

Police and Crime Commissioner's Horizon Scanning Briefing

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To be included on our mailing list, please contact Dan Howitt, Nottinghamshire OPCC

1. POLICY AND PRACTICE

MHCLG and HO announce new funding and proposals to tackle illegal traveller sites – 6 February 2019

MHCLG announces £1.5m additional funding for local authorities to help enforce planning rules and tackle unauthorised traveller sites, alongside £9bn funding available via the Affordable Homes Programme to help fund legal pitches and £250,000 to tackle discrimination and improve integration, healthcare and education support among Gypsy, Traveller and Roma communities. The Home Office also announced plans to:-

- · Consider making data available on legal sites so it is clear which authorities are not fulfilling their obligations
- Publish new guidance enabling the Communities Secretary to review cases where concerns are raised
- Launch a Home Office review into whether trespassing to set up encampments should be a criminal offence
- Consider new legislation to allow the police to respond quicker and take tougher action
- Consult on proposals to amend the Criminal Justice and Public Order Act 1994 which would:- lower the threshold for police action from 6 illegally camped vehicles to 2; give the police powers to direct travellers to sites in neighbouring local authorities and make the establishment of an illegal traveller site a criminal offence as opposed to a civil matter
 <u>APCC response</u>

Home Secretary announces new measures to tackle knife crime – 31 January 2019

Home Secretary announces plans to introduce Knife Crime Prevention Orders via the Offensive Weapons Bill. The new civil orders could be placed on anyone aged 12 or over believed by the police to be carrying a knife, habitual knife carriers or have been previously convicted of a knife related offence. The orders will restrict behaviour by placing curfews and geographical restrictions on individuals as well as limiting their social media use. Breach of the order will be a criminal offence facing a penalty of up to two years imprisonment. A new £500,000 prosecution fund will also help Trading Standards teams to secure the prosecution of retailers who repeatedly sell knives to under 18s <u>APCC response</u>

New drug detection technology rolled out to 10 prisons – 31 January 2019

Prisons Minister announces the introduction of new scanners that are capable of detecting invisible traces of drugs, including psychoactive substances, on clothes, paper and mail. The scanners have been introduced at 10 prisons (Hull, Humber, Leeds, Lindholme, Moorland, Wealstun, Nottingham, Ranby, Isis and Wormwood Scrubs) as part of new approach to tackle violence and improve standards. The Prison Service and MOJ are now considering whether the technology should be rolled out across the entire closed male prison estate. The roll-out of x-ray body scanners at the 10 prisons is also underway

NCA-CEOP: Call for Partnerships – 5 February 2019

NCA invites interested parties to work in partnership to reduce the scale of the threat of child sexual abuse and exploitation. NCA is looking to collaborate in bolstering NCA-CEOP's capabilities via opportunities which include pro-bono support, donation of funded posts and projects and NCA Specials to bring niche skills and expertise to the organisation, such as cyber, financial markets, forensics, languages and academic research

National and local protocols on the role of PCCs in the CJS – 8 February 2019

Home Office and Ministry of Justice publish national and local protocols suggesting ways in which partners should engage with each other to secure an efficient and effective criminal justice system.

- The national protocol sets principles for national CJS departments to engage PCCs on major, national CJS policies and reforms influencing the local context and in the early development and testing of CJS policies and reforms. Departments should also update and inform PCCs on relevant policy changes and reform in a timely manner and, where appropriate, agree with PCCs their role in supporting implementation locally. In turn, PCCs will be expected to help support and provide local perspectives on national policies and reforms and communicate information on national developments and priorities within their local areas
- The local protocol recommends that PCCs play a lead role in chairing local forums which involve CPS, HMCTS, HMPPS, NPS, CRCs, YOTs, legal professional, victim and witness service provider, other rehabilitation service providers and a member of the judiciary. In fulfilling their statutory duties, PCCs should use their position to provide local leadership and transparency to the CJS, ensure victims are receiving their entitlements under the Victims' Code, share best practice, support innovation and local priority setting and encourage the sharing of information to identify trends and manage emerging risks and threats

Minister for Digital speech on plans to make the UK the safest place to be online – 5 February 2019

Sexting: advice for professionals (NSPCC) – 25 January 2019

Gillick competency and Fraser guidelines (NSPCC) – 8 February 2019

Factsheet outlining guidelines to help people working with children to balance the need to listen to children's wishes with the responsibility to keep them safe

