Updates in police law, operational policing practice and criminal justice, produced by the Legal Services Department at the College of Policing

Scottish officers right to privacy ‘lost’

HMICFRS’ annual policing assessment

Gilchrist v GMP excessive use of force?

Age of Criminal Responsibility Bill 10 to 12?
The College of Policing Brief is a scanning publication intended to capture and consolidate key criminal justice issues, both current and future, impacting on all areas of policing.

During the production of the Brief, information is included from governmental bodies, criminal justice organisations and research bodies. As such, the Brief should prove an invaluable guide to those responsible for strategic decision making, operational planning and police training.

The College of Policing is also responsible for Authorised Professional Practice (APP). APP is the official and most up-to-date source of policing practice and covers a range of policing activities such as: police use of firearms, treatment of people in custody, investigation of child abuse and management of intelligence. APP is available online at [app.college.police.uk](http://app.college.police.uk)

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Editorial

Dear readers,

Welcome to the Brief, your monthly update of what’s new in the criminal justice field, produced by the Legal Services team at the College of Policing.

With media dialogue being dominated by the Tory leadership campaign and Brexit, now referred to as a ‘virus’ by many commentators, it is easy for the public eye to be drawn away from the challenges faced and the achievements made by our police service every day. The letter to The Times sent by Sir Mark Rowley and other former MPS commissioners returned the public focus to the ‘dangerously low levels’ of police resources and the inevitable consequences. The letter coincides with the issue of HMICFRS’ State of Policing report. Read more about the report in this edition.

This month’s edition also includes articles on:

- the courage of police dog Audi and his handlers and the first charge under Finn’s law
- an inclusive police service: representation of disabled officers and staff
- statistics on the use of police powers under the Terrorism Act.

To find out more about the College and what we do, including initiatives such as the What Works Centre for Crime Reduction, the National Police Wellbeing Service and our service recruitment events, please visit the College of Policing website.

We hope that our publication supports our police officers and staff in their work. We are always looking for ways to get better at what we do, so if you have any feedback or ideas for future content, please get in touch.

Thank you for reading,

The Legal Services Team
Vulnerability and Violent Crime programme: Call for evidence

This initiative, launched in conjunction with the NPCC, intends to build an evidence base by evaluating initiatives aimed at tackling vulnerability and serious violence. An ‘open call for practice’ was made to forces across England and Wales encouraging forces to share examples. Over 130 responses were received, 8 of which were selected for this study. The interventions being evaluated are listed below. The College is keen to continue its research and invite forces to share emerging practice. If you would like to contribute please email: vulnerabilityprogramme@college.pnn.police.uk.

Find further information here.

DIVERT: A custody programme to divert 18-25 year olds from crime into employment and training.

Operation Divan: Early intervention to divert young people away from carrying knives and weapons.

Community initiative to reduce violence: Gang members are offered a choice to engage with support services or face increased enforcement activities.

Think family early intervention: A multi-agency support mechanism to identify and provide support for families, targeting low level problems before they escalate.

Adverse childhood experiences and trusted adult workers: Supporting young people who have suffered from trauma.

Joint approach to neglect: Family visits by police and child services to reduce repeat child neglect and common assault offences.


High harm perpetrator unit: New approaches to proactively identify potential high harm perpetrators.
Launch of bespoke programme for Police Public Protection and Safeguarding Leads

The College has been working with the Police Superintendents’ Association (PSA) to develop a bespoke programme supporting Public Protection and Safeguarding (PPS) leads in their work. These roles are seen to be some of the most demanding in policing, managing high levels of risk and vulnerability, dealing with sensitive cases which often involve dangerous individuals and vulnerable victims. Officers and staff working in this field are exposed to significant risk of psychological impact.

The College of Policing team was led by Superintendent Clements, MET Police Head of Safeguarding in Northeast London. Supported by practitioners from all over the country and the PSA’s national team, work was done to understand the challenges encountered by those in role and understand existing training and support mechanisms. The programme’s curriculum engages with the elements of risk and complexity involved in the PPS role, providing content on issues such as managing vulnerability risk, performance and protecting practitioners from psychological harm.

The programme’s first cohort attended in the first week of July.

Access further information here.

College response to State of Policing report

Chief Constable Mike Cunningham, CEO of the College of Policing has released a statement on the HMICFRS’ annual assessment of policing in England and Wales annual report:

“Today’s report is testament to the dedication of officers and police staff across England and Wales who have performed well overall despite reduced resources and increasing and changing demands.

