



## Commissioner's horizon scanning brief:

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## 1. Legislation

### BILLS

#### [Cities and Local Government Devolution Bill](#) - Ping Pong 12<sup>th</sup> January 2016

The bill includes proposals for the reform of combined authorities and local authorities. It is intended as the means of delivering local 'devolution deals', agreed between combined authorities.

- [Delegated Powers Committee 17<sup>th</sup> Report](#) - 16<sup>th</sup> December 2015

#### [Psychoactive Substances Bill](#) - Commons Report Stage - 20<sup>th</sup> January 2016

Proposed legislation will make it an offence to produce, supply, offer to supply, possess with intent to supply, import or export psychoactive substances - any substance intended for human consumption that is capable of producing a psychoactive effect.

#### [Immigration Bill](#) Lords Committee stage - 18<sup>th</sup> January 201

Make provision about the law on immigration and asylum; access to services, facilities, licences and work by reference to immigration status; language requirements for public sector workers; fees for passports and civil registration; to make provision about the Director of Labour Market Enforcement.

- [Second reading in Lords](#) held 22<sup>nd</sup> December 2015

#### [Online Safety Bill](#) Lords Report stage - TBC

Bill to make provision about the promotion of online safety; to require internet service providers and mobile phone operators to provide an internet service that excludes adult content; to require electronic device manufacturers to provide a means of filtering internet content; to make provision for parents to be educated about online safety and for the regulation of harmful material through on-demand programme services.

- [First Committee sitting in Lords](#) held 11<sup>th</sup> December 2015.

#### [Advertising of Prostitution \(Prohibition\) Bill](#) Lords Committee stage - TBC

Bill to prohibit the advertising of prostitution; and for connected purposes.

#### [Riot Compensation Bill 2015-16](#) Commons Committee stage - TBC

Bill is being prepared for publication. Repeal the Riot (Damages) Act 1886 and make provision about types of claims, procedures, decision-making and limits on awards payable.

## **[Victims of Crime Etc \(Rights, Entitlements\) Bill 2015-16](#) Second reading in Commons on 29<sup>th</sup> Jan 2016**

A Bill to make further provision about the duties and responsibilities of the Victims' Commissioner and about the Victims' Code; to require victims' services plans for each police service area; to establish a duty to report suspected child abuse by those working in regulated activities, a code of practice on the recording of allegations, a right of appeal by victims against a decision to cease a criminal investigation, and standards for the review of open or reopened homicide cases; to make provision about court procedures relating to vulnerable victims and witnesses.

## **[Child Victims of Human Trafficking Bill 2015-16](#) Second reading in Commons on 29<sup>th</sup> Jan 2016**

Private Member's Bill which will not be printed until close to the second reading debate.

## **[Speed Limits on Roads \(Devolved Powers\) Bill](#) Second reading in Commons 5<sup>th</sup> February 2016**

A Bill to amend Part VI of the Road Traffic Regulation Act 1984, and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, to make provision about the powers and duties of parish and town councils in relation to applying for speed limit orders; to provide for the conduct of local referendums to determine whether such applications should be made; and for connected purposes.

## **[Convicted Prisoners Voting Bill 2015-16](#) Second reading in Commons on 5<sup>th</sup> February 2016**

Bill to make provision for rules relating to the exclusion of convicted prisoners from participation in parliamentary and local elections.

## **[Illegal Immigrants \(Criminal Sanctions\) Bill 2015-16](#) Second reading in Commons on 4<sup>th</sup> March 2016**

## **[Foreign National Offenders Exclusion Bill 2015-16](#) Second reading in Commons on 11<sup>th</sup> March 2016**

## **[Age of Criminal Responsibility Bill](#) Second reading in Lords TBC**

Private Member's Bill to raise the age of criminal responsibility from 10 to 12.

## **[Rehabilitation of Offenders Bill](#) Second reading in Lords TBC**

Amendments to the Rehabilitation of Offenders Act 1974 introducing revised rehabilitation requirements

## **[Road Traffic Act 1988 \(Alcohol Limits\) \(Amendment\) Bill 2015-16](#) Second reading in Lords TBC**

Amendment to lower prescribed limit of alcohol in breath, blood and urine by 37%

## **[Draft Investigatory Powers Bill](#) Joint Select Committee to report on evidence February 2016**

Draft includes provisions for the interception of communications, the retention and acquisition of communications data, the use of equipment interference, and the acquisition of bulk data for analysis.

