



## Welcome to the Commissioner's weekly horizon scanning brief:

1. **Legislation** (Legislation, Home Office, APCC, press comments, reports and campaigns relating to strategy, policy and programmes)
2. **Policing and crime key developments** (relevant crime and criminal justice information and partners' policy/reports/campaigns)
3. **Reports** (covering research, reviews, inspections and audits across policing and crime)
4. **Consultations** (police and crime bulletins, research, consultations and press releases)

Contact Officer: [Karen.sleigh@nottinghamshire.pnn.police.uk](mailto:Karen.sleigh@nottinghamshire.pnn.police.uk)

## 1. Legislation

### [Anti-social Behaviour, Crime and Policing Bill](#)

The **Anti-social Behaviour, Crime and Policing Bill** completed the commons committee stage on 16 July 2013.

### [New Subject Access Code of Practice](#)

The ICO has published its new Subject Access Code of Practice. The guidance brings together all of our previous advice on this subject along with additional material and aims to help organisations deal with subject access requests in a timely and efficient manner. During 2012/13 the ICO received more complaints about subject access requests than any other topic, with over 6,000 complaints handled during this period. One in six of these complaints related to the financial sector, while one in ten related to the health sector.

### **Further FOI changes from September**

From 1 September there will be a change to the definition of 'public authority' in section 6 of the FOI Act, which will include not only companies wholly owned by one public authority, as is the position at present, but also those wholly owned by more than one "relevant public authority". The order that commences these, and the datasets provisions is [The Protection of Freedoms Act 2012 \(Commencement No. 8\) Order 2013](#) – ref 2013 No. 1906 (C. 81).

### [Surveillance camera code of practice comes into force](#)

A new code of practice which will encourage more effective use of CCTV cameras comes into force. The code sets out guidelines for CCTV and Automatic Number Plate Recognition (ANPR) systems to ensure their use is open and proportionate and that they are able to capture quality images that give police a better chance to catch criminals and cut crime.

### [Department for Communities and Local Government](#)

Dealing with illegal and unauthorised encampments: a summary of available powers.

### **Motoring offenders face increase in financial deposits**

The government has published [the Road Safety \(Financial Penalty Deposit\) \(Appropriate Amount\) \(Amendment\) Order 2013](#).

## [New penalties for careless driving come into force](#)

careless drivers who put other road users at risk by committing offences such as tailgating or poor lane discipline will face on-the-spot penalties.

## 2. Policing and crime key developments

### [Study to help victims of crime is a UK policing first](#)

A study – the first of its kind in UK – has discovered a new way to improve the experience for victims when dealing with the police.

### **Home Secretary commission: Domestic abuse and abuse**

The Home Secretary has commissioned HMIC to look at the effectiveness of the police response to domestic violence and abuse across England and Wales. More details, including the terms of reference, will be published shortly.

### [Improving local responses to alcohol-related ill health](#)

A new tool developed by Public Health England to support the improvement of effective local responses to alcohol related ill health – the Alcohol risk assessment tool is now available.

### [Police collaboration unit failings highlight DP issues involved in collaborative working](#)

The ICO has issued three police forces in the East Midlands with enforcement notices following the theft of a number of unencrypted laptops belonging to the East Midlands Collaboration Unit. The collaboration unit was used by all three forces and during investigation it was found that there was no formal basis for sharing the information in place and that the forces showed no apparent recognition that they were still responsible for the data they were processing. As well as issuing enforcement notices to Leicestershire, Derbyshire and Nottinghamshire Police, the ICO has raised concerns with the Association of Chief Police Officers (ACPO) who will now be reviewing and updating guidance to police forces on collaborative working. The case is discussed in a [blog written by ICO Strategic Liaison Group Manager for Public Security, Meagan Mirza](#). In the blog Meagan explains that before setting up a collaborative unit, “all parties involved should understand who is responsible for what and whose policies are being followed”.

