



Commissioner's horizon scanning brief:

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1. Legislation

[Cities and Local Government Devolution Act 2016](#) - Royal Assent 28th January 2016

Paves the way for elected mayors to cover and chair a combined authority area; allows the radical devolution of functions, including transport, health, skills, planning and job support; enables the creation of sub-national transport bodies. 7 deals have already been agreed across the country while talks are underway with other local areas about what powers might be devolved to them. Provisions came into force 29th January 2016.

[Devolution to Local Government in England](#) , [Combined Authorities](#) , [Devolution – Next five Years and Beyond](#)

PCCs: A section 107F order can provide for the mayor of a combined authority (or a person acting under arrangements with the mayor) to exercise the functions of a PCC from the date the order is obtained (specified date). In this event, there would be no PCC for the area from that date and any PCC election scheduled before or after would not place. The PCC term of office would continue until the specified date, however any election to fill a PCC vacancy within six months of the specified date could not take place. An order may omit some existing PCC functions but must include securing maintenance of efficient and effective police force, holding to account and appointing/suspending/removing the chief constable and issuing a police and crime plan.

[Psychoactive Substances Act 2016](#) - Royal Assent 28th January 2016

Gives the police and other enforcement agencies greater powers to tackle the production, supply and importation of psychoactive substances and introduces a maximum penalty of up to seven years in prison. The Act is due to come into force from spring 2016.

[Immigration Bill](#) Lords Committee stage (fifth day) – TBC

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.

- [Committee Stage](#) – Ongoing

[Enterprise Bill](#) Commons Committee Stage – TBC

Make provision relating to the promotion of enterprise and economic growth and provision restricting exit payments in relation to public sector employment. Introduces apprenticeship commencement targets for public sector bodies with more than 250 employees and the establishment of an Institute to regulate quality.

- [Commons Second Reading](#) – 2nd February 2016

Riot Compensation Bill 2015-16 First Reading in Lords – TBC

Private Members' 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.

- [Commons Report Stage](#) - 5th February 2016
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Online Safety Bill Lords Report stage - TBC

Private Members' 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 services.

Advertising of Prostitution (Prohibition) Bill Lords Committee stage - TBC

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

Age of Criminal Responsibility Bill Lords Committee Stage - TBC

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

- [Second Reading in the Lords](#) – 29th January 2016

Road Traffic Act 1988 (Alcohol Limits) (Amendment) Bill 2015-16 Lords Committee Stage - TBC

Private Members' Bill to lower prescribed limit of alcohol in breath, blood and urine by 37%

- [Second Reading in the Lords](#) – 29th January 2016

Speed Limits on Roads (Devolved Powers) Bill Commons Committee Stage - TBC

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.

- [Second Reading in the Commons](#) – 5th February 2016

Convicted Prisoners Voting Bill 2015-16 Second reading in Commons on 26th 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 4th March 2016

Victims of Crime Etc (Rights, Entitlements) Bill 2015-16 Second reading in Commons - 11th Mar 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 - 11th Mar 2016

Introduces a duty for the provision of safeguarding and protection of child (under 18) victims of human trafficking

Foreign National Offenders Exclusion Bill 2015-16 Second reading in Commons on 11th March 2016

Criminal Driving (Justice for Victims) Bill Second reading in Commons on 11th March 2016

Private Members' Bill to change the law to improve justice for the victims and families of road crime

- [First Reading in Commons](#) - 12th January 2016

Rehabilitation of Offenders Bill Second reading in Lords TBC

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

Draft Investigatory Powers Bill Joint Select Committee to report on evidence in 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.

Policing and Crime Bill – Package of reforms announced 20th January 2016

Proposals to give chief officers the discretion to expand the powers of their police staff (subject to appropriate selection/training); enable volunteers to be designated with powers without becoming a special constable; create a core list of powers reserved for police officers; adopt new titles for the changed support and volunteer roles; and abolish the office of traffic warden under the Road Traffic Acts.

