

## Police and Crime Commissioner's Horizon Scanning Briefing

- 1. Policy and Practice** *Government strategy, guidance and policy announcements*
- 2. Research and Statistics** *Policing and criminal justice statistical publications and research*
- 3. Audits and Inspections** *Criminal justice inspectorate reports and government audits*
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- 6. Live Consultations** *Current police and criminal justice-related consultation activity*

To be included on our mailing list, please contact [Dan Howitt](#), Nottinghamshire OPCC

## 1. POLICY AND PRACTICE

### [Apply for funding: £15m Tampon Tax Fund](#) – 29 November 2018

Charities working with vulnerable women and girls are invited to bid for at least £1m in government funding for projects that support victims of domestic violence or work to reduce rough sleeping and homelessness among women. All grants from this round will be offered to charities for two year projects for programmes such as music therapy participation in sport or charities that make onward grants to smaller organisations to deliver tailored services to support women. The deadline for applications is 20 January 2019.

### [£6m capital fund to improve access to alcohol treatment in the community](#) – 4 December 2018

Public Health England calls for bids from local authorities to improve services and facilities for people with alcohol problems. The deadline for applications is 21 January 2019, with successful projects being announced spring 2019. The 9 projects receiving a share of £4.5m innovation funding for new approaches to supporting families whose lives have been affected by alcohol was also announced.

### [Equipment interference safeguards come into force](#) – 28 November 2018

Requirements under the Investigatory Powers Act 2016 come into force whereby judge approval of warrants is required to permit use of the most intrusive investigatory powers (double-lock safeguard).

### Updated guidance on [PACE codes of practice](#) and [Voluntary police interview](#) – 1 December 2018

### [Justice Minister speech to the Digital Court Reform Conference](#) – 3 December 2018

### [Minister for Security and Economic Crime speech on Brexit security](#) – 29 November 2018

### [IOPC Monthly Round up November 2018](#) – Published 4 December 2018

Recent Parliamentary briefings: [Public Health Model to reduce youth violence](#) (6 Dec), [Mental health and wellbeing in schools](#) (3 Dec), [Social Care Green Paper](#) (27 Nov)

Recent Parliamentary debates: [Drug-related Crime](#) (5 Dec), [Police Funding](#) (3 Dec), [Police Numbers](#) (3 Dec), [Counter-Terrorism & Border Security Bill](#) (3 Dec), [Violent Crime](#) (29 Nov), [Voyeurism \(Offences\) Bill](#) (26 Nov)

## 2. RESEARCH, DEVELOPMENT AND STATISTICS

### [Mental health and public confidence in the police complaints system](#) – 28 November 2018

Institute of Mental Health publishes research based on findings from a survey and focus groups involving people with a range of mental health conditions. Of the people with mental health conditions consulted:-

- Many (42%) had not heard of the IOPC or were aware that the IOPC was an organisation that could be used to make a complaint against the police. Others did not view the IOPC as independent to the police
- 60% reported that they were not confident in their knowledge of how to make a complaint against the police, with some being unaware that there was a complaints system or that they had a right to complain
- Of those that were aware, some did not feel in a position to make a complaint due to the perceived power imbalance between participants and police and a lack of understanding of the grounds to make a complaint
- 67% of survey respondents were not confident that the police deal fairly with complaints made against the police, which compares with 32% among the general population and some participants felt it counterintuitive to be making a complaint to the place where the problem was located due to perceived lack of neutrality
- Some felt that they would be scared to make a complaint or get involved in a complaint against the police, while 60% raised concerns about being treated unfairly due to their mental health problem
- The process of making a complaint was seen as unclear, complicated and inexact, with the complexity of the system and concerns relating to their communication skills presenting as a challenge to participant resilience

### [More than just a number: Improving the police response to fraud](#) – 3 December 2018

Police Foundation and Perpetuity Research report considers the response of police and other agencies to fraud and highlights examples of emerging good practice. The report notes that only 3% of frauds allocated for investigation result in a positive outcome. The report makes recommendations for improvement which include:-