An investment in police numbers alone will not be enough to meet the future demands we face as a service. Investment is needed in how officers and staff are developed throughout their careers to create a consistent national standard of policing across the country. The public will benefit by receiving the same level of service regardless of where they live and officers and staff can be confident that they are trained to the same standard as their colleagues elsewhere in the country.
The challenges set out in the report reinforce the requirement for a continued and determined approach to officer and staff wellbeing. There is a clear need for greater collaboration and coherence across the system, with everyone fulfilling their responsibilities to prevent crime and protect the public.”

Access the full statement [here](#). Read an outline of the assessment on [page 29](#).

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**College staff ‘Light the Lakes’**

College staff were proud to have taken part in this year’s ‘Light the Lakes’ event with teams climbing peaks Low Pike and Brim Fell to raise money for the Care of Police Survivors charity. The charity hope that next year enough people will take part for all 214 peaks to be lit up.
Legal updates

New legislation


This Order is intended to increase the surcharge amount imposed on offenders under section 161B of the Criminal Justice Act 2003, the proceeds of which are used to fund support for victims and witnesses of crime.

The Order increases the current surcharge levels in accordance with inflation for 2018/19 and expected inflation for 2019/20 and 2020/21, which is necessary to prevent a decrease in real terms of the contribution by offenders to victim and witness support.

Access the full Statutory Instrument here.


These Regulations relate to notification requirements and prescribed police stations in accordance with section 87(1) of the Sexual Offences Act 2003. Changes have been made to the list of police stations prescribed in the 2018 instrument.

Access the full Statutory Instrument here.
‘Claudia’s law’ to take effect in July

New laws will create a new legal status of guardian of the affairs of a missing person, facilitating families to take actions in that person’s interest if they have been missing for 90 days or more. Actions may include suspending direct debits, utility bills or keeping up with their mortgage payments. Previously there had been no provision for this in the law unless the person had been declared dead. The new regulations are known informally as ‘Claudia’s law’ after the tireless campaigning of Peter Lawrence OBE following the disappearance of his daughter. The regulations will take effect as of 31 July 2019.

Access the full article here.

Bills

Age of Criminal Responsibility Bill [HL] 2017-19

This is a Bill to raise the age of criminal responsibility under section 50 of the Children and Young Persons Act 1933 from ten to twelve. The date of the second reading is yet to be announced. The Bill completed its House of Lords stages on 17 June 2019 and was also presented to the House of Commons on 17 June 2019.

Access the full Bill here.

Courts and Tribunals (Online Procedure) Bill [HL] 2017-19

This is a Bill to provide for online procedures in civil and family courts in England and Wales in the First-tier Tribunal and Upper Tribunal and in employment tribunals and the Employment Appeal Tribunal.

The Bill completed its House of Lords stages on 2 July 2019 and was presented to the House of Commons on 3 July 2019. It is expected to have its second reading debate on a date to be announced.

Access the full Bill here.
Victims of Crime (Rights, Entitlements, and Notification of Child Sexual Abuse’ Bill [HL] 2017-19

This is a private member’s Bill still at first reading stage. It will attempt to make provision for new statutory rights for victims of crime under the Code of Practice for Victims of Crime. It will require local policing bodies to assess victim services, increase the duties of the Commissioner for Victims and Witnesses, grant victims a right to review decisions not to prosecute, establish reviews in homicide cases where no charge has been made and oblige professions to notify possible victims of child sexual abuse.

Second reading is scheduled for 19 July.

Access the full Bill here.
Before the court

Slavery case sentencing

A father and son who ran a scrap metal business have been jailed for a total of 21 years for continuously and repeatedly assaulting a vulnerable man who was forced to work for them.

Anthony Baker, 49, ran the business with his son Harvey Baker, 19, in Jersey Marine. The victim had been living on site and was forced to work without any payment. Due to public complaints, the police attended the site in January 2019 and discovered the victim working. He was found with extensive bruising and could not speak properly due to his severe facial injuries, which included a broken jaw. He was later able to tell police that he would work all day, and receive only tinned food in payment. He stated that he was beaten every day, sometimes with a scaffolding bar.

The CPS’ evidence included: a video taken by a neighbour of Anthony Baker’s aggressive behaviour towards the victim (in the presence of Harvey Baker), detailed medical evidence, and photographs of the victim’s living conditions. In addition, body-worn camera footage recorded by the police showed the victim’s extensive facial injuries and the control the defendants had over him.

Anthony and Harvey Baker both pleaded guilty. Anthony Baker was sentenced to 15 years’ imprisonment, while Harvey Baker received six years’ detention at a Young Offenders Institution.