### **Landmark ANPR decision highlights need for proportionality**

The use of ANPR cameras is an issue that continues to attract interest from the public and the media. To comply with the Data Protection Act organisations must ensure that the use of such cameras is proportionate to the problem it is trying to address. On 24 July the ICO issued [an enforcement notice to Hertfordshire Constabulary](#) following a detailed investigation into the force’s use of an extensive ANPR system surrounding the town of Royston. The scheme, regularly referred to as the ‘Ring of Steel’, effectively means that it is impossible to drive in and out of the town without a record being kept of your journey. The notice was issued after it became clear that the force had not carried out a proper privacy impact assessment, or similar such assessment, to show that the use of the cameras was justifiable. The force must now review the use of the scheme’s cameras to ensure they comply with the DPA.

### [EU data protection regulators propose profiling definition](#)

The ICO has been working with its European counterparts to examine the feasibility of developing a definition and related article provision on profiling within the proposed draft EU

General Data Protection Regulation. Profiling has found its way into many areas of life in the form of consumer profiles, movement profiles, user profiles and social profiles. The rapid development of technology and the move towards big data techniques allow actors in both the public and private sectors to access and use multiple data sources to build up a detailed picture of individuals' preferences and make predictions based on such preferences.

## [Firms forging partnerships to tackle reoffending](#)

More than 150 organisations looking to bid for offender rehabilitation contracts have attended two events aimed at bringing small and large providers together to forge successful partnerships in reducing reoffending.

## [Communications training needed for Manchester police](#)

Police officers are failing to engage with the public politely, a new report suggests. Officers from Greater Manchester Police (GMP) underwent communications training as part of a College of Policing study, which found that this resulted in higher satisfaction from the public.

## [College of Policing and ESRC announces a university consortium to support the What Works Centre for Crime Reduction](#)

A consortium of eight universities has been selected to host the What Works Centre for Crime Reduction.

## [Thieves and fraudsters should not be jailed, says Howard League](#)

The Howard League for Penal Reform has released a landmark pamphlet *What if imprisonment were abolished for property offences?* by one of Britain's leading criminal lawyers, Professor Andrew Ashworth, the Vinerian Professor of English Law at Oxford University, calling for the abolition of imprisonment for pure property offences.

## [Summary of crime and transforming rehabilitation event](#)

The Home Office and Ministry of Justice hosted an engagement event for police and crime commissioners or their representatives and police and probation professionals to discuss the position of police and crime commissioners and integrated offender management within the transforming rehabilitation strategy paper. This is a summary report of the event, including an edited transcript of the keynote address from the Minister for Prisons and Rehabilitation on the significant changes ahead.

## [The Police Viewpoint on Multi-Agency Engagement](#)

Charlie Hedges, CEOP's manager for missing, trafficked, abducted and kidnapped children, discusses the positive aspects and issues of a multi-agency MASH approach.

## [The changing face of terrorism](#)

Joanne Taylor, Director of Public Security SAS looks at the role of big data analytics in fighting lone wolf terrorism.

## [Sex-on-duty complaint investigation report published](#)

The IPCC has published its investigation report into the way that Gwent Police dealt with a complaint about a firearms officer who had sex on duty.

**Andrew Haldenby, Director of *Reform*, has written an article for *BBC Online* in response to a pamphlet by Professor Ashworth, Professor of English Law at Oxford University, calling for imprisonment to be reserved for only the most serious of**

**offences.** Andrew argued that for these proposals to gain public confidence, the alternatives to prison such as community sentences will need to be more effectively managed and fines more rigorously collected ([BBC Online](#)).

## 3. Reports

### [Home Office](#)

Police recorded crime open data tables.

### [Home Office](#)

Violence against Women and Girls newsletter – Summer 2013.

### **New guidance on FOI dataset provisions**

The dataset amendments to the FOI Act come into force on 1 September 2013. The ICO has published a comprehensive [guidance document](#) setting out the details of these new provisions and [a blog from ICO Head of Policy, Steve Wood](#), discussing the new changes.