- [Reforming the Powers of Police Staff and Volunteers Consultation Responses](#) – 20th January

Policing and Criminal Justice Bill Announced as part of the Queen's Speech - 27th May 2015

Proposes reduction in use of bail before charge and release on bail and tighter authorisation requirements; improvements in the treatment of 17-year-olds; 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; placing a duty on all three emergency services to collaborate where it would improve efficiency or effectiveness; enabling PCCs to take on the functions of fire and rescue authorities (FRAs) where a local case is made and create a single employer for police and fire personnel; enabling the PCC to be represented on FRAs with voting rights where the FRA agrees.

- [Legislation announced to allow PCCs to take responsibility of their local fire service](#) – 26th Jan 2016
- [Enabling Closer Working Between The Emergency Services Consultation Responses](#) – 26th Jan 2016
- [Police Complaints Reform in 2016](#) – Commons Briefing Paper - 4th February 2016
Proposals include: PCCs determining how complaints are dealt with and having discretion to record / determine complaints or supervise how the police force exercises these functions; PCCs hearing appeals against the handling of complaints deemed suitable for local resolution; confusing terms being abandoned and the definition of 'complaint' being extended to cover policing practices and service failure; NGOs and charities given 'super-complainant' status being empowered to lodge complaints as a means of raising systemic issues and ensuring all voices are heard.

Counter Extremism Bill Announced as part of the Queen's Speech - 27th 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.

2. Reviews and 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.

[Transgender Equality Inquiry](#) Report (14th January 2016) – Awaiting Govt. Response

Commons Women and Equalities Committee (WEC) report makes 30 recommendations for change including mandatory training for police officers on transphobic hate crime and promotion of third party reporting; work to tackle the issue of Trans people being inappropriately 'outed' in court; amending the protected characteristic in the Equality Act 2010 for Trans people to that of 'gender identity'; the introduction of new hate crime legislation to extend existing provisions to all protected characteristics and a new Government cross-departmental strategy for transgender equality to tackle the remaining unaddressed issues.

[Countering extremism inquiry](#) Receiving evidence 2nd February 2016

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

[Cyber security: Protection of personal data online inquiry](#) Receiving evidence 27th January 2016

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.

[Inquiry into the Comprehensive Spending Review](#) Receiving evidence 9th December 2015

Treasury Committee Inquiry into CSR and Autumn Statement

[Financial sustainability of fire and rescue services inquiry](#) Receiving evidence 26th November 2015

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

[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

[Prostitution inquiry](#) Accepting written submissions

Home Affairs Committee inquiry into the way prostitution is treated in legislation. Will assesses whether the balance in the burden of criminality should shift to those who pay for sex rather than those who sell it.

[Proceeds of crime inquiry](#) Accepting written submissions

Home Affairs Committee inquiry into how effectively the measures introduced in the Proceeds of Crime Act 2002 are working. Will assess the operation of confiscation orders.

[Child Sexual Abuse Inquiry \(Goddard\)](#) Ongoing

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](#).

3. Inspections

HMCPSP: Thematic Review of the CPS Rape and Serious Sexual Offences Units – 2nd February 2016

Review of how the CPS handles rape and serious sexual offence (RASSO) casework reports that the CPS is insufficiently resourcing its RASSO units, is not following its own victim policies in a third of cases, and that the different operating models developed for the RASSO units in each CPS Area mean there is a lack of consistency of approach to cases and limited compliance with the minimum standards.

- [HMIC PEEL Assessment](#): Police Legitimacy – 11th February 2016
- [HMIC PEEL Assessment](#): Police Effectiveness – 18th February 2016
- State of Policing: Annual Assessment of Police Leadership – 25th February 2016
- [HMIC National Crime Agency Inspection](#) – Expected March 2016
- HMIC Digitalisation – Expected March 2016
- [JTAI Missing and absent children & child sexual exploitation \(thematic\)](#) – Expected summer 2016
- [Child Protection Inspection](#) – Rolling programme

4. Research, Development and Statistics

HMI Prisons: Life in Prison – 29th January 2016

Latest in a series of reports on daily life in prisons and young offender institutions (YOIs) focus on [earning and spending money](#) and [peer support](#).