- A review of all fraud data collected and analysed by the National Fraud Intelligence Bureau with the aim of improving data quality and the assessment and allocation of crimes for investigation. The government should aim to consolidate fraud intelligence data from across the public and private sectors
- The National Fraud Intelligence Bureau should develop a threat and harm index for fraud that can be used by forces and/or regional units to guide both strategic and tactical decisions. There should also be a national framework, for identifying, assessing and prioritising fraud related vulnerability.
- The City of London Police should be given more resources to handle calls and improve victim services, and the Home Office should fund an expansion of the Economic Crime Victim Care Unit to cover all police forces. The Unit should make referrals to the local police force for further action where appropriate
- There should be clear national guidance on what police forces should do when contacted by a fraud victim
- The public should be made aware of the different reporting channels, and in what circumstances they should be accessed, so that they can access the service most appropriate to their needs
- There should be a national minimum service standard available to all fraud victims and Action Fraud should make clear to victims what they can expect from when they are referred to a local victim support service
- The Home Office should commission research to examine the effectiveness of public awareness campaigns for fraud and cybercrime prevention and make recommendations for more coordinated and targeted delivery
- Police officers should be trained in delivering effective fraud and cybercrime prevention messages and local policing teams should provide this advice as routinely as they give out other crime prevention messages
- The local fraud data provided to police forces by the National Fraud Intelligence Bureau should be presented in a way that helps local police forces understand their specific fraud problems and victim characteristics
- Police and Crime Commissioners should establish fraud prevention partnerships or at least explicitly include fraud and cyber prevention work within existing local crime prevention partnerships and strategies.
- Forces and regional units should be required to report back to the National Fraud Intelligence Bureau not just on criminal justice outcomes but also on victims services, prevention work and disruption activity.
- The Joint Fraud Taskforce should agree on how the performance of the private sector and other partners will be measured in relation to fraud and then report annually on those measures
- All fraud investigations should be handled by dedicated investigators, housed mainly in regional fraud investigation units. These would include specialists currently working in Economic Crime Teams

## [Tracking Procedural Justice in Stop and Search Encounters \(BWV\) – 5 December 2018](#)

Cambridge Journal of Evidence-Based Policing publishes paper exploring the extent to which police stop-and-search practices captured on officers' body-worn video cameras adhere to procedural justice principles. The study found that most stop-and-searches were characterised by police allowing citizens to express their voice, while demonstrating respect and offering explanation. Stops using BWV were less likely to display the characteristic of 'conveying trustworthy motives', with no officers linking the purpose of the stop to the wider organisational purpose of protecting society and helping to keep people safe. The research identifies potential for ongoing tracking of police legitimacy as a supervisory and human development tool for operational officers.

## ['Victim-Offenders': A Third Category in Police Targeting of Harm Reduction – 26 November 2018](#)

Cambridge Journal of Evidence-Based Policing publishes findings from a study in Leicestershire which explored the extent to which people classed by police as 'offenders' and those classified as 'victims' overlap - thus creating a third category of individual targets for crime and harm reduction called 'victim-offenders'. Tracking of 38,318 individual victims and 4598 offenders from 2014 found that 4.2% became victim-offenders within a 730-day period. Initial offenders were seven times as likely to become victims (17.9%) as initial victims were to become offenders (2.6%). Victim-offenders had 74.5% higher average harm scores and 68% higher average crime counts than the overall 2014 entry cohort, with 65% of victim-offenders' harm a result of their victimisation. Only 417 'high harm-high volume' individuals experience or cause the most crime harm as well as the most crime, of whom 49.9% (208) were victim-offenders, 33.3% (139) victims and 16.7% (70) offenders. The study suggests that opportunities to reduce crime and harm through targeting police and partnership resources on the 'power few' can be enhanced by identifying victim-offenders and testing prevention strategies appropriate to this third category of people.

