



Commissioner's horizon scanning briefing

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1. Policy and Practice

Conservative Party Conference – 4th October 2016

- [Home Secretary Amber Rudd](#) pledges to: extend the Unduly Lenient Sentencing scheme to the majority of terrorist offences – giving the public powers to challenge sentences passed in certain crown court cases; make it easier to deport Europeans who repeatedly commit minor offences – including an extension of the 12 month re-entry ban to between a 5 and 10 years; make it illegal for landlords to knowingly rent out property to illegal migrants and require banks to do regular checks to ensure they are not providing essential banking services to illegal migrants; make immigration checks mandatory for those wanting to secure a taxi licence
- [Justice Secretary Liz Truss](#) sets out her commitment to prison reform - investing in modernisation, giving governors greater control over budgets and ensuring every prisoner has a dedicated officer to support them. A White Paper will be published shortly setting out the Minister's vision for prison reform to 2020 and beyond

[Independent Anti-Slavery Commissioner: Annual Report 2016](#) – 12th October 2016

First annual report from UK Independent Anti-Slavery Commissioner sets out key achievements in 2015/16 and priorities for 2017, which include victim identification and care; improving law enforcement and criminal justice responses; promoting best practice in partnership working; improving private sector engagement in supply chain transparency and tackling labour exploitation and further developing international collaboration

[New CPS guidelines for prosecutors in cases involving social media](#) – 10th October 2016

Guidelines make clear that encouraging others to participate in online harassment campaigns can be an offence under the Serious Crime Act 2007 as can making personal information available ("doxing") or creating a derogatory hashtag to encourage harassment of victims

[New police training and guidance in mental health](#) – 4th October 2016

Updated [Authorised Professional Practice](#) published by the College of Policing takes account of legal developments and lessons learned, incl. response to suicide, bereavement and people with learning disabilities

[October College Digest](#) – 7th October 2016

Recent Commons briefing papers include:

[Police Service Strength](#) (12th Oct), [Harassment: "Police Information Notices" or "Early Harassment Notices"](#) (11th Oct), [Local authority support for children in need](#) (10th Oct), [UK Youth Parliament briefing 2016](#) (7th Oct), [Doorstep selling](#) (5th Oct), [Statutory Homelessness in England](#) (5th Oct), [International Child Abduction](#) (4th Oct)

2. Research, Development and Statistics

[Multi-agency case management: evidence and new orthodoxy](#) – 4th October 2016

Police Foundation impact and process evaluation of the application of multi-agency case management techniques to reduce recurrent violent crime in Slough found that although it led to improvements in multi-agency working and information sharing, it did not achieve a measurable reduction in violence. The paper argues that despite the expansion and investment in multi-agency case management, there is limited evidence of its effectiveness as an approach. The paper recommends:-

- Users and developers of multi-agency case management approaches should make use of robust evaluations of their effectiveness and efficiency
- Agencies should learn from this research and dispassionately weigh the additionality of intervention activity generated, against the time and resource expended on process coordination
- Agencies should use multi-agency data-sets to systematically analyse the characteristics and need for those referred and seek to understand local drivers and gaps in combined service provision
- Agency leaders should recognise the inherent weaknesses in multi-agency tasking arrangements and the potential benefits of a more unified command structure
- Politicians and service leaders should clarify and better articulate the shared purpose of partnership projects, and the roles that particular services should play

[Impact of police body-worn cameras on complaints](#) – 29th September 2016

Results from a year-long randomised-control trial led by the University of Cambridge's Institute of Criminology showed that the introduction of wearable cameras led to a 93% drop in complaints made against police by the public. The research involved almost 2,000 officers across a total of 4,264 shifts at seven sites in the UK and US during 2014 and early 2015. The findings suggest that the cameras may result in individuals modifying their behaviour through an 'observer effect', which can 'cool down' potentially volatile encounters. Critically, behaviour change relied on cameras recording entire encounters, and officers issuing an early warning that the camera is on – reminding all parties that the 'digital witness' is in play in order to trigger the 'observer effect'

[New psychoactive substances: Case for integration between health and criminal justice](#) – 3rd Oct 2016

Transcript, following roundtable event hosted by the Reform think-tank and G4S in May 2016, considers health and criminal justice service responses to NPS in prison settings. The discussions highlight that:-

- Comprehensive communication and cooperation between the CJS and health services already exists
- Prisoners have a major role to play in limiting the spread of NPS - some of the most effective interventions have been from NPS users who are able to convey its damaging consequences to others
- Prevention is key to sparing prisoners, families and prison staff of extremely unpleasant and dangerous experiences and is much more cost-effective than treatment
- NPS use in prisons may be a repository of knowledge about effective reduction in the wider population
- More autonomy for individual prisons would better enable governors to create more effective strategies