Working with children where the effects of abuse/ neglect were a primary concern - 27th January 2016

NSPCC survey of 1,308 professionals in November/December 2015 concludes that 96% feel there are not enough CAMHS services for children who have experienced abuse while 3/4 say it's harder to access therapeutic services than 5 years ago. 'It's Time' campaign calls for increased funding for support services for children who have suffered abuse, government guidelines on when a child should be offered therapeutic support and more research into the scale of the problem and identifying what works best.

Dangerous associations: Joint enterprise, gangs and racism - 25th January 2016

Manchester Metropolitan University study examines the processes of criminalisation and racial stereotyping that contribute to unequal outcomes for young Black, Asian and Minority ethnic people. Draws on a survey of nearly 250 serving prisoners convicted under joint enterprise provisions and discusses police gang databases in Manchester, London and Nottingham which claim to record gang association and include people who 'have no proven convictions'.

Referring to the IPCC – a review of current police force practice - 25th January 2016

Examines cases deemed "likely" to come under the remit of the IPCC that had not yet been referred. Found that 18% of cases should have been mandatorily referred and 4% were suitable for voluntary referral. Recommends improvements in training and processes, including guaranteeing systems are in place to record and monitor patterns in an officer's behaviour which should trigger a review if there appears to be an emerging pattern.

Police Workforce Statistics as at 30 September 2015 – Home Office - 28th January 2016

Reports reductions in police officers (-1.5%), police staff (-1.7%) and PCSOs (-7.5%) in the year to Sept 2015

Safety in Custody Statistics to September 2015 – Ministry of Justice - 28th January 2016

Reports the highest recorded annual number of deaths in prison custody, incidents of self-harm and assaults, following year on year increases since 2013. Majority of deaths in prison custody were from natural causes (57%) reflecting an aging prison population. Serious assaults on staff have more than doubled since 2012.

Offender Management Statistics July to September 2015 – Ministry of Justice - 28th January 2016

Reports a relatively static prison population during 2015, but a continued increase in those serving longer determinate sentences and reductions in receptions and releases. Probation caseloads (+7%) and the number of offenders recalled to custody (+28%) continued to increase during the year to September 2015 as result of new supervision requirements under the Offender Rehabilitation Act 2014 (ORA).

Youth Justice Annual Statistics 2015 – Youth Justice Board – 28th January 2016

Reports further reductions (-9%) in First Time Entrants into the youth justice system in 2014/15, continuing the downward trend (-82%) seen since 2007. The number of young people arrested (-13%) and youth cautions (-22%) both fell during the year. Cautions fell across all offence types except for possession of weapons (+12%). While repeat offenders are in decline, the re-offending rate has increased by 5.6% pts between 2008 and 2014.

Proven Reoffending Statistics to March 2014 – Ministry of Justice - 28th January 2016

Reports a relatively stable overall proven re-offending rate since 2003 of between 26% and 28%. The highest re-offending cohorts are amongst those aged 10 to 14 (38.9%) those aged 15 to 17 (37.8%) and adult offenders with an index offence of 'Theft' (42.8%).

5. Policy and Practice

Police Grant Report 2016/17 – 4th February 2016 and Written Statement

Settlement for 2016/17 and indicative settlement for the Spending Review period. PCCs should plan on the basis that their direct resource funding (consisting of formula funding, Legacy Council Tax Grants, National and International City Grants and precept) will remain broadly flat compared with 2015/16. Following provisional report in December 2015, the Government is to re-allocate £10.4m to support police national technology.

Future of Police & Crime Commissioners - Home Secretary Speech – 4th February 2016

Home Secretary will set out the 'next stage of reform' for PCCs following the May elections which could include a greater role for PCCs in enabling better integration and information sharing across youth justice, probation and court services and the ability to 'set up alternative provision free schools to support troubled children and prevent them from falling into a life of crime'. Home Secretary also encouraged PCCs to continue to engage in local devolution proposals – 'because I am clear that PCCs' consent is a prerequisite for the inclusion of policing in any mayoral deal'.