The dataset amendments in brief:

- When a public authority is providing information in response to a request, if that information is a dataset, then the public authority has to provide it in a re-usable form so far as reasonably practicable.
- If the public authority owns the copyright in the dataset and it's not a Crown copyright work, then it also has to licence the dataset for re-use.
- It may charge a fee for licensing re-use of the dataset.
- The public authority also has to make requested datasets available for re-use under its publication scheme, unless it's not appropriate to do so.

The amendments are about information that can be released. Exemptions under the FOI Act still apply: there is no new right of access to any information that is not currently available, and there is no requirement for a public authority to create new information.

- As well as our guidance, the key documents that public authorities need to read are:
- [Section 102 of the Protection of Freedoms Act 2012](#), which contains the text of the new provisions.
- The [new Section 45 Code of Practice on datasets](#).
- The new [Freedom of Information \(Release of Datasets for Re-use\) \(Fees\) Regulations 2013](#).

### [Home Office monitored over timeliness of FOI responses](#)

The ICO is currently monitoring the Home Office, Sussex Police and South Tyneside Council over the timeliness of their responses to FOI requests. The monitoring period will examine the authorities' responses to FOI requests received between 1 July and 30 September 2013. Failure to show signs of improvement during this period may result in enforcement action. Following the monitoring period held between 1 January and 31 March 2013, Wirral Borough Council has also been issued with an undertaking requiring them to improve the timeliness of their responses. The action follows unsatisfactory progress during the monitoring period, with less than 75% of requests still failing to be responded to within the time limit of 20 working days.

## **Further progress on spam texts and nuisance calls**

The latest edition of the [ICO's quarterly PECR report](#), explains the work undertaken to tackle spam texts and nuisance calls.

## **Charities benefiting from expert reoffending analysis**

A new service will provide valuable reoffending data for up to 150 organisations over the pilot year so they can see what interventions work to reduce reoffending. The Justice Lab pilot is a new statistical service open to all organisations who work with offenders, with particular focus for supporting the VCS.

## **New Probation Service appointments announced**

Two people have been appointed to head up the new National Probation Service (NPS). Mike Malden will be Director of Probation, leading the service in England and Sarah Payne will be Director of National Offenders Management Service, Wales.

## **Centre for Social Justice**

Turning the tide: Social justice in five seaside towns.

## **Department of Transport**

Social benefits of buses: valuing the social impacts. Research report looking into ways of valuing the social benefits of buses.

## **MIND/Mental Health Foundation**

Building Resilient Communities – Making every contact count for public mental health. This report sets out the evidence for each of the five ways to wellbeing, as well as examples of upstream interventions that can support people to take part in these activities locally. The five ways to wellbeing are: connect, be active, take notice, keep learning, and give.

**Planning ahead** - [Mark Carney](#), the Governor of the Bank of England, unveiled “forward guidance” for the economy. The *Inflation Report* states that the Bank would not consider raising interest rates until unemployment fell to below 7 per cent.

**The Prime Minister, David Cameron, announced a £160 million investment in cycling, with safe cycle paths to be built in eight cities and four national parks** ([Times](#); [Guardian](#); [BBC Online](#)).

## **£77m cycling fund for eight cities**

A £77m fund will boost cycling in eight English cities, Prime Minister David Cameron has announced. The support will help councils to improve existing networks and create new ones to make cycling easier and safer. Manchester, Leeds, Birmingham, Newcastle, Bristol, Cambridge, Oxford and Norwich will share the funding, and four national parks will receive an additional share of £17m. Combined with local funding (see below for details), the new funding amounts to £148m between now and 2015.

## **ONS finds 73% of UK adults use the internet everyday**

36 million adults in the UK were daily internet users in 2013, new figures from the Office for National Statistics (ONS) show. This is more than double the number of users from 2006, when comparable records began.

**Brandon Lewis announces 100 community pubs are saved**

Community Pubs Minister Brandon Lewis raised a glass to announce that 100 community pubs have been listed as assets of community value helping to safeguard their futures. The [Community Right to Bid](#) gives communities the opportunity to nominate an asset to be included on a list of assets of community value which delays the sale should a treasured local assets be put up for sale.