[Upcoming Crime Reduction Systematic Reviews:](#)

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| • Red light enforcement cameras to reduce traffic violations and injuries | October 2016 |
| • Speed cameras to reduce speeding traffic and road traffic injuries | October 2016 |
| • Tagging as a method to reduce theft in retail environments | October 2016 |
| • Diversity and organisational outcomes | October 2016 |
| • Police responses to people with mental health problems | October 2016 |
| • The impact of police pre-arrest diversion | October 2016 |
| • Effectiveness of asset-focussed interventions against organised crime | October 2016 |
| • The effectiveness of electronic monitoring of offenders | December 2016 |
| • Personal security alarms for the prevention of assaults | December 2016 |

Rape Monitoring Group: Digests and data 2015/16 – published 13th October 2016

The Rape Monitoring Group has published digests for 42 local policing areas across England and Wales which show how cases of rape are dealt with at all stages of the criminal justice process. The digests compile data from a range of Home Office/ONS, Crown Prosecution Service and Ministry of Justice sources and demonstrates the scale of reported rape in different areas and the variation in outcomes

Hate crime, England and Wales, 2015 to 2016 – published 13th October 2016

Police recorded hate crime offences increased by 19% in the year to March 2016, with increases across all five monitored strands: race (+15%), sexual orientation (+29%), religion (+34%), disability (+44%) and transgender (+41%). Action taken by police forces to improve their compliance with the National Crime Recording Standard (NCRS) has been a major contributory factor to this increase, alongside likely increases in the willingness of victims to come forward. A supplementary Annex highlights a 41% increase in racially or religiously aggravated offences recorded in July 2016 compared to the same month in 2015, coinciding with the EU Referendum

Criminal court statistics April to June 2016 – published 29th September 2016

Outstanding magistrates' and Crown Court caseloads have dropped to their lowest level since 2013 on account of disposals continuing to outnumber receipts throughout the first half of 2016. The average number of days from first listing to completion in the Crown Court has also decreased from 204 days to 185 days over the last year. Despite these positive trends, hearing times for both guilty plea trials and not guilty trials in the Crown Court have been increasing over the last year. Data available at individual court level

Family court statistics quarterly April to June 2016 – published 29th September 2016

The number of cases started in family courts in England and Wales has increased by 10% over the last year while the number of public and private law cases increased by 24% and 16% respectively. Applications for domestic violence remedy orders have remained stable over the last year (4,700 non-molestation and 1,200 occupation applications) and there have been 77 applications and 68 orders made for Female Genital Mutilation Protection Orders (FGMPOs) up to the end of June 2016 following their introduction in July 2015

Legal aid statistics April to June 2016 – published 29th September 2016

Criminal legal aid carried out at police stations and magistrates' courts continues to decline (-5%) in line with falling overall crime rates. Similarly expenditure in this area has declined by 6% over the last year, despite an increase in the last quarter as a result of the most recent fee cut being suspended from April 2016. Orders for legal representation in the Crown Court and above continue to decline, however expenditure has increased by 4% in the last year reflecting an increase in complex and lengthy trials completed

3. Inspections

[Through the Gate Resettlement Services for Short-Term Prisoners](#) – 4th October 2016

HMI Probation and Prison inspection concludes that the strategic vision for a through the gate resettlement service for short-sentenced prisoners has not yet been realised. Too many prisoners reach their release date without their immediate resettlement needs having been met or even recognised – particularly with regard to employment, accommodation and debt support. Service implementation has been slow and stilted with little evidence creativity or innovation via CRCs. The risk of harm was not always recognised, particularly in cases of domestic abuse, and the level of continuity and communication between prison and community services was poor. None of the CRCs visited were able to provide information on Through the Gate outcomes achieved and there were concerning rates of reoffending and recall to prison, although the picture appears more positive for women. Overall, however, many responsible officers conveyed a lack of hope and an almost fatalistic acceptance of the likelihood of failure. Key recommendations made by inspectors include:-

- MOJ and NOMS should review contractual requirements to incentivise CRCs in a more meaningful way
- NOMS should promote closer working between CRCs, prison staff and NPS to improve continuity of support
- HM Prisons should ensure that population management does not interfere with resettlement planning
- CRCs and NPS should ensure prisoners receiving short sentences are assigned officer without delay
- CRCs should engage meaningfully with prisoners in drawing up and reviewing individual resettlement plans
- NPS should developing IT systems that allow information to be exchanged between CRCs, NPS and prisons