Updated guidance on the use of domestic CCTV – 29 January 2019

Recent Parliamentary briefings: Rough sleeping (6 Feb), Anti-Social Behaviour (6 Feb), Alcohol taxation and the pub trade (5 Feb), Police Grant Report (4 Feb), Statutory Homelessness (1 Feb), Zero Tolerance for Female Genital Mutilation (1 Feb), Rough sleeping in England (31 Jan), NHS England Long Term Plan (25 Jan)

Recent Parliamentary debates: Offensive Weapons Bill (6 Feb), Enforcement against Unauthorised Encampments (6 Feb), Police Grant Report (5 Feb), Crime Impact Statements (5 Feb), Knife Crime Prevention Orders (4 Feb), Knife Crime: Prosecution (31 Jan), Domestic Abuse: Prosecution Rates (31 Jan),

2. RESEARCH, DEVELOPMENT AND STATISTICS

County Lines Drug Supply, Vulnerability and Harm 2018 – 29 January 2019

NCA Intelligence Assessment highlights that there are currently over 2,000 individual deal line numbers in the UK linked to around 1,000 branded county lines. County lines offenders remain highly adaptable in their operating methods and practices, including in the targeting, recruitment and exploitation of vulnerable people. Any vulnerability is a potential target, resulting in a broad profile of victims, and there is a continued risk of serious injury and loss of life. Lines continue to be concentrated in the Metropolitan (15%), West Midlands (9%) and Merseyside (7%) areas, however a further 23 areas are known to be 'exporting forces'. The assessment highlights intelligence gaps relating to criminal finances and money flows, the role of serious violence and the exploitation of children in key locations, and sets out the need for close partnership with government, academia, charities and the private sector to bring the full range of options to bear against this significant national threat

Mapping youth diversion in England and Wales – 31 January 2019

Centre for Justice Innovation report sets out findings from surveys of and interviews with YOT practitioners and managers which sought to systematically map youth diversion across England and Wales. The research found that 115 out of 152 YOTs contacted said they operate a point-of-arrest diversion scheme, with 19 stating that they did not. The report concludes that while it is not currently possible to accurately report on the number or profile of children being diverted, youth diversion is widely practised. 68% of the responding schemes run substance abuse counselling and 64% run victim awareness classes. The report highlights areas for improvement in addressing unduly strict eligibility criteria and slow referral processes, and work to improve the capture and analysis of data on diversion. It is not. The report also notes that while diversion is not a statutory requirement for YOTs, there remains a clear a funding gap that requires urgent attention.

Skipping School: Invisible Children – 4 February 2019

Children's Commissioner's report on the growing number of children being electively home educated, calls for the introduction of a home education register, greater oversight and strengthened measures to tackle off-rolling. The Commissioner welcomes ongoing work by Ofsted to identify and tackle the issue off-rolling by schools who are letting down some of the most vulnerable children. The report recommends that Ofsted inspections identifying high levels of pupil movement should explore if this is linked to their behaviour policies. Those policies in turn should acknowledge that poor behaviour may be linked to additional needs and, if so, ensure appropriate support is provided. If particular behaviour policies are consistently a feature of schools found to be off-rolling, Ofsted should provide the evidence to the sector to enable schools to modify their policies

Attitudes to equalities: the British Social Attitudes Survey 2017 – Published 1 February 2019

NatCen's findings from the Government funded British Social Attitudes Survey 2017 showed that:-

- 84% of respondents said they were not at all prejudiced against transgender people
- 52% of respondents said that prejudiced against transgender people was 'always' wrong
- 17% of respondents viewed same-sex relations as 'wrong', having fallen from 74% in 1987
- 57% said that street harassment of women by men was 'wrong' whereas 8% disagreed.
- 93% of respondents believed online / cyber harassment of women was wrong
- 45% of respondents said that street harassment of men was wrong, in contrast to 16% who thought not
- 68% believed that the police / law enforcement should be responsible for dealing with online sexist bullying
- 63% believed that internet service providers should be responsible for dealing with online sexist bullying

Safety in Custody quarterly: update to September 2018 – Published 31 January 2019

Deaths in prison custody rose by 10% in 2018 to 325, of which 4 were homicides. Self-inflicted deaths rose from 70 to 92 between 2017 and 2018, while self-harm incidents also increased by 23% to 52,814 – a new record high. Assault incidents rose by 20% in the year to September 2018 to 33,803, of which 3,949 were serious assaults (up 6% on the previous year). Both marked the highest levels recorded. Assaults on staff (10,085) increased by 29% during the year, however this has been affected in part by changes in recording practices since April 2017. Deaths data available at individual prison level