Access the full article here.
Sage, R v [2019] EWCA Crim 934

KEY MESSAGES

- Wrongly applied sentencing guidelines in an aggravated burglary.
- The diligence of an off duty officer.
- Courts should consider if the victim was at home, suffered significant physical or psychological injury and whether violence was used.
- Higher culpability for offences which involved a substantial degree of premeditation.

Following trial before a recorder in the Crown Court at Chelmsford, Sage was convicted of offences of: (count 1) aggravated burglary, (count 2) wounding with intent, and (count 3) having an offensive weapon. On 13 March 2019, Sage was sentenced to a total of 6 years and 6 months’ imprisonment.

The Attorney General considers the above sentence to be unduly lenient, consequently, an application has been made by the Solicitor General for leave to refer the case to the Court of Appeal for consideration of the sentence.

The victim of the offences was Webb, who was living with his mother, aged 90, his son and his son’s friend, Collins. It was alleged that approximately two weeks before the offences were committed, jewellery had been stolen from Sage’s partner. She had told Sage that Webb’s son and Collins were responsible.

On 26 June 2018, Sage drove to Webb’s house with an extendable baton in his trouser pocket. Sage knocked on the door and when Webb answered, demanded to know where Collins or Webb’s son was. When Webb stated that he did not know of their whereabouts, Sage grabbed Webb around the throat and pushed him backwards into a glass cabinet, before pushing him back and forth into the cabinet two or three times, causing the glass to shatter.

Sage then began reaching into his trousers, causing Webb to think he had a weapon. Webb managed to run out of the house, pursued closely by the offender, who was now carrying the baton. The offender struck Webb numerous times with the baton, before pushing him backwards into a bush and kicking him in the legs. The attack ceased when an off-duty police officer intervened. Webb suffered: multiple lacerations to his scalp, back, right upper arm, right leg, and one toe. He could not move his right elbow without severe pain, and there was a deep wound to his right forearm which required plastic surgery and a skin graft.
The offender, now aged 52, has had 32 previous convictions, a number of which were for offences involving violence, public disorder, and the possession of offensive weapons.

On count 1, the recorder concluded that it fitted within category 2 and rejected a submission that the offence involved higher culpability because a weapon was present on entry into the house. Count 2 was branded a category 3 offence by the recorder, and count 3 was agreed by the recorder and counsel to fall within category B1. During his sentencing remarks, the recorder described the incident as a ‘completely unprovoked and violent assault on a man inside his own home’. In addition, he stated that the type of weapon fell within the lower end of the range of weapons available for this offence, and he did not, for sentencing purposes, find the offender to be dangerous. Consequently, he imposed a sentence of 6 years 6 months’ imprisonment.

On behalf of the Solicitor General, it was submitted that the judge misapplied the sentencing guidelines and passed a total sentence that was unduly lenient. For count 1 she submits three factors indicating greater harm: the victim was at home, significant physical or psychological injury was caused, and violence was used. For count two, it was argued that the offence involved higher culpability as there was a substantial degree of premeditation and the use of a weapon.

Following all submissions, the Court of Appeal concluded that the original sentence imposed failed to serve just and proportionate punishment for the overall offending. The Court of Appeal accepted some points of mitigation advanced by the defence, but concluded that in the full circumstances of this case, an overall sentence of less than 9 years’ imprisonment could not be justified. Leave to refer was granted: the sentence on count 1 was quashed and substituted for a sentence of 9 years’ imprisonment.

Access the full judgement here.
Gilchrist v Greater Manchester Police (Rev 1) [2019] EWHC 1233

KEY MESSAGES

- Restraint of an individual suffering an episode of mental illness.
- Court review of whether use of force was justified.
- Full review of each officer’s actions leading to conclusion that some action was justified as a reasonable use of force, whereas others were not.
- Claimant succeeds in establishing liability for trespass to person.

Gilchrist, the claimant, aged 59, has significant learning difficulties, bi-polar disorder, and is on the autistic spectrum. He lives alone on the Bideford Drive Estate, with support from nearby family members.

In the early hours of 6 June 2014, the claimant suffered an episode of acute behavioural disorder and became extremely distressed. Consequently, he broke a window in his flat and in the common stairwell, cutting open his hands. He left the block of flats and went outside, wearing only tracksuit bottoms, his hands covered in blood. At 05:56 a member of the public made an emergency call to the Greater Manchester Police (GMP) stating that there was a man covered in blood, walking around and smashing things on Bideford Drive, seemingly heading towards Moor Road.

On arrival, the police found the claimant in the road. They considered the claimant to be acting aggressively and presenting a danger to himself and others. They attempted to control the situation by using 2-Chlorobenzalmalononitrile gas (CS gas) and deploying a Taser several times, which proved to be ineffective. The police forced the claimant to the ground and physically restrained him, before he was transported to hospital by an ambulance.