['Time to listen' – a joined up response to CSE and missing children](#) – 29th September 2016

Overview of five joint targeted inspections of child sexual exploitation and missing children published in 2016 concludes that 'progress is being made in many local areas, which is resulting in better support for children at risk of, or subject to, child sexual exploitation'. The report highlights, however, 'unacceptable' variations in practice and performance which can result in some children having to wait too long for help and support. The report also draws attention to the importance of:-

- Identifying clear strategic goals across agencies and committing resources to CSE, particularly in healthcare
- Sharing multi-agency information and having a dedicated professional, with good access to information
- Raising awareness across communities, incl. parents and carers, schools, transport and recreation services
- Ensuring professionals (esp. social work and health) have capacity to build relationships with children at risk
- Understanding of why children go missing – the 'return home interview' process is not working well enough
- Improving the use, consistency and sharing of risk assessments and appropriate use of 'absence' category
- Ensuring fundamental multi-agency child protection procedures are established and effectively implemented
- Oversight and supervision – some significant failures were found across police, health and local authorities

[Children in need of help or protection](#) – 12th October 2016

National Audit Office report that actions taken by the DfE to improve local authorities support and protection for children since 2010 have not yet resulted in services being of good enough quality. The report notes that demand for help or protection is rising with the most common risks to a child's welfare being domestic violence and mental health concerns. Nationally, the quality of help and protection for children is unsatisfactory and inconsistent and thresholds for accessing services are not always well understood or applied by local partners such as the police and health services. There remain very wide variations between local authorities in the rates of referrals accepted, re-referrals, children in need and repeat child protection plans. The NAO also found that spending on children's social work, including on child protection, varies widely across England with average reported spending on social work in 2014-15 ranging from an estimated £340 per child in need in one authority to £4,970 per child in need in another. The DfE faces significant challenges in transforming children's services, not least how to integrate this with a concurrent transformation of its wider operations by the end of 2017

4. Reviews and Inquiries

[Inquiry launched into variations in spending on child protection](#) – 12th October 2016

Public Accounts Committee inquiry into variations in spending on children's social work, following a recent National Audit Office Report highlighting that average spending in 2014–15 ranged from around £340 per child in need in one authority to £4,970 per child in need in another

[Inquiry launched into implications of Brexit for the justice system](#) – 12th October 2016

Justice Committee will consider the likely effects of Brexit on the processes of criminal and civil justice, as well as views on the financial effects on the legal sector and business and the economy more widely, and on steps which should be taken in the process of Brexit negotiations

[Inquiry launched into the disclosure of youth criminal records](#) – 13th October 2016

Short Justice Committee inquiry will examine the system governing the disclosure of criminal records in relation to offences committed by people when under 18 years old

[Report: The draft Homelessness Reduction Bill](#) – published 14th October 2016

Communities and Local Government Committee [inquiry](#) welcomes the focus of homelessness prevention within the Homelessness Reduction Bill and supports the Bill's requirement for the Government to provide a mandatory code of practice for councils and for local housing authorities (LHA) to carry out assessments of all homelessness applications they receive. The committee makes recommendations, however, which include adding domestic violence victims to the list of people for whose needs must be especially designed to meet and considering a stronger duty for councils to accommodate certain groups within a reasonable distance of their last address, such as those with mental health conditions or with children in school. The Bill is scheduled for a Second Reading in the Commons on 28th October 2016

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- **Reports in preparation:** [The rise of anti-Semitism inquiry](#) (Home Affairs Committee report due 16th Oct), [Future role of the magistracy inquiry](#) and [Treatment of young adult offenders inquiry](#) (Justice Committee)
 - **Evidence in progress:** [Lammy Review of BAME representation in the CJS](#) (ongoing), [Child Sexual Abuse Independent Inquiry](#) (ongoing), [Child Protection inquiry](#) (31st October 2016), [Troubled Families Inquiry](#) (19th October 2016), [Inquiry into the Independent Inquiry into Child Sexual Abuse](#) (18th October 2016), [Undercover Policing inquiry](#) (ongoing), [Apprenticeships inquiry](#) (14th September 2016), [Support for ex-offenders inquiry](#) (14th September 2016), [Hate crime and its violent consequences inquiry](#) (11th October 2016), [Sharia Law](#) (6th September 2016), [Prison Reform inquiry](#) (TBC)
 - **Accepting written submissions:** [Implications of Brexit for the justice system inquiry](#) - deadline 11th Nov
 - **Reports awaiting government response:** [Reform of the Police Funding Formula](#) ([Report published](#) 11th December 2015), [Efficiency in the Criminal Justice System](#) ([Report published](#) 27th May 2016), [Prostitution inquiry](#) ([Report published](#) 1st July 2016), [Restorative justice inquiry](#) ([Report published](#) 1st September 2016), [Countering extremism inquiry](#) ([Report published](#) 25th August 2016), [Sexual Violence in Schools inquiry](#) ([Report published](#) 13th September 2016), [Female Genital Mutilation inquiry](#) ([Report published](#) 15th September 2016), [Transforming Rehabilitation inquiry](#) (4th July 2016), [Forensic Science Strategy inquiry](#) ([Report published](#) 17th September 2016)