- ['Big five' US web companies urge home secretary to rethink law](#) – 7<sup>th</sup> January 2016
- [Commons Briefing Paper Access to Journalists' sources](#) – 31<sup>st</sup> December 2015

## **[Policing and Criminal Justice Bill](#) Announced as part of the Queen's Speech - 27<sup>th</sup> May 2015**

Proposes reduction in use of bail before a charge is made and release on bail and tighter authorisation requirements; improvements in the treatment of 17-year-olds with regard to a range of interventions; adjusting rights to detain the mentally ill; better protecting children through changes in legislation and sentencing; extending the powers of HMIC and improving professional standards processes and police complaints system.

## **[Counter Extremism Bill](#) Announced as part of the Queen's Speech - 27<sup>th</sup> May 2015**

Proposals include new civil orders to ban extremist groups, restrict the behaviour of extremist individuals, and to close down premises used for extremist purposes. The Bill will also provide Ofcom with powers to censor extremist content, and enable employers to conduct checks on employees for involvement in extremism.

## **ORDERS AND AMENDMENTS**

### **[The Police and Crime Commissioner Elections \(Designation of Local Authorities\) Order 2015](#)**

This Order designates a local authority for the police areas in England listed in Schedule 1. Also revokes the Police and Crime Commissioner Elections (Designations of Local Authorities) (No. 2) Order 2012 for the purposes of section 75(1) of the Police Reform and Social Resp. Act 2011. Coming into force: **5th May 2016**

### **[The Pensions Act 2014 \(Commencement No.7\) and \(Savings\) \(Amendment\) Order 2015](#)**

This Order brings into force paragraph 6(3) of Schedule 12 to the Pensions Act 2014 to enable regulations to be made in relation to National Insurance credits in the new state pension system. Coming into force: **1<sup>st</sup> Feb 2016**

### **[The Police Pensions and Police \(Injury Benefit\) \(Amendment\) Regulations 2015](#)**

These Regulations amend the Police Pensions Regulations 1987 and the Police (Injury Benefit) Regulations 2006 to allow widows or surviving civil partners to retain pensions or gratuities in the event they marry, remarry, form a civil partnership or start to cohabit after 1st April 2015. Coming into force: **18th January 2016**

### **[The Employment Tribunals Act 1996 \(Application of Conciliation Provisions\) Order 2015](#)**

Individuals on zero hours contracts (ZHC) will be able to bring proceedings for unfair dismissal and being subjected to a detriment from doing work under another contract or arrangement to an employment tribunal and may be awarded compensation. Came into force: **11th January 2016**

### **[The Criminal Legal Aid \(Remuneration etc.\) \(Amendment\) \(No. 2\) Regulations 2015](#)**

Delaying the following instrument coming into force until 1st April 2016: Part 3 of the Criminal Legal Aid (Remuneration etc.) (Amendment) Regulations 2015 - new fixed fees for legal aid litigators in certain Crown Court cases, and for legal aid providers providing advice and assistance. Came into force: **10<sup>th</sup> January 2016**

### **[Road Traffic Offenders Act 1988 & Motor Vehicles \(Driving Licences\) \(Amendment\) Regulations 2015](#)**

These Regulations make further provision to implement Directive 2006/126/EC of the European Parliament and of the Council of 20 December 2006. A person who is disqualified from driving will now be entitled to use a Community licence to demonstrate their eligibility to take a driving test. Came into force: **4th January 2016**

### **[The Serious Crime Act 2015 \(Commencement No. 4\) Regulations 2015](#)**

These Regulations bring into force sections 76 (new offence of coercive or controlling behaviour in an intimate or family relationship) and 77 (allowing the Secretary of State to issue guidance about the investigation of these offences) of the Serious Crime Act 2015. Came into force: **29th December 2015**

### **[The Prosecution of Offences Act 1985 \(Criminal Courts Charge\) \(Amendment\) Regulations 2015](#)**

These Regulations amend the Prosecution of Offences Act 1985 (Criminal Courts Charge) Regulations 2015 to omit the regulation/schedule which specified the amount of the criminal courts charge payable in different classes of case. Pending a wider review. Came into force: **24<sup>th</sup> December 2015**