LGA calls for transitional support for councils following 'funding shake-up' – 29th January 2016

Transitional support is needed for councils over the next two years or the impact of government funding changes risk leaving many at financial breaking point and the existence of some local services under threat, the Local Government Association is warning.

Justice Department abandons 'dual contracting' proposals for legal aid - 28th January 2016

Justice Minister Michael Gove abandons plans to introduce a dual contracting system for legal aid and will suspend the second reduction in litigation fees (implemented in July 2015) until April 2017. The announcement follows a judicial review raising implementation challenges and 99 separate legal challenges over the procurement process. 'Dual contracting' consisted of continued payments for representing existing clients and 5 new 'duty' contracts awarded by competition to allow a limited number of firms to represent new entrants to the criminal justice system.

6. Consultations

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

Seeking views on proposed changes to the statutory guidance 'Keeping Children Safe in education, July 2015 which include increasing the focus on 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

[DCLG Local government pension scheme: investment regulations](#)

Consultation on proposes to 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

[Imposition of community and custodial sentences](#)

Sentencing Council are seeking views from a range of criminal justice professionals on proposals to replace the outdated 'New Sentences Guideline - Criminal Justice Act 2003' with a more concise, technical guideline covering the process for deciding when a community or custodial sentence/suspended custodial sentence should be imposed.

Open date: 14/01/2016

Close date: 25/02/2016

[Introducing a stalking protection order](#)

Home Office consultation seeking views on the introduction of new measures to offer better protection to victims of 'stranger stalking'

Open date: 14/01/2016

Close date: 25/02/2016

[Public sector apprenticeship targets](#)

The Enterprise Bill sets requirements for public sector bodies to employ apprentices based on targets set by the Secretary of State. This consultation seeks views on the proposal that public bodies in England with a headcount exceeding 250 should be subject to the requirement. It also consults on the rationale for using workforce headcount to set a 2.3% annual target for new apprenticeships amongst public sector bodies.

Open date: 25/01/2016

Close date: 04/03/2016

[Identifying children who are missing education](#)

Department for Education consultation on plans to require schools to report when they add or remove a pupil's name from their pupil admissions register. HM Chief Inspector of Schools believe this gap poses serious safeguarding issues, potentially exposing children to the risk of harm, exploitation or extremism. The proposed changes would amend to the Education (Pupil Registration) (England) Regulations 2006.

Open date: 19/01/2016

Close date: 07/03/2016

[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

[DfT Hand-held mobile phones: changes to penalties for use whilst driving](#)

This consultation seeks feedback on proposals to increase the fixed penalty notice level from £100 to £150 for using a hand-held mobile phone whilst driving. Also invites views on increasing the penalty points for non-HGV drivers (from 3 to 4) and HGV drivers (from 3 to 6).

Open date: 26/01/2016

Close date: 15/03/2016

[Law Commission's Review of Common Law Offence Misconduct in Public Office](#)

The Law Commission has issued a discussion document for consultation setting out the current common law offence of misconduct in public office, highlighting problems arising out of areas of legal uncertainty and any gaps/overlaps with alternative offences which could be prosecuted. Objectives for its project on this issue include to establish whether the existing offence should be abolished, retained, restated or amended. Following the consultation period, the Law Commission will publish for further consultation options for reform later in spring 2016, followed by a final report on any proposals for legislative change in 2017.

Open date: 20/01/2016

Close date: 20/03/2016

[Police Education Qualification Framework](#)

College of Policing consultation on proposals to establish a qualifications framework for policing, develop opportunities for officers and staff to gain accredited qualifications equivalent to their level of practice or rank and develop entry routes which involve self-funded undergraduate programmes, police-funded graduate conversion programmes and higher level apprenticeships.

Open date: 02/02/2016

Close date: 29/03/2016

[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](#)

Second consultative document on legislation currently in force relating to sentencing. A further consultation on policy issues will follow in spring 2016. Commission plans to publish a consultation report and draft of the New Sentencing Code in the summer of 2017. The final report and draft Bill for this project is due by early 2018.

Open date: 09/10/2015

Close date: 09/04/2016