



College of
Policing

Brief

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college.police.uk ISSUE 8 | NOVEMBER-DECEMBER 2020

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



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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

Any enquiries regarding this publication or to request copies in accessible formats please contact us at brief@college.pnn.police.uk

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Editorial

Dear readers,

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

Within this month's edition:

- Mental health during the pandemic
- Criminal Justice Inspection of modern slavery and human trafficking in Northern Ireland
- Pile v Chief Constable of Merseyside Police.

To find out more about the College and what we do, including information on the Policing Education Qualifications Framework (PEQF) training, please visit the [College of Policing website](#).

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

Thank you for reading,

The Legal Services Team

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For subscription requests, further information or to send us ideas about what you would like to see in upcoming editions, please email us at:

brief@college.pnn.police.uk

College news

Latest police Barred List released

The latest Barred List figures cover the number of police officers, staff and members of the Special Constabulary who were placed on the Barred List between 1 April 2019 and 31 March 2020. In total 232 officers were placed on the Barred List in this time, including:

- 127 officers from police constable to chief officer rank dismissed while serving
- 93 officers from police constable to chief officer rank dismissed post-resignation
- 12 officers from police constable to chief superintendent rank dismissed post-retirement
- 32 officers dismissed from the Special Constabulary
- 132 members of police staff were dismissed and are now prevented from re-entering the police service or joining other policing bodies

From its introduction on 15 December 2017 up until 31 March 2020, a total of 555 officers have been added to the Barred List. The names of police officers dismissed for gross misconduct are placed on the publicly searchable database.

Read more about the figures [here](#).

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Mental health during the pandemic

Chief Inspector Steve Baker has written an article on mental health during the pandemic, which aims to help get appropriate care for those who need it at the earliest opportunity.

Steve discusses the uncertainty that still surrounds the pandemic and the toll this has taken on the mental health of the British public. He acknowledges that the role of the police is to protect those in immediate danger, but some people in crisis may need longer-term mental health support, as well as access to preventative measures.

At the start of the pandemic, the police witnessed a sharp decrease in mental health incidents. However, in recent months there has been a substantial increase in the number of incidents of people who have significant mental health issues, and there are huge concerns that lockdown-related suicides may be increasing. To tackle these issues and facilitate preventative action, Public Health England is running a number of pilots across the country.

Help and support must continue to be made available to officers, staff and volunteers, who have endured significant challenges this year. There are many resources available, such as the **National Police Wellbeing Service** and **Oscar Kilo**.

Read CI Steve Baker's article [here](#).

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Online assessment process for police recruitment

The College of Policing has introduced an online assessment process to support police forces in recruiting officers during the COVID-19 pandemic. More than 22,000 candidates have been invited to undertake the assessment and more than 13,000 candidates have already received their results.

An evaluation and independent peer review of the online process has been carried out, which found that it is fit for purpose as an assessment process. However, a number of recommendations have been made for further improvements which will be implemented by the College in the coming weeks. An analysis of the assessment results comparatively reviewed diversity data against previous assessments. It found encouraging improvements in diversity outcomes, with identified disparities being explored in more detail.

For more information on the online assessment process, please click [here](#).

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Coronavirus updates

SI 2020/1238 – The Health Protection (Coronavirus, International Travel) (England) (Amendment) (No. 23) Regulations 2020

The Statutory Instrument amends the Health Protection (Coronavirus, International Travel) (England) Regulations 2020 to remove exemptions from the requirement to self-isolate, and to complete a passenger locator form, for people who, during the 14 days preceding their arrival in England, departed from or transited through Denmark, and to extend the requirement to self-isolate to people residing at the same address as such people during their period of self-isolation.

The amendments only affect persons arriving in England from Denmark at or after 4am on 7 November 2020, and members of their household.

Read more about the SI [here](#).

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SI 2020/1326 – The Health Protection (Coronavirus Restrictions) (England) (No.4) (Amendment) (No.2) Regulations 2020

This instrument, made on the 20 November 2020, came into force on the 21 November 2020. It amends the Health Protection (Coronavirus, Restrictions) (England) (No.4) Regulations 2020, and permits shops, stalls, Christmas tree farms, and other businesses selling or supplying natural Christmas trees, to open.

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Legal updates

Statutory Instruments

SI 2020/1321 – The Surrender of Offensive Weapons (Compensation) Regulations 2020

The regulations set out arrangements for the payment of compensation to the lawful owners of certain offensive weapons and firearms, who surrender these in accordance with arrangements set out by the Secretary of State before their ownership becomes prohibited, contrary to sections 43, 44, 46, 47, 54, and 55 of the Offensive Weapons Act 2019 (OWA).

Sections 48 OWA allows for the surrender of offensive weapons at designated police stations, where their possession will then become prohibited. Section 49 OWA provides that compensation will be payable in respect of offensive weapons surrendered.

The regulations aim to protect public safety by limiting the availability of offensive weapons.

Read more about the SI [here](#).