### **[The Immigration \(Designation of Travel Bans\) \(Amendment No. 2\) Order 2015](#)**

This Order amends the Immigration (Designation of Travel Bans) Order 2000 by substituting a new Schedule into the 2000 Order. Any person named or subject to the instrument will be excluded from the United Kingdom (subject to the exceptions specified in article 3 of the 2000 Order). Came into force: **21st December 2015**

## 2. Consultations

### [Provisional local government finance settlement 2016 to 2017 and offer to councils for future years](#)

The consultation notifies representatives of local government of the general nature of the basis of distribution of Revenue Support Grant, and of the general nature of the basis of calculation of 'tariff' and 'top up' payments through this consultation document and accompanying documents, in particular the draft Local Government Finance Report for 2016-17

**Open date: 17/12/2015**

**Close date: 15/01/2016**

### [Introducing a stalking protection order](#)

Home Office consultation seeking views on whether the introduction of a stalking protection order will help to offer greater protection to victims of 'stranger stalking' by placing restrictions or positive obligations on the perpetrator. Training has been provided to police and prosecutors since the new offences of stalking were introduced in 2012 under the Protection from Harassment Act 1997, and prosecutions under the new offences have begun to increase.

**Open date: 5/12/2015**

**Close date: 30/01/2016**

### [Changes to ONS Products 2015](#)

The Office for National Statistics is proposing a series of changes to free up resources and reinvest to develop the skills and technology. The consultation seeks views on proposals to change how statistics are published, stopping production of some statistical bulletins, stopping some surveys, reducing some survey sample sizes, publishing some statistics less frequently and stopping production of some statistics altogether. Areas affected include [suicide statistics](#), [migration indicators for local authorities](#), [low level population estimates](#) and a proposal to update population estimates once every 3 years.

**Open date: 14/12/2015**

**Close date: 08/02/2016**

### [Keeping children safe in education – Changes to statutory guidance](#)

The government is seeking views on proposed changes to the statutory guidance 'Keeping Children Safe in education, July 2015 which include increasing the focus on the importance of a child centred and coordinated approach to safeguarding; further emphasising the fact it is everyone's responsibility; highlighting the importance of early help and how it sits in the wider safeguarding system; highlighting the importance of data sharing; a new section to cover online safety; and a new section covering children with special educational needs and disabilities.

**Open date: 22/12/2015**

**Close date: 16/02/2016**

### [Dept for CLG Local government pension scheme: investment regulations](#)

This consultation proposes to revoke and replace the regulations that currently govern the management and investment of funds in the local government pension scheme. The proposals include removing some of the existing prescriptive means of ensuring that investments are suitably diverse - instead make authorities responsible for determining the balance of their investments and taking account of risk; introducing safeguards to ensure that the more flexible legislation being discussed is used appropriately; guidance on pooling assets is followed.

**Open date: 25/11/2015**

**Close date: 19/02/2016**

## [Independent Police Complaints Commission \(IPCC\) reform](#)

Home Office proposals to reform the governance structure of the IPCC include replacing existing Commission model with a single head of the organisation to provide a direct line of accountability to the public, establishing a unitary Board, with a majority of non-executives to provide robust external challenge to the organisation on behalf of complainants and the public, seeking views on changing the name of the IPCC as it would no longer be organised as a Commission.

**Open date: 17/12/2015**

**Close date: 28/02/2016**

## [Changes to Police and Crime Commissioners complaints system](#)

Home Office proposals to clarify through non-statutory guidance what constitutes a complaint and ensure PCPs take forward complaints about a PCC's conduct rather than their policy decisions; provide PCPs with greater investigatory powers to seek evidence about allegations; clarify, through non-statutory guidance, the parameters of "informal resolution" and setting out that, where agreement cannot be reached, it is open to PCPs to make recommendations on the expected level of behaviour of a PCC, and that they have powers to require the PCC to respond.

**Open date: 17/12/2015**

**Close date: 10/03/2016**

## [Health risks from alcohol: new guidelines](#)

Seeks views on the UK Chief Medical Officers' proposed new guidelines to limit the health risks associated with the consumption of alcohol. The guidance makes recommendations for both men and women to not drink more than 14 units per week and if as much as 14 units per week are consumed, that it is best spread evenly over 3 days or more.