Proven reoffending statistics: January to March 2017 – Published 31 January 2019

MOJ publish latest official proven reoffending statistics showing that proven reoffending rates fell by 0.6% between March 2016 and March 2017 to 29% - the lowest rate seen over the comparable 12 year period. Juvenile proven reoffending rates have fallen by 2.4% to 39.9%, which remains higher than that seen in 2005, although the number of offenders has fallen by over 80% since 2005. There has been no significant change in proven reoffending rates among adults released from custody (37.5%), however, reoffending among those having served short sentences fell from 64.6% to 64.1%. Data available at local authority level

NPS and CRC community performance statistics to September 2018 – Published 31 Jan 2019

MOJ statistics indicate that CRC performance remains stable, with 9 out of the 17 CRC measures meeting or exceeding targets. NPS performance also remained stable, with 16 out of the 17 measures meeting or exceeding targets. <u>Data available at CRC level</u>

Payment by results statistics: October 2015 to March 2018 – Published 31 January 2019

Proven reoffending statistics for adult offenders being managed by Community Rehabilitation Companies, under Payment by Results arrangements, and by the National Probation Service

Offender management statistics to September 2018 – Published 31 January 2019

The total prison population fell by 3% in 2018 to 82,236, with first receptions falling by 11% on the same quarter last year and releases falling by 4% as the prison population shifts towards those serving longer sentences. A policy change implemented in early 2018 has contributed to a 13% increase in recalls to prison compared to the same quarter last year – largely driven by an increase in HDC recalls. The number of offenders on probation has fallen by 3% over the last year. Local area prison and probation data available

Youth Justice statistics: 2017 to 2018 – Published 31 January 2019

While the number of children and young people cautioned or sentenced has fallen by 82% over the last ten years, the 6% fall seen in 2017/18 was the smallest year-on-year reduction recorded in a decade. The number of children held in youth custody on remand increased by 19% in 2017/18 and made up nearly a quarter (24%) of all children in youth custody. Recorded self-harm incidents increased by 40% to around 1,800 in 2017/18. 40.9% of children and young people reoffended, marking a 1.3% point reduction on the previous year, but remaining higher than the rate in 2007/18 (38.1%).

Seatbelt and mobile phone use surveys: 2017 – Published 7 February 2019

DfT data highlights reductions in the proportion of drivers observed using a hand-held mobile phone whilst driving (1.1%) compared to rates in 2014 (1.6%). 96.5% of drivers were observed using a seatbelt in 2017, compared to 95.3% in the previous survey in 2014.

National LGBT Survey Data Viewer – Analysis tool for 2017 survey findings - Published 7 Feb 2019

Local Authority Homelessness Statistics – 31 January 2019

Guide to youth justice statistics (updated) - 31 January 2019

3. AUDITS AND INSPECTIONS

Home Office collaborative working with other government departments – 31 January 2019

Independent Chief Inspector of Borders and Immigration inspection examining the efficiency and effectiveness of collaborations between the Home Office Borders, Immigration and Citizenship System (BICS) directorates, and other government departments and agencies identifies a number of 'systemic weaknesses'. These include the lack of an overarching BICS strategy for collaborative working, no central list of current collaborations, and no means of assessing the overall value BICS derived from other government department collaborations. The inspection makes three recommendations for the Home Office to:-

- Maintain a list of 'business as usual' collaborations, with a brief description of their purpose and contact details for the BICS "owner" and publish this on the Home Office intranet
- Develop a standard methodology for managing 'business as usual' collaborations and specific Operations and Projects involving Borders, Immigration and Citizenship System (BICS) directorates. The Home Office has rejected this recommendation, questioning whether it would be inherently useful
- Appoint a Senior Responsible Officer to oversee all collaborations between Borders, Immigration and Citizenship System (BICS) directorates and business areas and other government departments, and a brief to develop a strategy to improve the efficiency and effectiveness of BICS across all its functions

CPS Special Crime and Counter Terrorism Division – 5 February 2019

HMCPSI inspection of the CPS Special Crime (incl. deaths in custody, disasters, corporate/medical manslaughter, election offences, assisted suicide), Counter Terrorism (incl. terrorism, racial and religious incitement, war crimes) and Appeals Unit highlights largely positive findings in relation to governance, leadership, risk management, performance improvement, resource management and stakeholder management. Minor recommendations include the need to work with the DPP's office and AGO to ensure that the right information is getting to them in a timely and succinct way, the need to review its approach to sharing relevant good practise and to consider using a regular newsletter to cover all aspects of the business