## [Face-to-Face Restorative Justice Conferences for Intimate Partner Abuse – 30 November 2018](#)

Cambridge Journal of Evidence-Based Policing publishes findings from a study exploring what proportion of intimate partner abuse cases that victims, offenders or both would be willing to attend a face-to-face restorative justice conference. Around 41% of victims and 25% of offenders indicated they would likely or definitely be willing to participate in a RJC if offered the opportunity. Likelihood of participation was greatest where:-

- Victims and offenders with some reason for ongoing contact with the other party
- Victims reported lower current levels of fear of the offender
- Victims who self-reported fewer prior offences – and offenders were more likely to have been cautioned

## [Evaluating Use of Automated Facial Recognition Technology in Policing – 28 November 2018](#)

Cardiff University's Police Science Institute publishes findings from an independent evaluation of the use of Automated Facial Recognition (AFR) technology in major policing operations. The study found that while AFR can enable police to identify persons of interest where they would probably not have been able to otherwise, considerable investment and changes to operating procedures are required to generate consistent results.

## [Women and the criminal justice system 2017 – Published 29 November 2018](#)

Ministry of Justice report compiling statistics from data sources across the Criminal Justice System, to provide a combined perspective on the typical experiences of the different sex groups in England and Wales, 2017

## [Female Genital Mutilation July-September 2018 – Published 6 December 2018](#)

Cases of Female Genital Mutilation (FGM) added to the FGM Enhanced Dataset collection platform

## [Operation of Police Terrorism Act 2000 Powers to September 2018 – Published 6 December 2018](#)

## [Statistics on Drug Misuse, England November 2018 Update – Published 29 November 2018](#)

NHS Digital compilation of statistics on prevalence of drug misuse, including the types of drugs used; trends in drug misuse over recent years; patterns of drug misuse among different groups of the population; health outcomes related to drug misuse including hospital admissions, drug treatment and number of deaths.

# Commissioner's e-Briefing: 10 December 2018

## [Substance misuse treatment for young people: statistics 2017/18](#) – Published 6 December 2018

Alcohol and drug treatment data for under-18s from PHE's national drug treatment monitoring system (NDTMS)

## [Local Alcohol Profiles for England: December 2018 data update](#) – Published 4 December 2018

## [Young people profiles](#) and [School-age children profiles](#) 2018 – Published 4 December 2018

Public Health England profiles bringing together a range of indicators on health of young people by local area

## [Suicide prevention profile: December 2018 update](#) – Published 4 December 2018

PHE data on suicide, associated prevalence, risk factors, and service contact among groups at increased risk

## [HM Prison and Probation Service offender equalities annual report: 2017/18](#) – 29 November 2018

Ministry of Justice statistics on offenders in prison and in the community and their protected characteristics

## [Court statistics for England and Wales](#) – 27 November 2018

## [Live tables on local government finance](#) – updated 6 December 2018

### 3. AUDITS AND INSPECTIONS

#### [Policing and Mental Health: Picking Up the Pieces](#) – 27 November 2018

HMICFRS report considers the impact of growing mental health demand on the police service and the need for the service to improve its understanding of the demand. The report notes that forces tended to underestimate the number of officers sent to mental health incidents and the fact that response can often take longer than anticipated. The report finds strong leadership and governance on mental health across most forces alongside strong and well-established partnerships to support the most vulnerable. Police officers were also found to have a good understanding of how to respond to those with mental health problems. Areas in which the police service is stepping in to fill shortfalls in the health service include transporting people to hospital when an ambulance isn't available; waiting with individuals in hospital until a secure mental health place is found; and checking on individuals where there is concern for their safety.

The report identifies areas for improvement for forces in relation to training and building a clearer view of demand, but concludes that the longer-term solution must involve all public services. The report also highlights findings from an HMICFRS commissioned public survey which found that only 2% felt that it was the police's responsibility to respond to mental health calls, while 70% felt that it was the main responsibility of the health services. A further 10% cited the local authority or council as responsible agencies. The report emphasises that there needs to be a radical rethink and a longer-term solution to what has become a national crisis.