**Open date: 08/01/2016**

**Close date: 01/04/2016**

## [Law Commission Sentencing Law in England and Wales consultative document](#)

The Law Commission published their second consultative document on this project on 9 October 2015. Consultation on their compilation of the legislation currently in force relating to sentencing will close on 9 April 2016. A further consultation, on certain policy issues, will follow in spring 2016. In the summer of 2017, they plan to publish a consultation paper including a draft of the New Sentencing Code. The final report and draft Bill for this project is due by early 2018.

**Close date: 09/04/2016**

## [Policing On-line Crime Survey](#)

On-line survey commissioned by the national policing lead for digital investigation and intelligence (Chief Constable Kavanagh). This survey, aimed at policing professionals, is exploring real views and experience of coming into contact with cyber and digital crimes. The data gathered will be shared with policy makers and national policing leads to help shape and inform the national response to digital and online crime.

## 3. Inspections, Reviews and Inquiries

### INSPECTION REPORTS

#### [HMIC: PEEL: Police effectiveness 2015 \(vulnerability\)](#) Published 15<sup>th</sup> December

No forces were judged to be outstanding at protecting those who are vulnerable from harm and supporting victims; 12 forces were judged to be good; 27 forces were judged to require improvement in at least one of the areas considered in this inspection; and 4 forces were judged to be inadequate. 31 forces had either causes of concern, areas for improvement, or both.

#### [HMIC: Increasingly everyone's business: Progress report on response to domestic abuse – 14<sup>th</sup> Dec](#)

This shows that the police service has acted on the messages of 'Everyone's business', and now sees tackling domestic abuse as an important priority. This is resulting in better support for and protection of victims. However, HMIC found there are still a number of areas for improvement in the way the police respond to, support and protect domestic abuse victims. The report makes a series of recommendations to ensure that the momentum for change demonstrated so far continues at pace.

#### [Meeting the needs of victims in the CJS: A consolidated report by the CJ inspectorates – 9<sup>th</sup> Dec 2015](#)

First compendium of findings on the quality of services provided to victims by agencies within the criminal justice system. Information has been taken from across the full range of individual inspectorate and criminal justice joint inspection reports published between April 2014 and July 2015.

- HMIC PEEL Assessment – Effectiveness and Legitimacy Assessment – Expected February 2016
- [HMIC National Crime Agency Inspection](#) – Expected March 2016
- HMIC Digitalisation – Expected March 2016

### INQUIRIES

#### [Reform of the Police Funding Formula inquiry](#) Report (11 December 2015) awaiting Govt. Response

The Commons Home Affairs Committee recommends an independent panel of accounting firms, financial experts and the College of Policing be appointed to assist the Home Office in formulating revised proposals.

#### [Cyber security: Protection of personal data online inquiry](#) Evidence published 15 Dec 2015

Culture, Media and Sport Committee has decided to hold an inquiry into the circumstances surrounding the TalkTalk data breach and the wider implications for telecoms and internet service providers.

#### [Countering extremism inquiry](#) Receiving evidence

Inquiry into the Government's new five year strategy into countering extremism is now taking oral evidence.

#### [Financial sustainability of fire and rescue services inquiry](#) Receiving evidence

Public Accounts Committee examining impact of funding reductions on fire and rescue service effectiveness

#### [Inquiry into the Comprehensive Spending Review](#) Receiving evidence

Treasury Committee Inquiry into CSR and Autumn Statement

#### [Role of the magistracy inquiry](#) Accepting written submissions

Justice Committee Inquiry into the current and future role of the magistracy

#### [Restorative justice inquiry](#) Accepting written submissions

Justice Committee Inquiry into use of restorative justice in criminal justice system

#### [Child Sexual Abuse Inquiry \(Goddard\)](#) Inviting applications from participants – 5 January 2016

Independent Inquiry to examine the extent to which institutions have failed in their duty of care to protect children against sexual abuse, and to make recommendations to improve child protection for the future.

Incorporates 12 current investigations with applications now being invited in relation to the [Anglican Church](#), [Lambeth Council](#) and [Cambridge House, Knowl View and Rochdale](#).

## 4. Research and Development

### [Reducing criminal opportunity: vehicle security and vehicle crime](#) – 3<sup>rd</sup> January 2015

Home Office report which aims to build upon learning from improvements in vehicle security that played a significant role in reducing overall crime between 1995 and 2013. The report concludes with a view of today's vehicle crime landscape, finding that although crime levels remain historically low, some new threats have emerged.

