020

Close date: 21/12/2020

[Hate crime laws](#)

Law Commission consultation on hate crime law reforms 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

[Modern Slavery Offences](#)

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](#)

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

[Firearms safety](#) **NEW**

Home Office consultation seeking views on enhanced security for particularly powerful rifles, introducing licensing controls on miniature rifle ranges, and tougher controls on ammunition. Proposals include further, targeted controls on the security of air weapons and access to them by under-18s in England and Wales.

Open date: 24/11/2020

Close date: 16/02/2021