#### **Upcoming reports and inspection activity**

- HMICFRS: Counter Terrorism thematic inspection
- HMICFRS: Independent study of police air support
- HMICFRS: Police response to county lines (Thematic)
- Hate crime – how police forces understand and respond to hate crimes
- Domestic abuse: Evidence-led prosecutions: Focus on effectiveness of non-victim-led prosecutions
- Crimes against older people: Police and CPS responses to offences affecting older people
- Released under investigation: Investigate impact of changes to police bail procedures following PCA 2017
- Integrated Offender Management: Follow-up to explore how IOM operates in the new TR environment

## 4. REVIEWS AND INQUIRIES

### [Modernising the Mental Health Act – final report from the independent review](#) – 6 December 2018

Department for Health and Social Care publishes independent review of the Mental Health Act 1983 which sets out a range of recommendations covering 4 principles that the review believes should underpin the Act:

- **Choice and autonomy** – ensuring service users' views and choices are respected
- **Use of least restriction** – ensuring the Act's powers are used in the least restrictive way
- **Therapeutic benefit** – ensuring patients are supported to get better, so they can be discharged from the Act
- **People as individuals** – ensure patients are treated as individuals - tackle racial disparity, introduce new safeguards for children / young people and provide alternatives for those with learning difficulties or autism

The review endorses joint working between police and health care professionals, including the use of vehicles with both police officers and the healthcare workers aboard, and ongoing work to explore how the use of restraint by police is reduced. The review makes a range of recommendations, however, for government, health providers, police and the criminal justice system, which include:-

- Investing in health-based places of safety and ambulances so that by 2023/24, police cells are no longer used or listed as a place of safety for people in mental health crisis within the Act. NHS England should also take over the commissioning of health services in police custody
- Ensuring the majority of people detained under police powers are taken to places of safety by ambulance. Ambulance services should also establish formal standards for responses to s136 conveyances and ambulance commissioners / trusts to improve the ambulance fleet, including bespoke mental health vehicles
- Police interactions with people from ethnic minority communities under the Act should be monitored and addressed, ideally under the proposed Organisational Competence Framework
- The DoH and MoJ should work to remove gaps in the provision of information to victims of crimes committed by unrestricted patients and raise awareness of their ability to make impact statements to the Tribunal
- Magistrates' courts should have a range of additional powers in relation the Act to bring them in line with Crown Courts, including remand for assessment without conviction and remand for treatment
- Prison should never be used as 'a place of safety' under the Act. A new statutory role should be created to manage transfers from prisons and the time from referral for assessment to transfer should have a statutory time limit of 28 days. Low-risk transfer decisions should be taken by the responsible clinician
- The powers of the Tribunal should be expanded so that they are able to direct leave or transfer when deciding not to grant an application for discharge, The Tribunal should also have the power to discharge patients with conditions that restrict their freedom in the community, potentially with a new set of safeguards
- The Government should consider giving the Parole Board Tribunal status and combining hearings where appropriate – or at the very least streamlining the processes so hearings could be convened back to back
- There should be a common framework for assessing risk across criminal courts, clinicians and the Justice Secretary which is regularly reviewed, at least annually and before every Tribunal hearing

In responding the review, the Government [announced](#) plans to introduce a new Mental Health Bill and issue a formal response to the review's recommendations in 2019 before preparing the new legislation.

### [Childline annual review 2017/18](#) – 7 December 2018

Annual review of what children and young people are telling the Childline service. The report notes that Childline provided over 278,000 counselling sessions to children and young people in 2017/18 relating to issues such as mental and emotional health and wellbeing (106,000), anxiety (21,300) and suicidal thoughts and feelings (24,500) - the latter representing the highest level ever recorded. There were over 22,100 counselling sessions where the young person's main concern was sexual, physical, or emotional abuse and neglect.