The claimant lacks capacity to conduct proceedings and the claim was brought by his mother, Graham, acting as his litigation friend. The claimant’s case is that it was unnecessary for the police to have used force. Furthermore, that the methods of force used, namely CS gas and Taser, were unnecessary and inappropriate, and the level of force used was unjustified.

The defendant’s case is that the claimant was suffering an episode of mental illness which resulted in aggressive and potentially dangerous behaviour and that the methods and level of force used were reasonable and proportionate in the circumstances.
The claim made against the defendant is in relation to trespass to the person by battery, and in negligence. The key issues were:

- Was the use of any force justified?
- If so, were the methods of force used justified?
- Was the extent and level of force used justified?

To address the key issues in this case, it was necessary for the Court to decide whether each of the following use of force incidents were justified:

- The initial and second use of CS spray,
- The initial and second use of Taser,
- The disputed third use of CS spray,
- Kicking the claimant’s legs,
- Tackling the claimant to the ground, and
- Detaining the claimant on the ground with handcuffs and leg restraints.

In conclusion, the Court held that:

- The use of CS gas on two occasions was a justified use of reasonable force.
- The initial use of Taser was a justified use of reasonable force.
- The second use of Taser was not justified, and the extent of force used, namely eight cycles for a cumulative period of 72 seconds, was excessive, unnecessary, and unjustified. This was held to amount to trespass to the person and a breach of the defendant’s common law duty of care.
- The tackles to bring the claimant to the ground were a justified use of reasonable force.
- The restraints placed upon the claimant were justified.
- There was no third use of CS gas.

The Court established that the claimant had established liability for trespass to the person and in negligence in regards to the third bullet point above.

Access the full judgement here.
Right to privacy ‘lost’ by Scottish police officers

Following court proceedings, it has been decided that ten police officers will not be able to keep specific WhatsApp messages private. This decision comes after misconduct proceedings were raised against all ten officers.

On behalf of the officers at the Court of Session in Edinburgh, it was argued that if Police Scotland were to use the messages, it would be a breach of human rights, specifically the right to privacy. In addition, it was argued that there was no legal basis for the force to request the private messages.

Contrastingly, it was argued that Police Scotland were entitled to the messages for disciplinary proceedings.

The WhatsApp messages are alleged to include improper remarks, and were discovered by a detective constable who handed them over to the Professional Standards Department of Police Scotland.

The officers, in an attempt to keep the messages private, sought a judicial review. In a written opinion, published on Friday, Lord Bannatyne said that there was a legal basis for the messages to be used for disciplinary proceedings. He also found that, due to the nature of the messages and the standards an officer is expected to keep both on and off duty, that the group members did not have the same right to privacy as other members of the public.

Access the full article here.

£35 million given to police force violence reduction units

On 18 June 2019, Sajid Javid announced his provisional allocation of £35 million to police and crime commissioners in 18 local areas to set up violence reduction units. Violence reduction units will begin to form a multi-agency approach, incorporating police, local government, health, community leaders, and other key partners to tackle violent crime and the reasons leading people to it.
The Home Office plans to work closely with these units to assess how the funding is being used to strengthen the response to serious violence. The introduction of new violence reduction units forms part of the government’s focus on early intervention, which is set out in the Serious Violence Strategy published in April 2018.

Access the full article here.

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**Cressida Dick delivers John Harris Memorial lecture**

The MPS Commissioner delivered a speech for the Police Foundation on public trust in the digital age, the balance to be struck in respecting privacy and the future use of data in tackling crime.

Listen to the speech here.
Operational

Modern slavery – document collection

A process guide document for multi-agency assurance panels has been added to the Home Office online guidance on modern slavery.

Access the updates here.

Supporting a victim of terrorism

The Home Office have published guidance primarily aimed at family, friends, peers, and the general community on how to support victims of terrorism. The guidance, developed in partnership with the British Association for Counselling and Psychotherapy, aims to provide a greater understanding of what needs a victim of terrorism may have. The guidance includes how someone you know might be affected, what you can do to help them, signs to look out for that indicate they might need more support, and where to look for further help.

Victims of a terrorist attack may have suffered a bereavement, been physically injured, or experienced emotional or psychological trauma.

There is no single pattern of response or recovery after a terrorist attack – every person will have a different experience. It’s important that you treat the affected person with compassion and respect, listen to their needs and check in on their recovery regularly.