CPS International Justice and Organised Crime Division – 29 January 2019

HMCPSI inspection of the International Justice and Organised Crime Division praises the quality of service in delivering challenging casework, and commends the Division's Extradition team as a centre of excellence and expertise. Minor recommendations include the need for a comprehensive and coherent risk management strategy, work to ensure that the approach to knowledge management is effective, and to develop an overarching communication and staff engagement strategy

Upcoming reports and inspection activity

•	HMIC: Crime data integrity (individual force reports)	Ongoing
•	HMI Prisons: Joint inspection of Police Custody Arrangements	Ongoing
•	HMICFRS: National Child Protection Inspection (HMIC-led) examining police effectiveness in their interactions with children, from initial contact and early identification of children who are at risk, through to investigation	Ongoing
•	HMICFRS: Counter Terrorism thematic inspection	2017/18

- HMICFRS: Independent study of police air support
- HMICFRS: Police response to county lines (Thematic)
- Domestic abuse: Evidence-led prosecutions: Focus on effectiveness of non-victim-led prosecutions
- Crimes against older people: Police and CPS responses Findings due to be published in July 2019
- 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

Review of the Parole Board rules and Reconsideration Mechanism – 4 February 2019

Parole Board response to MOJ review sets out commitments to reform the Victim Contact Scheme by:-

- Introducing a new reconsideration mechanism for indeterminate sentence and extended determinate sentence prisoners which will enable victims to challenge a release decision without resorting to judicial review. The new mechanism is expected to be introduced summer 2019
- Publishing "standard practice" documents to support quality and consistency in decision making by clearly setting out the approach and processes expected of panel members when conducting hearings
- Expanding victim contact services to more people, incl. serious charge cases where there is no conviction
- · Bringing more services online and making it easier for victims to opt-in and out of the service
- Establishing a new operational protocol between the Parole Board and Her Majesty's Prisons and Probation Service (HMPPS) will clarify roles and responsibilities within the parole system
- Launching of a tailored in-depth review of the Parole Board to report on its findings by the summer. This will consider root-and-branch reform of the process and action that may require longer-term legislative changes

Government response to Transforming courts and tribunals recommendations - 5 February 2019

MOJ and HMCTS response to the Public Accounts Committee's report on courts and tribunals reform sets out updated timetable for delivery of the next phase of reform, who will be affected by the reforms, the approach to identifying and evaluating the impact of changes and the collaborative approach HMCTS is taking in identifying and managing any cross-criminal justice system financial impacts

Tailored Review of the Sentencing Council 2019 - 7 February 2019

Government review concludes that the current delivery model of the Sentencing Council as a non-departmental public body is still the most appropriate. The Council's functions are still required and the Council is effective and efficient in delivering its responsibilities

Theft Offences: assessing the impact of the definitive guideline - 5 February 2019

Sentencing Council assessment of the impact of the Theft Offences Definitive Guideline, which came into force in February 2016, concludes that there have been changes in sentencing practice since the guideline came into force but for most offences analysed there is no clear-cut evidence that the guideline caused these effects. The Council will continue to monitor the trend before deciding on whether or not to revisit the guideline

Committee report: Local government ethical standards - 30 January 2019

The Committee on Standards in Public Life publishes report and recommendations on ethical standards in local government, which include: a new power for local authorities to suspend councillors without allowances for up to six months; revised rules on declaring interests, gifts and hospitality; a right of appeal for suspended councillors to the Local Government Ombudsman; greater transparency about the number and nature of Code complaints on local government ethical standards.