5. Legislation

[Investigatory Powers Bill](#) - Lords Report stage - 17th October 2016

Make provision about the interception, acquisition and retention of communications data and other bulk data for analysis and the use of equipment interference. Establish the Investigatory Powers Commissioner and other Commissioners and make provision about oversight arrangements; make further provision about investigatory powers and national security; amend s3 and s5 of Intelligence Services Act 1994. Due to be enacted 2016.

See [Lords briefing paper](#) (21st June 2016) and [Joint Select Committee recommendations](#) for further information

[Policing and Crime Bill](#) – Lords Committee stage – 26th October 2016

- Places a statutory duty on police, fire and ambulance services to collaborate to improve efficiency and effectiveness. Enable PCCs to take on responsibility for fire and rescue services.
- Reforms the police complaints and disciplinary systems, including measures to extend disciplinary procedures to former officers (up to 12 months after leaving). Makes changes to governance of the IPCC.
- Enable chief officers to confer a wider range of policing powers on police civilian staff and volunteers.
- Introduces provisions in respect of breach of pre-charge bail conditions and makes changes to rules governing how police deal with people suffering mental crisis under s135 & s136 of Mental Health Act 1983
- Makes changes to terms of office for Deputy PCCs and would give the Home Secretary the power to change the name of a police area by order
- Provides statutory definition of the terms 'lethal', 'component part' and 'antique firearm' (Firearms Act 1968)
- Amends Licensing Act 2003 to make clear powdered and vaporised alcohol are both covered by the Act
- Makes provisions relating to the enforcement of EU, UN and other financial sanctions
- Mandates that offences relating to CSE (Sexual Offences Act 2003) cover streaming / transmission of indecent images of children. Enables Secretary of State to issue statutory guidance to local taxi and private hire licensing authorities with regard to the protection of children and vulnerable adults
- [Supporting documents](#) and [running list of amendments](#) (11th Sept 2016)

[Children and Social Work Bill](#) – Lords Report stage – 18th October 2016

Bill to make provision about looked after children; ensure lessons are learned from serious child safeguarding cases; create a new 'power to innovate' giving local authorities the freedom to test out innovative new ways of working and introduce measures to improve how agencies share information

[Modern Slavery \(Transparency in Supply Chains\) Bill](#) – Lords Committee stage – TBC

Private Members' Bill to require commercial organisations and public bodies to include a statement on slavery and human trafficking in their annual report and accounts; and to require contracting authorities to exclude from procurement procedures economic operators who have not provided such a statement. [Briefing](#)

[Asset Freezing \(Compensation\) Bill](#) – Lords Committee Stage - TBC

A Bill to make provision for the imposing of restrictions on assets owned by persons involved in supplying terrorist organisations in the United Kingdom with arms, for the purpose of securing compensation for citizens of the United Kingdom affected by the supply of such arms.

[Digital Economy Bill](#) – Commons Committee stage – 13th October 2016 – [Compilation of sittings to date](#)

Bill to make provision about; restricting access to online pornography; protecting intellectual property related to electronic communications; [improving government data to transform public services](#) - allow public authorities to share personal data with other public authorities to improve the welfare of individuals (e.g. Troubled Families programme), measures to help detect and prevent government losses due to fraudulent activity, The Bill also proposes tougher penalties for nuisance callers and increasing the sentencing options for people who infringe copyright laws online. Royal Assent is expected spring 2017. [Commons analysis paper](#)

[Sexual Offences \(Pardons Etc.\) Bill](#) – Commons 2nd reading – 21st Oct 2016

Private Members' Bill to make provision for the pardoning, or otherwise setting aside, cautions and convictions for specified sexual offences that have now been abolished

[Criminal Finances Bill](#) – Introduced 13th October 2016 – Commons 2nd reading - TBC