People who have been affected by a terrorist attack may show feelings that others find hard to understand. These are natural in the aftermath of a terrorist attack and can settle in time. Feelings can include:

- fear, shock, horror and helplessness
- anger that this has happened
- loss of control, of being a target and unable to control their emotional response
- that they might have done something to lessen the trauma or avoid the attack
- guilt for surviving when others did not
- grief for those who have died.
The guidance includes tips on what to do and what not to do when discovering someone has been a victim of a terrorist attack:

**Best practice includes...**

- Be prepared to offer immediate support after the aftermath.
- Saying something simple and heartfelt and letting them know that you are thinking of them.
- Financial donations are often helpful to victims and their families and can alleviate some of the financial stress of the aftermath of an attack.
- Think about specific things you can do to help, e.g. making meals can be very helpful as victims often do not have the time or mental energy to shop or cook in the immediate aftermath.

**Behaviours to avoid include...**

- Saying things like ‘this experience will make you a better person’ or ‘everything happens for a reason’.
- Trying to comfort victims and their families by showing anger towards perpetrators and discussing political causes etc.
- Asking them to recount or relive their experience or ask them questions about the attack unless they want to talk about it.
- Being afraid of talking to a victim; you may think it’s best to say nothing at all rather than to say the wrong thing. However, a quick “I’m thinking about you,” is better than pretending the victim is not there.
- Rather than asking ‘let me know if I can help’, it may be better to be more specific and offer to help with something in particular - it can be difficult to identify needs with so much going on.

Access the full article [here](#).
Police funding statistics published

Some background to police funding:

- The majority of funding for our forces comes from the Home Office and agreed by Parliament on an annual basis.
- The Home Office publishes a Provisional Police Grant Report each year which contains grant funding allocations for the following year, to be paid under the Police Act 1996. The allocations are subject to public consultation and Parliament then vote on the Final Police Grant Report.
- Police and Crime Commissioners (PCCs) set a local police precept which is part of council tax. These accounts make up approximately 34 per cent of the funding PCCs receive and is paid direct from the tax payer.
- PCCs also receive funding from other areas e.g. special police services, training and income from donations and sponsorships.
- PCCs hold financial reserves.
- The policing environment also includes enforcement bodies which are partly funded from the police funding settlement e.g. the IOPC.

The detailed breakdown of police funding produced by the Home Office this month covers funding since 2015-16. The report includes details of government funding to PCCs, funding for national priorities, police precept, counter terrorism funding and police capital funding.

Key figures include:

- An overall increase in police funding by £1,066 million, including counter-terrorism police funding, between 2018-19 and 2019-20. The rise also includes an increase to PCC funding of £815 million and £512 million in police precept.
- Figures include spending on Airwave, the emergency services communication service, which was not previously funded from the police settlement.
- Overall police funding has increased by over £2 billion since 2015-16.

Access the full report here.
Lord Ferrers Awards 2019

Previously known as the Special Constable and Police Support Volunteer Awards, the Lord Ferrers Awards praise the vital role volunteers play in supporting policing, by giving up their free time to make communities safer.

The awards recognise exceptional volunteer dedication across 10 individual and team categories:

- Ferrers Special Constabulary – Individual Award
- Ferrers Special Constabulary – Team Award
- Police Support Volunteer – Individual Award
- Police Support Volunteer – Team Award
- Volunteer Police Cadet – Individual Award
- Volunteer Police Cadet – Team Award
- Employer Supported Policing Award
- Leadership Award (for Special Constables)
- Technical Innovation Award – Team or Individual
- Office of the Police and Crime Commissioner (OPCC) Volunteer – team or individual

This year’s awards ceremony will take place in central London on a date in autumn to be confirmed. The deadline for nominations is midnight on 15 July 2019.

Read further information [here](#).

Proceedings to be brought under ‘Finn’s law’

The police dog Audi who was stabbed on duty has given rise to the first legal action under the Animal Welfare (Service Animals) Act 2019 (covered in the April/May edition of the Brief). The legal change indicated an absence of acknowledgement in the law of the criminality of attacks against service animals with protections having only been previously granted under either the Animal Welfare Act 2006 or the Criminal Damage Act 1971. Audi sustained soft tissue damage to the side of the head, has undergone medical treatment and is now in recovery.

Access the full article [here](#).
Actuarial evaluation of police pension schemes published

The Government’s Actuary department was requested by the Home Office to undertake an actuarial evaluation (an appraisal of a pension fund’s assets against its liabilities) of the police pensions scheme as at 31 March 2016. Their findings have now been published.

The report can be accessed here.

Diversity

Disability – a neglected or protected characteristic?