**The Cabinet Office will reform the procurement of government IT services to allow for greater participation of small and medium enterprises (SMEs).** Whilst currently fewer than 10 IT companies account for up to 80 per cent of all government business due to lengthy and expensive procurement processes, under a revised accelerated process around 50 companies will be preselected to bid for work ([FT](#)).

## **[White Paper on Pooling of Non-Domestic Rates and Redistribution to Local Authorities](#)**

The National Audit Office audited the financial statements of the pooling of non-domestic rates and redistribution to local authorities in England account for the year ended 31 March 2013. Under the Local Government Finance Act 1988, national non-domestic rates are to be paid to the Secretary of State who is then required to redistribute them to local authorities in accordance with the methodology set out each year in the [Local Government Finance Report \(England\)](#). The non-domestic rates are then pooled and redistributed.

## **4. Consultations**

### **[Codes of practice issued under the Proceeds of Crime Act 2002](#)**

The aim of the consultation is to seek comments and representations on the guidance provided in four draft codes of practice. The consultation runs until 30 August 2013.

### **[Dangerous dogs: maximum prison sentences for dog attacks](#)**

Consultation on whether the punishment for an owner whose dog kills or severely injures a person, or their assistance dog should be increased. This consultation closes on 1 September.

### **[Child Sexual Exploitation guidance](#)**

The College of Policing is consulting on a review of guidance covering all aspects of violence and public protection, starting with Child Abuse and Child Exploitation. The consultation runs until 3<sup>rd</sup> September.

### **[Home Office Launches Consultation on Updating Special Constable Expenses and Allowance Rates and Criteria](#)**

The Home Office has launched a consultation in relation to special constable expenses and allowances rates and criteria. The consultation contains proposals to update these, in addition to removing the requirement for the Secretary of State to approve local allowance schemes under the Special Constable Regulations 1965. The consultation is seeking views on whether the proposals are clear, fair and reasonable and aims to understand the potential impact of the proposals on all affected parties. The Consultation closes on 5 September 2013.

### **[Consultation on the general consents issued under section 25 of the Local Government Act 1988](#)**

This consultation is on a revised version of the [general consents](#) issued under [section 25 of the Local Government Act 1988](#). The revised consents remove the requirement on local authorities to seek the specific consent of the Secretary of State to dispose at less than market value for the provision of privately-let housing accommodation of (a) vacant housing land, and (b) vacant dwellings to other registered providers. The deadline for responses is 13 September.

## **[Drug Driving : proposed regulations](#)**

The consultation seeks views on the government's preferred policy option of making it an offence to drive if any of 17 controlled drugs are found in blood over a specified limit. The consultation closes on the 17 September.

## **[Statutory guidance on children who run away or go missing from home or care](#)**

The current statutory guidance on children who run away and go missing from home or care was published in July 2009. The closing date for consultation responses is 17 September.

## **[Improving safeguarding for looked-after children: changes to the Care Planning, Placement and Case Review \(England\) Regulations 2010](#)**

This consultation seeks views on proposals to amend the [Care Planning, Placement and Case Review \(England\) Regulations 2010](#). The closing date for consultation responses is 17 September.

## **[Open Government Partnership: UK draft National Action Plan 2013](#)**

This draft of the UK's second National Action Plan is a result of the UK's membership of the [Open Government Partnership](#) (OGP) - a multilateral initiative that aims to secure concrete commitments from governments to promote transparency, empower citizens, fight corruption, and harness new technologies to strengthen governance. The closing date for consultation responses is 19 September.

## **[Serious Fraud Office and DPP Launch Consultation on Deferred Prosecution Agreements Draft Code of Practice](#)**

The Director of the Serious Fraud Office and the Director of Public Prosecutions have published a draft code of practice on Deferred Prosecution Agreements (DPAs) for consultation. The consultation is open to interested individuals and organisations and closes on 20 September 2013.