Tackle corruption, money laundering and tax evasion. Allow the Government to recoup more criminal assets by reforming the law on proceeds of crime, including provisions to strengthen our enforcement powers and protect the public. Introduction of a criminal offence for corporations who fail to stop their staff facilitating tax evasion; Improve the operation of the Suspicious Activity Reports (SARs) regime to encourage better use of public and private sector resources against the highest threats; to target entities that carry out money laundering instead of individual transactions; and to provide the National Crime Agency (NCA) with new powers; Improve the ability of law enforcement agencies and courts to recover criminal assets more effectively, particularly in cases such as those linked to grand corruption. [Explanatory documents](#) and [consultation responses](#) published 13th Oct 2016

[Preventing & Combating Violence Against Women & DV Bill](#) - Commons 2nd reading – 16th Dec 2016

Private Members' Bill to require UK to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention)

[Counter-Terrorism and Security Act 2015 \(Amendment\) Bill](#) - Commons 2nd reading – 27th January 2017

Private Members' Bill to repeal CT and Security Act 2015 provisions requiring teachers, carers and responsible adults to report signs of extremism or radicalisation amongst children in pre-school educational settings

[National Citizen Service Bill](#) – Introduced 11th October – Lords 2nd reading – TBC

[NCS](#) brings different communities together and gives 15 to 17-year-olds the opportunity to take part in new experiences, develop skills and give back to communities across England. The Government has committed to offer an NCS place to everyone that wants one

[Rehabilitation of Offenders \(Amendment\) Bill](#) - Lords 2nd reading - TBC

Private Members' Bill to make provision about rehabilitation periods for particular sentences - amending Rehabilitation of Offenders Act 1974

[On-line Safety Bill](#) – Lords 2nd reading - TBC

Private Members' Bill to require internet service providers (ISPs) to provide an internet service that excludes adult-only content; require information to be provided about online safety; make provision for parents to be educated about online safety; make provision for the regulation of harmful material through on-demand programme services; to introduce licensing of pornographic services

[Missing Persons Guardianship Bill](#) – Lords 2nd reading – TBC

Private Members' Bill to make provision for the administration of the affairs of missing persons

[Age of Criminal Responsibility Bill](#) – Introduced 9th September 2016 - Lords 2nd reading - TBC

Private Members' Bill to raise the age of criminal responsibility from 10 to 12

[Counter-Extremism and Safeguarding Bill](#) - announced 18th May 2016 (Queens Speech)

Prevent radicalisation, tackle extremism in all its forms, and promote community integration. Provide stronger powers to disrupt extremists and protect the public, ensure better mental health provision for individuals in the criminal justice system. Introduce a new civil order regime to restrict extremist activity. The Government will consider the need for further legislative measures following Louise Casey's review

[Prison and Courts Reform Bill](#) - announced 18th May 2016 (Queens Speech)

6. Consultations

[Transforming our courts and tribunals](#)

Ministry of Justice consultation on court reform proposals which include the roll out of pre-trial evidence for vulnerable victims and witnesses and improving efficiencies through digitalisation and some online processes.

Open date: 15/09/2016

Close date: 27/10/2016

[Expedited immigration and asylum appeals for detained appellants](#)

Ministry of Justice consultation on proposals for an expedited appeals process for detained immigration and asylum appellants. This includes a suggested revised timescale from the point of the Home Office decision to the appeal being determined and whether the government should charge a fee to bring an appeal

Open date: 12/10/2016

Close date: 22/11/2016

[Reforming Misconduct in Public Office](#)

Second phase of the Law Commission's consultation explores definitions, scope and prosecution requirements in relation to the offence

Open date: 05/09/2016

Close date: 28/11/2016

[Parliamentary constituency boundary reform](#)

Boundary Commission consultation on proposals to revise constituency boundaries, ensure that the difference between constituency sizes is no more than 5% points and deliver financial savings by reducing the number of MPs from 650 to 600. Local public hearings will also be held as part of the process. Two further rounds of consultation will take place in 2017 and final recommendations will be submitted in autumn 2018

Open date: 13/09/2016

Close date: 06/12/2016

[Bladed articles and offensive weapons](#)

Sentencing Council consultation on 3 guidelines; possession of a bladed article/ offensive weapon; threatening with a bladed article/ offensive weapon, and a youth guideline which covers all offences involving bladed articles and offensive weapons. The new guideline will provide sentencers across the Crown Court, magistrates' court and youth court with guidance to improve consistency and transparency in sentencing

Open date: 06/10/2016

Close date: 06/01/2017

[Public Policy Statements on Hate Crime](#)

Three CPS consultations on public policy statements relating to: crimes against disabled people; offences involving hostility on the grounds of sexual orientation and gender identity and; racially and religiously aggravated hate crime. The statements aim to comprehensively set out how the CPS approach these crimes

Open date: 10/10/2016

Close date: 09/01/2017