The PSA have initiated a discussion on the importance of police forces’ ability to represent diverse communities. Their discussion on this occasion has focused on those who identify as disabled. For many years, the police service have been criticised for failing to properly represent the community it serves. Progress has been made, but the PSA believe that the service is still a long way away from getting it right.

PSA promote creating trust and confidence in the public as being extremely important. They say this can only happen when the public see a police service that mirrors their community, and understands their culture, lifestyle, and the specific challenges different communities face. They forward that all members of the service must feel that their leaders and colleagues fully understand their workforce, and the diverse experiences different employees can bring to a force.

There are almost 14 million disabled people living in the UK, but figures from 2014 show that a mere 1.9 per cent of police officers had declared a disability. Of 1285 Superintendents and Chief Superintendents in the PSA, only 18 (1.4 per cent) stated they have a disability.

In response to these figures, the PSA talk about the urgent need to empower people to feel confident in asking for support and to talk about any physical or psychological challenges they face, so practical measures can be put in place to help individuals at work.

Some forces accredited under the Disability Confident scheme, are actively encouraging applications from the disabled community, whilst supporting career progression for disabled members of staff.

Access the full article here.
Criminal justice news

Anti-knife crime school lessons

The Home Office, Personal, Social, Health, and Economic (PSHE) Association, and teachers have been working together to create a new and improved school curriculum that includes materials on knife crime.

A total of 20,000 PSHE teachers were provided with new lesson plans on 5 June 2019. These lesson plans aim to further equip teachers to challenge myths and communicate to their pupils the realities of carrying a knife. The one hour lessons are aimed at children aged between 11 and 16, and feature real-life case studies of young people from the latest #knifefree campaign, paired with content highlighting the importance of having positive role models.

The lessons look at how role models can influence young people’s attitudes, decisions, and behaviour in positive ways, and highlight details of support services. The new lessons will be used alongside the current PSHE syllabus.

Access the full article here.

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Concordat on children in custody

In 2014, the government established a working group on children in custody to address long-standing problems in the transfer of children from police custody to local authority accommodation, a requirement under the Police and Criminal Evidence Act 1984 and the Children Act 1989.

Guidance has been produced for police forces and local authorities in England on their responsibilities towards children in custody. This includes: releasing charged children on bail, whenever possible, explaining which local authority to contact, collating data on transfers, and the process if a local authority fails to provide accommodation.

Access the full article here.

↑ Back to contents
UK’s first secure school

Oasis Charitable Trust will operate the UK’s first secure school in Medway, Kent. The initiative emphasises the placing of education at the core of youth custody. Oasis already runs 52 academies, most of which had been rated as failing by OFSTED before the trust’s involvement. 80 per cent of them are now rated ‘good’ or ‘outstanding’. Provision will include mentoring and working with young people at risk of abuse and violence.

Access the full article here.

No Brexit deal – travelling with a European Firearms Pass

If the UK leaves the EU without a deal, after 31 October 2019 UK residents travelling to EU countries with a firearm or shotgun will need to contact the authorities of the countries concerned, to find out information about their licensing requirements.

UK residents will no longer be able to use a European Firearms Pass (EFP). This advice also applies to all UK residents who are due to already be in an EU country with their firearm when the UK leaves the EU.

Access the full guidance here.

Support for families bereaved by a domestic homicide

The Home Office has published guidance aimed at helping families bereaved by a domestic homicide or by a suicide where domestic abuse was involved. Domestic homicide review (DHR) chairs will have a crucial role to play in making sure families are directed to appropriate available support services. This guidance provides DHR chairs with additional information on the support available to families and how to provide appropriate, coordinated signposting or referral to those services.

Access the full article here.
UK and EU law enforcement co-operate on DNA databases

Law enforcement agencies in the UK and EU will be able to search and compare matching samples on each other’s DNA databases, increasing the chance of tackling cross-border crime and protecting citizens.

The UK’s implementation of Prüm framework, will allow for better co-operation between police forces and law enforcement agencies. DNA samples attained at crime scenes can now be automatically compared with profiles held by other EU member states. Improving the speed and efficiency of data exchanges between EU member states will increase cross-border police cooperation and help to reduce crime.

The UK’s DNA database currently holds profiles of more than 5 million people and 500,000 samples from crime scenes. Pre Prüm DNA framework, data exchange was carried out by the National Crime Agency, using manual exchange mechanisms.

Access the full article [here](#).

Increase in number of older opiate users receiving treatment

A report by the Advisory Council on the Misuse of Drugs (ACMD) has revealed that the number of older opiate users in treatment in England has tripled over the past 12 years. The rapidly increasing number of people over the age of 40 seeking treatment has raised concerns that ageing opiate users with complicated needs may require an overwhelmingly large proportion of substance misuse services in the future.