## 5. LEGISLATION

### [Prisons \(Interf with Wireless Telegraphy\) Bill](#) – Lords 3<sup>rd</sup> reading - 12 December 2018 [Briefing](#)

Private Members' Bill includes provisions to create a new power for the Secretary of State to authorise public communications providers, such as mobile network operators, to interfere with systems in order to disrupt the unlawful use of mobile phones in prisons. Amend existing Prisons (Interf. with Wireless Telegraphy) Act 2012.

### [Counter-Terrorism & Border Security Bill](#) – Lords Report Stage – 17 December 2018 [Briefing](#)

Government Bill to close gaps in existing counter-terrorism legislation, including provisions to:- extend the [offence](#) of inviting support for a proscribed organisation to cover reckless expressions of support, update the [offence](#) of obtaining information likely to be useful to a terrorist to cover material that is just viewed or streamed over the internet, [increase the maximum penalty](#) for certain preparatory terrorism offences to 15 years' they are, or have been, involved in hostile state activity

### [Voyeurism \(Offences\) Bill](#) – Lords Report Stage – 18 December 2018 [Briefing](#)

Government Bill to insert a new offence under Section 67 of the Sexual Offences Act 2003 to include instances of 'upskirting' where the purpose is to obtain sexual gratification or cause humiliation, distress or alarm. A summary conviction would carry a sentence of up to one year in prison and/or a fine. And a more serious offence, tried in the Crown Court, would carry a sentence of up to 2 years in prison, with those convicted being placed on the sex offenders register

### [Courts & Tribunals \(Judiciary & Functions of Staff\)](#) – Commons Report Stage – TBA [Briefing](#)

Government Bill to increase efficiency by allowing greater flexibility to deploy the right judge to the right case. Appropriately qualified and experienced court and tribunal staff will also be able to deal with routine matters - such as issuing a summons, taking a plea - freeing up judges' time to focus on matters that need it most. The legislation aims to allow the judiciary to respond to the changing demands of a reformed courts and tribunals system and underpins the government's agenda to modernise courts and tribunals and deliver value for money

### [Crime \(Overseas Production Orders\) Bill](#) – Commons Committee Stage – 18 December 2018 [Briefing](#)

Bill to create a framework to enable law enforcement agencies and prosecutors to apply to a UK court for an 'overseas production order' requiring a person in a foreign jurisdiction to produce or grant access to electronic data for the purposes of investigating and prosecuting serious crime.

### [Asset Freezing \(Compensation\) Bill](#) – Commons 2<sup>nd</sup> reading – 25 January 2019

Private Members' 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

### [Children Act 1989 \(Amendment\) \(FGM\) Bill](#) – Commons 2<sup>nd</sup> reading – 25 January 2019 [Briefing](#)

Private Members' Bill to state that proceedings under Section 5A of, and Schedule 2 to, the Female Genital Mutilation Act 2003 are family proceedings

### [Modern Slavery \(Victim Support\) Bill](#) – Commons 2<sup>nd</sup> reading – 25 January 2019 [Briefing](#)

Private Members' Bill to make provision about identifying and supporting victims of modern slavery

### [Stalking Protection Bill](#) – Lords 2<sup>nd</sup> reading – TBA [APCC response](#)

Private Members' Bill (with Government support) to make provision for protecting persons from risks associated with stalking, including the introduction of new civil Stalking Protection Orders (SPOs)

### [Offensive Weapons Bill](#) – Lords 2<sup>nd</sup> reading – TBA [Overarching documents](#) [Briefing](#)

Government Bill to ban the sale of the most dangerous corrosive products to under-18s, make it a criminal offence to possess corrosive substances in a public place without good reason, introduce restrictions on online sales of knives and make it illegal to possess certain offensive weapons like zombie knives and knuckle-dusters

[Age of Criminal Responsibility Bill](#) – Lords Committee Stage – TBA

[Briefing](#)

[Criminal Records Bill](#) - Lords Committee Stage – TBA

[Lords Briefing](#)

[Human Trafficking \(Child Protection\) Bill](#) - Commons 2nd reading – 18<sup>th</sup> January 2019

[Freedom of Information \(Extension\) Bill](#) – Commons 2<sup>nd</sup> reading – 25 January 2019