## **[New consultation: Stop and search](#)**

This consultation seeks views on the police powers of stop and search. The consultation runs up to 24 September 2013.

## **[Proposals for the use of capital receipts from asset sales to invest in reforming services](#)**

In the Spending Review document [Investing in Britain's future](#), the government announced that it would consult on allowing local authorities some flexibility to use their receipts from asset sales to pay for the one-off revenue costs of service reforms. This consultation closes on the 24 September.

## **[Hate Crime-The Case for Extending the Existing Offences](#)**

This project came to the Law Commission by a reference from the Ministry of Justice, following the Government's publication of its three-year hate crime action plan in 2012. The consultation closes on the 27 September.

## [Views sought on changes to the alcohol and drugs reporting framework](#)

Public Health England (PHE) is keen to ensure that the alcohol and drug reporting framework is fit for purpose, and so is consulting with the alcohol and drugs sector on a number of proposed changes to the reporting framework. The consultation runs until September.

## [Corporate responsibility: call for views](#)

Corporate responsibility is sometimes known as corporate social responsibility. It is defined as the responsibility of an organisation for the impacts of its decisions on society and the environment above and beyond its legal obligations, through transparent and ethical behaviour. The closing date for consultation responses is 27 September.

## [Domestic violence and abuse – identification and prevention](#)

NICE is developing public health programme guidance on 'Domestic violence and abuse: how social care, health services and those they work with can identify, prevent and reduce domestic violence and abuse'. The consultation period runs from 2<sup>nd</sup> August – 27<sup>th</sup> September.

## [Forensic Science Codes of Practice: Guidance on validation consultation](#)

The Forensic Science Regulator published Codes of Practice and Conduct (Codes) for forensic science providers and practitioners in the criminal justice system in 2011. The Codes are being supplemented with appendices covering evidence specific requirements, guidance, information and protocols. In order to finalise each appendix, each one is being consulted on and feedback sought. This draft guidance is issued to allow comments from interested parties. Comments should be sent on the feedback form provided to [FSRConsultation5@homeoffice.gsi.gov.uk](mailto:FSRConsultation5@homeoffice.gsi.gov.uk) and should be submitted by 27 September 2013.

## [Assisted Areas Map 2014 to 2020](#)

Updating the UK's Assisted Areas Map for 2014-20 delivers an opportunity to help drive sustainable strong growth, which will help to rebalance the UK economy. Assisted Area status permits the granting of additional financial support to small businesses and large enterprise in economically disadvantaged locations. This support is to encourage business in these communities to grow, innovate and thrive, which can positively affect these locations and the whole UK economy. This consultation closes on the 30 September.

## [Local Government Finance Settlement 2014-15 and 2015-16: technical consultation](#)

This consultation seeks views on a range of detailed and technical issues concerning the 2014-15 and 2015-16 Local Government Finance Settlements. It will be of particular interest to local authority finance departments. The closing date for consultation responses is 2 October.

## [Sentencing Council Launches Public Consultation on the Sentencing of Fraud, Bribery and Money Laundering Offences](#)

The Sentencing Council has launched a public consultation on the sentencing of fraud, bribery and money laundering offences. The Consultation document states that it does not concern the legislation that relates to these offences, but is only consulting on the



sentencing. The consultation is open to all members of the public, including members of the judiciary, legal practitioners and individuals that work in or have an interest in criminal justice. The consultation closes on 4 October 2013.

### **[Consultation on prescription drug tramadol](#)**

The government wants to make tramadol a Class C drug but ensure it is available to those who need it as a prescription medicine. The number of deaths involving tramadol has risen from 83 in 2008 to 154 in 2011. The deadline for responses is 11 October 2013.

### **[Greater flexibility for change of use](#)**

In order to support the Government's priorities for making better use of existing buildings a consultation on proposed changes to planning regulations has been launched and will run until 15 October.

### **Conducting Privacy Impact Assessments Code of Practice consultation**

The ICO is consulting on its draft '[Conducting privacy impact assessments code of practice](#)' and would like to hear views. The deadline for responses is 5 November.