The ACMD have raised concerns with the Home Office that this age group of the population are being failed in their recovery from substance misuse, due to relevant services not providing help to cater for the additional needs older people may have.

Findings from the ACMD’s report include:

- the number of opiate users over 40 years old in treatment has increased from approximately 25,000 in 2006 to more than 75,000 in 2018
- the number of opiate users in treatment under the age of 30 has decreased from approximately 60,000 to around 13,000 in the 12 years to 2017/18
- ageing drug users are less likely to have access to the resources they need to manage their complex needs
- the older the user, the higher the death rate for opioid users.

Recommendations by the ACMD also include:
- an assessment of the current skills, treatment and support to address the complex physical and mental health issues of older drug users
- an ongoing analysis of treatment demographics and drug use habits among older people in order to better understand how best to provide support and services to this ageing cohort.

Read the full article [here](#) and ACMD full report [here](#).

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**Unchallenged discrimination in the legal aid system**

The Equality and Human Rights Commission’s (EHRC) inquiry has shown that many victims of discrimination are being denied the right to justice, resulting in perpetrators going unchallenged. The report finds that this is due to the current state of the legal aid system.

The EHRC states that access to justice means ensuring that free legal representation is available to all who need it and cannot afford to pay for it themselves. Their inquiry has shown that minimal amounts of people are getting the representation they need in court, or in tribunals.

Statistics have shown that between 2013 and 2014, and 2017 and 2018, no workplace discrimination cases received legal aid funding for representation in employment tribunals. The inquiry identified a number of barriers to representation, including rules which limit funding to cases with large compensation awards.

Following the inquiry, the EHRC has recommended that the government change their guidance to ensure that discrimination claims, are not simply assumed to be a claim for damages. In addition, it is recommended that Exceptional Case Funding (ECF) should provide a safety net for cases where legal aid is not typically available, but where a victim’s fundamental right is at risk of being breached. Requests have also been made to the government to produce specific guidance on ECF for discrimination cases. This is to ensure
that caseworkers granting funding in these cases take into account the potential complexities, the resources of the parties, and any other facts that may act as a barrier to victims being able to represent themselves.

Access the full article [here](#).

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**Global collaboration on resettlement**

Caroline Nokes, Immigration Minister, is expected to encourage governments and charities to work together to resettle vulnerable refugees. The UK, together with the UNHCR, the UN Refugee Agency, and the British Refugee Council, will chair a conference with the aim of bringing together governments, charities, and other organisations working with refugees. The conference will be opened by the minister and Filippo Grandi, the United Nations High Commissioner for Refugees.

The Annual Tripartite Consultations on Resettlement (ATCR) allows for discussion and the creation of new ideas on the resettlement of refugees. This year, the focus will be on exploring different ways to expand resettlement, following the UK’s announcement that it would continue to resettle thousands of refugees under a global scheme from 2020.

The expected outcomes of the 2019 ATCR include:

- greater global awareness of the ATCR community and the positive impacts of resettlement
- support for the 3-year strategy to expand resettlement and improve support for refugees
- renewed momentum to expand the global resettlement programme.

Access the full article [here](#).
Reviews and reports

HMICFRS’ annual assessment of policing in England and Wales

This is Her Majesty’s Chief Inspector of Constabulary’s report to the Secretary of State under section 54(4A) of the Police Act 1996. It contains his assessment of the efficiency and effectiveness of policing in England and Wales based on the inspections we carried out between April 2018 and May 2019.

This year’s assessment revolves around four key principles:

1) That the majority of forces are performing well, even with new policing challenges.

2) In certain areas the wider criminal justice system is not working as it should be. Specifically, the system lets down children and other vulnerable people.

3) That there is a large imbalance between police funding and public expectations. There is a widening gap between the public’s needs and the police’s capability and capacity to meet them.

4) That there needs to be a reform of national, regional, and local arrangements, as the current 43 force structure is too restrictive for the exchange of intelligence and efficient co-operation.

Access the full report here.
Police powers under the Terrorism Act 2000

The government has produced a statistical bulletin, covering the use of police powers under terrorism and subsequent legislation in Great Britain on a quarterly basis up to the year ending 31 March 2019. It also covers arrests for terrorist-related activity under other legislation such as the Police and Criminal Evidence Act 1984 (PACE).