[Violent Crime \(Sentences\) Bill](#) – Commons 2nd reading – 25 January 2019

[Youth \(Services and Provisions\) Bill](#) – Commons 2<sup>nd</sup> reading – 25 January 2019

[Licensing of Taxis and Private Hire Vehicles Bill](#) – Lords 2<sup>nd</sup> reading – 25 January 2019

[Emergency Response Drivers \(Protections\) Bill](#) - Commons 2<sup>nd</sup> reading – 15 March 2019

[Criminal Fraud \(Private Prosecutions\) Bill](#) - Commons 2nd reading – TBA

[Foreign Nationals \(Criminal Offender & Prisoner Removal\) Bill](#) - Commons 2nd reading – 22<sup>nd</sup> Feb 2019

[Service Animals \(Offences\) Bill](#) - Commons 2nd reading – TBA

[Policing Resources Bill](#) - Lords 2nd reading - TBA

[Victims of Crime \(Rights, Entitlements, Notification of CSA\) Bill](#) – Lords 2<sup>nd</sup> reading – TBA

[Anonymity \(Arrested Persons\) Bill](#) - Lords 2<sup>nd</sup> reading – TBA

[Road Traffic Offenders \(Surrender Driving Licences\) Bill](#) - Lords 2<sup>nd</sup> reading - TBA

[Modern Slavery \(Transparency in Supply Chains\) Bill](#) – Lords 2<sup>nd</sup> reading – TBC

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Pending:

- [Draft Domestic Abuse Bill](#)
- [Draft Mental Health Bill](#)

## 6. CONSULTATIONS

### [Forensic medical exam standard for adult and child sexual assault complainants](#)

Home Office and Forensic Science Regulator (FSR) consultation on draft "Forensic medical examination standard for adult and child sexual assault complainants" following a call for a review of the standard.

**Open date: 02/11/2018**

**Close date: 28/12/2018**

### [Preventing and tackling forced marriage](#)

Home Office consultation seeking views about whether it is necessary to introduce a new legal mandatory reporting duty relating to cases of forced marriage and, if it is, what such a reporting requirement would look like. It also seeks views on how the current guidance on forced marriage could be improved and strengthened.

**Open date: 15/11/2018**

**Close date: 28/01/2019**

### [Extremism in England and Wales: call for evidence](#)

Independent Commission for Countering Extremism launches a 10-week public Call for Evidence on the harms inflicted by extremists. The evidence will inform a wide-ranging study of extremism to be published in spring 2019, which will aim to build understanding of extremism, in all its forms and give people the confidence to challenge it. The Commission wants to hear from all those concerned about rising extremism, including charities, academics and those working on the frontline to counter extremism.

**Open date: 11/11/2018**

**Close date: 31/01/2019**

### [Airside alcohol licensing at international airports: Call for Evidence](#)

Home Office consultation seeking to help government to assess the scale of drunk and disruptive passengers at international airports, the extent to which airports and airlines use their statutory powers effectively and the impact of current and proposed interventions in relation to [airside alcohol licensing](#).

**Open date: 01/11/2018**

**Close date: 01/02/2019**

### [Racial harassment in higher education: Call for Evidence](#) **NEW**

Equality and HR Commission call for evidence seeking evidence from staff and students who have experienced or witnessed racial harassment. Forms part of an inquiry to understand the types of racial harassment experienced at publicly funded higher education institutions, such as universities or higher education colleges.

**Open date: 04/12/2018**

**Close date: 15/02/2019**

### [Review of enforcement agent \(bailiff\) reforms: Call for Evidence](#)

Ministry of Justice call for evidence as part of the second post-implementation review of regulations which were introduced in 2014 to regulate the operation of enforcement agents and the fees that they charge. The review invites feedback from people who have been contacted by enforcement agents, enforcement agents, creditors, debt advisers, the judiciary and anybody else with experience of working with enforcement agents.

**Open date: 25/11/2018**

**Close date: 17/02/2019**