### [Cybercrime Tipping Point Survey 2015 \(PA Consulting Group\)](#) – 28<sup>th</sup> December 2015

PA Consulting Group survey of 1,034 adults aged 16+ in the UK on their views on cybercrime and the role of the police. Findings indicate that demands on, and expectations of, the police in tackling cybercrime are set to grow significantly. Driven by the emergence of a new generation, and characterised by their lifelong exposure to the internet and digital media (dubbed 'Generation Z'), police forces need to balance this new demand with the need to continue to tackle crimes carried out in the real world. They will also have to continue providing reassurance to older generations and find new ways of working with industry to tackle the threat.

### [Real lives, real crimes: A study of digital crime and policing](#) – 22<sup>nd</sup> December 2015

A study undertaken to help HMIC understand better the effect that digital technology is having on crime and policing, for the purpose of informing future HMIC inspections of police forces and law enforcement agencies.

### [Evaluation of independent child trafficking advocates trial: final report](#) – 17<sup>th</sup> December 2015

findings from an evaluation of a 1 year trial of the independent child trafficking advocates who provide specialist independent support to trafficked children in the areas of social care, criminal justice and immigration. The report outlines the value of the service, in particular the positive views of the children.

### [Air Pollution and Criminal Activity Study: Evidence from Chicago](#) – 1<sup>st</sup> December 2015

A study published by the National Bureau of Economic Research which analysed detailed location data on over two million serious crimes reported to the Chicago police department over a twelve-year period has asserted a clear correlation between pollution and violent crime. This is consistent with evidence from psychology studies in 1985 and 1999 on the relationship between pollution and aggression. The correlation appears unique to violent crime with no effect on the commission of property crime being observed.

## 5. Other News and Information

[New HM Chief Inspectors of Prisons \(Peter Clark\) and Probation \(Dame Glenys Stacey\) appointed](#) – 7<sup>th</sup> Jan 16  
3 year appointments commencing 1 February 2016

[Fire and Rescue Policy to move to the Home Office](#) – 5<sup>th</sup> January 2016

Ministerial responsibility for fire and rescue policy transferred to the Home Office from the Department for Communities and Local Government, in order to support a radical transformation of how the police and fire and rescue services work together. The move aims to pave the way for improvement in local fire and policing by providing clear leadership, supporting greater collaboration and delivering value for money for taxpayers.

[Home Secretary issues statement on Counter Terrorism](#) – 5<sup>th</sup> January 2016

Statement following release of propaganda video from Daesh.

[KPMG predictions for the cyber security industry in 2016](#) – 30<sup>th</sup> December 2015

Looking ahead at the cyber security landscape for next year, David Ferbrache, Technical Director at KPMG's cyber security practice, points out that law enforcement is catching up with hackers and in response they are employing smarter methods of attack.

[New coercive or controlling behaviour offence comes into force](#) - 29<sup>th</sup> December 2015

Victims who experience coercive and controlling behaviour that stops short of serious physical violence, but amounts to extreme psychological and emotional abuse, can bring their perpetrators to justice. The offence, introduced as part of the Serious Crime Act 2015, will carry a maximum of 5 years' imprisonment. [Guidance](#) for professionals was launched 5<sup>th</sup> December.

[New measures to keep children safe online at school and at home](#) - 22<sup>nd</sup> December 2015

Education Secretary Nicky Morgan announces proposals for all schools to have appropriate filters and monitoring systems, so that no child can access harmful content and teach their pupils about safeguarding, including online. The government has also announced a guide for social media companies on good practice, a guide to help parents keep their children safe online and new online training for professionals which will be launched in the new year.

[HM Inspectorate of Prisons reports on substance misuse in prisons](#) – 18<sup>th</sup> December 2015

New psychoactive substances such as 'Spice' and 'Mamba' are now the most serious threat to the safety and security of jails, said Nick Hardwick, Chief Inspector of Prisons.

[Earlier Intervention and Prevention](#) – 17<sup>th</sup> December 2015

Latest 'PCC Spotlight' briefing from the Revolving Doors Agency focuses on early intervention and prevention, highlighting areas where PCCs are working with local partners to get 'upstream' to reduce crime and wider demand on their police force.

[Youth Justice Board safeguarding report](#) – 17<sup>th</sup> December 2015

Provides sources of information for practitioners and managers to help improve child safeguarding and provides information on the steps the YJB has taken to meet its Commitment to Safeguard.