Inquiries

Racial harassment in higher education – Equality and HR Commission – Launched 4 December 2018 Call for evidence closes 28 February 2019

<u>Court and Tribunal Reforms</u> – Launched 10 January 2019 Accepting written submissions until 11 March 2019

The role of the magistracy (follow up) – Justice Committee – Oral evidence session 12 February 2019

Economic crime inquiry – Treasury Committee – Oral evidence session 13 February 2019

The Macpherson Report: Twenty Years On – Home Affairs Committee – latest evidence 5 February 2019

Serious Violence Strategy - Home Affairs Committee – latest evidence 29 January 2019

Forensic Science – Science and technology Committee – latest evidence 22 January 2019

Modern Slavery – Home Affairs Committee - latest evidence 15 January 2019

Detention of children with learning disabilities - JC on Human Rights - latest evidence 9 January 2018

Islamophobia – Home Affairs Committee – Launched 12 December 2018

Serious Fraud Office – Justice Committee Inquiry – Oral Evidence Session - 18 December 2018

Driving value in public spending inquiry - Public Accounts Committee – Oral Evidence 12 Dec 2018

Youth Detention – JC on Human Rights - latest evidence 13 December 2018

Prison Population 2022: Planning for the Future – Justice Committee - latest evidence 11 Dec 2018

Local Government Spending – Public Accounts Committee – Latest evidence 26 November 2018

Work of the Home Office – Home Affairs Committee – Oral evidence session 13 November 2018

Counter-terrorism - Home Affairs Committee – latest evidence 24 October 2018

Financial sustainability of police forces inquiry – Public Accounts Committee – latest evidence 10 Oct

Emergency Services Network – Public Accounts Committee – latest evidence 21 February 2018

Young victims of financial crime inquiry – APPG on financial crime - Open

Spread of so-called 'pop-up' brothels – APPG on prostitution – Open

Independent Inquiry into Child Sexual Abuse (IICSA) - Open

5. LEGISLATION

Counter-Terrorism & Border Security Bill – Awaiting Royal Assent

Government Bill to close gaps in existing counter-terrorism legislation, including provisions to extend the <u>offence</u> of inviting support for a proscribed organisation to cover reckless expressions of support, update the <u>offence</u> of obtaining information likely to be useful to a terrorist to cover material that is just viewed or streamed over the internet, <u>increase the maximum penalty</u> for certain preparatory terrorism offences to 15 years'

Voyeurism (Offences) Bill – Awaiting Royal Assent

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.

Crime (Overseas Production Orders) Bill – Ping Pong – 11 February 2019

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.

<u>Offensive Weapons Bill</u> – Lords Committee Stage – 12 February 2019 <u>Overarching documents</u> <u>Briefing</u> 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

Stalking Protection Bill – Lords Committee Stage – TBA

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)

Children Act 1989 (Amendment) (FGM) Bill – Commons 2nd reading – 8 February 2019

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

<u>Asset Freezing (Compensation) Bill</u> – Commons 2nd 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

Modern Slavery (Victim Support) Bill – Commons 2nd reading – 25 January 2019 Briefing

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

Age of Criminal Responsibility Bill – Lords 3rd Reading – TBA

Criminal Records Bill - Lords Committee Stage – TBA

Emergency Response Drivers (Protections) Bill - Commons 2nd reading - 15 March 2019

Freedom of Information (Extension) Bill – Commons 2nd reading – 22 March 2019

Human Trafficking (Child Protection) Bill - Commons 2nd reading – TBA

Violent Crime (Sentences) Bill – Commons 2nd reading – TBA

Youth (Services and Provisions) Bill – Commons 2nd reading – TBA

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Lords Briefing

APCC response

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6. CONSULTATIONS

Guardianship (Missing Persons) Act 2017: Implementing the Act

Ministry of Justice consultation seeking views on the content and presentation of the code of practice, procedure and the supervisory regime set up in appointing a trusted person to look after property and financial affairs of a missing person. Feedback will be used to inform the Act which will come into force in July 2019. **Open date: 19/12/2018**

Close date: 12/02/2019

Racial harassment in higher education: Call for Evidence

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

'Adults at risk' in immigration and detention: Call for Evidence

Chief Inspector of Borders and Immigration call for evidence seeking information from parties with relevant knowledge and expertise of the Home Office's 'Adults at Risk' policy. This will be used to inform the Inspector's annual report on welfare of vulnerable people in detention following recommendations made in 2018. **Open date: 25/01/2019**

. Close date: 17/02/2019

Public Health Outcomes Framework: proposed changes 2019 to 2020 NEW

PHE consultation on proposed changes to the Public Health Outcomes Framework which are due to take effect from summer 2019. Includes proposals to introduce new measures in relation to opiate and dependant alcohol users not in treatment / waiting over 3 weeks for treatment. Also sets out changes to recording methodology for killed and seriously injured road casualties to adjust for changes in the way that police forces record severity, and re-offending rates / frequency in line with Ministry of Justice reforms

Open date: 21/01/2019 Close date: 22/02/2019