Key findings from the bulletin:

There were 268 arrests for terrorism-related activity in the year ending 31 March 2019, a decrease of 40 per cent when compared to the previous year. Of the 268 arrests:

Terrorism-related arrests

- 70 people charged with terrorism-related offences
- 69 people released without a charge
- 93 people released under bail pending further investigation, or released under investigation
- 15 people faced alternative action
- 1 case pending during data collection
Of the 70 persons charged with a terrorism-related offence:

### Outcomes after being charged with a terrorism-related offence

- 32 had been prosecuted
- 34 were awaiting prosecution
- 3 received other outcomes
- 1 was not proceeded against

In the year ending 31 March 2019, data collected on the use of other police powers showed:

- The Metropolitan Police Service (MPS) carried out 685 stop and searches under section 43 of the Terrorism Act (TACT) 2000, a decrease of 15 per cent when compared with the previous year.
- There were 70 resultant arrests, giving an arrest rate of 10 per cent, an increase of two percentage points when compared to the previous year.
- There were 11,154 physical examinations of persons under Schedule 7 of TACT 2000 in Great Britain, a decrease of 28 per cent from the previous year (15,391).

Access the full bulletin [here](#).
**Language barriers in the criminal justice system**

Victim support, The Institute for Criminal Policy Research, University of London, and The Centre for Justice Innovation have collaborated to examine national policy and data, as well as considering the individual experiences of victims, suspects, and offenders in Leeds and London. The purpose of the study was to identify and examine the barriers faced by those who have limited English skills when accessing the criminal justice system.

The project aims to provide insight into the experiences of people who do not speak English as a first language and are victims of crime, or are involved with the criminal justice system. The project is supported by the Bell Foundation, a charity focussed on changing practice, policy, and systems for individuals in the UK who face difficulties due to their level of English language skills.

Access the full article [here](#).

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**Statistics on firearm and shotgun certificates published**

Statistics on licenses issued under the Firearms Act 1968 have now been published. Key findings include:

- 159,745 licences on issue, contributing to the year on year increase seen over the last 9 years.
- 572,488 shotgun certificates on issue, figures show little variation over the last 10 years.
- 591,302 people held a firearm and/or shotgun licence.
- For shotgun certificates, 97 of applications were granted.
- For firearms certificates 98 per cent of applications were granted.

Find the full report [here](#).
How safe are our children online? 2019 Report

One of the leading children’s charities, the NSPCC have released a 2019 report containing an overview of data on online child abuse.

Over the past few years, internet usage by children has rapidly increased:

- 15 hours 18 minutes is the average amount of time children aged 5-15 year olds spend online a week
- 44 per cent of children aged 5-15 said they owned a smartphone
- 90 per cent of 11-16 year olds surveyed said they had a social media account (see break down):

![Social media platforms chart]
The report argues that exposure to unsuitable or inappropriate content or behaviour online can have a damaging effect on the wellbeing of children and young people. As technology develops, inappropriate content is increasingly going unidentified and unreported.

- 16 per cent of surveyed primary school-aged children and 19 per cent of surveyed secondary school students said they had seen content which encouraged people to hurt themselves.
- 11 to 18 year olds reported seeing sexual content in 16 per cent of reviews of the most popular social networks, apps and games.
- 31 per cent of children aged 12 to 15 reported seeing ‘worrying’ or ‘nasty’ online content.

The number of police-recorded sexual offences against children has significantly increased across the UK in the past few years:

- In the first 18 months since sexual communication with a child became an offence in England and Wales, 5,211 offences against children under the age of 16 have been recorded by police forces.
- Police in Northern Ireland have recorded 228 offences of sexual communication with a child since the offence was introduced in Northern Ireland in February 2016.
- In Scotland there has been a 74 per cent increase in the number of police recorded offences of communicating indecently with a child over the past five years, from 247 offences in 2012/13 to 429 in 2017/18.

Access the full article [here](#).

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**Startling figures released on mental health of young people**

Mind, the mental health organisation, have undergone a survey of over 12,000 young people aged between 11 and 19 and have published some startling results. They discovered that as many as 3 out of 5 young people have either experienced mental health problems themselves or are close to someone who has. 14 per cent indicated their mental health to be ‘poor’ or ‘very poor’. The report is seen as evidence of the pressures young people are facing today. The report also uncovered that 52 per cent did not have the
confidence to ask for help from teachers or other school staff. 21 per cent said that their schools offered support mechanisms but 43 per cent said that the support was not very helpful and 63 per cent said that they had not been involved in decisions made about that support.

Access the full article here.
About the College

We’re the professional body for everyone who works for the police service in England and Wales. Our purpose is to provide those working in policing with the skills and knowledge necessary to prevent crime, protect the public and secure public trust.

college.police.uk