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SI 2020/1330 – The Criminal Procedure and Investigations Act 1996 (Code of Practice) Order 2020

The Criminal Procedure and Investigations Act 1996 (Code of Practice) Order 2020, which will come into force on 31 December 2020, enacts a revised Code of Practice under Part II of the Criminal Procedure and Investigations Act 1996.

Part II of the Criminal Procedure and Investigations Act 1996 makes provision for the publication of a Code of Practice which sets out the manner in which investigators are to record, retain and reveal to the prosecutor material obtained in a criminal investigation. The current version of the Code was published in 2015. The changes made by the revised Code implement certain recommendations of the Attorney

General's Review of the efficiency and effectiveness of disclosure in the criminal justice system, which was published in November 2018.

Read more about the revised Code [here](#).

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Bills

Covert Human Intelligence Sources (Criminal Conduct) Bill 2019-21

A Bill to make provision for, and in connection with, the authorisation of criminal conduct in the course of, or otherwise in connection with, the conduct of covert human intelligence sources.

The first reading took place on 19 October. This stage is a formality that signals the start of the Bill's journey through the Lords. Line by line examination of the Bill took place during the first day of committee stage on 24 November. Amendments discussed covered clause 1 of the Bill.

Committee stage continues on 1 December when further amendments will be discussed.

Read more about the Bill [here](#).

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Acts

Immigration Act receives Royal Assent

The Immigration Act received Royal Assent on Wednesday 11 November 2020, ending free movement on 31 December 2020. The government have stated that the enactment of this Act 'delivers on the manifesto commitment to restore faith in the immigration system'.

Those wanting to come to the UK to work will need to apply for permission in advance, based on a points system. Individuals will be awarded points based on the type of job offer they receive, whether

they speak English, and for meeting the appropriate salary threshold. Visas will be given to those who gain a certain amount of points.

While the Prime Minister and Home Secretary have referred to the Act receiving Royal Assent as a historic moment, which will allow the UK to 'regain control of our borders', civil liberty groups have criticised the law, warning that it could lead to hostility, human rights abuses and inequality.

Read more about the Act [here](#).

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Before the court

Pile v Chief Constable of Merseyside Police [2020] EWHC 2472 (QB)

Cheryl Pile brought this appeal to establish the liberty of inebriated English subjects to be allowed to lie, undisturbed, overnight in their own vomit-soaked clothing. Ms Pile, at the time, was at a police station in Liverpool, having been arrested for the offence of being drunk and disorderly. She had vomited over her own clothing, and did not know where she was, due to her intoxication. Four female police officers removed her outer clothing and provided her with a clean, dry outfit to wear. Ms Pile has no recollection of this taking place.

Following on from this incident, Ms Pile brought a claim against the police in relation to trespass against the person, stating that the police should have left her overnight and not changed her clothes. She also alleged that the circumstances amounted to an unlawful invasion of her right to privacy under Article 8 of the ECHR.

Her claims were heard before Recorder Hudson in Chester last November. The hearing lasted three days, before the Recorder found in favour of the defendant chief constable on all issues. Ms Pile appealed against the Recorder's decision.

The first ground of appeal

Ms Pile asserted that the police had no power to change the clothing of a detainee incapacitated by drink however contaminated such clothing may be by bodily fluids. This, it was contended, applied:

- even in circumstances in which to leave the detainee in her own clothes would give rise to a hygiene risk both to her and to those required to come into contact with her
- notwithstanding the degrading condition in which she would otherwise be left to spend the rest of the night wallowing in her own vomit or worse

Accordingly, it was argued, despite the fact that Ms Pile raised no objection to the removal of her clothes and that the officers were acting in her own best interests using no more force than necessary, that she was the victim of a trespass to her person. In support of this position,

Ms Pile relied upon section 54, subsection 4 and 6C of the Police and Criminal Evidence Act 1984.

The Court of Appeal held that subsection 6C operates to limit the scope of items which may be seized following a search carried out in line with subsection 6A, and that it could not be interpreted to place a blanket overarching ban on circumstances in which clothes may be retained by police officers, who are not exercising their section 54 powers. It is clear, the Court determined, that in this situation, the removal of Ms Pile's clothes had nothing to do with a search under section 54. Consequently, the application of the subsection could not be said to be relevant to this case and this ground of appeal failed.

The second ground of appeal

The second ground of appeal was based on the contention that Ms Pile's rights under Article 8 of the ECHR had been breached by the way she was treated in relation to having her clothes removed.

The Court of Appeal found it to be entirely justified that four members of staff were sent in to remove Ms Pile's clothing, due to her earlier aggressive behaviour when brought into custody. The Court stated that, if fewer than four attended the cell, there may well have been a greater risk that one of them would be injured, because the claimant could not otherwise be adequately restrained.

Conclusion

The appeal was dismissed on all grounds.

Read the full judgement [here](#).

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Rashid v Chief Constable of West Yorkshire Police [2020] EWHC 2522 (QB)

The claimant was arrested on 7 March 2012 and was taken to a police station where he was interviewed. He was released on bail later in the day. Three of his premises were searched, pursuant to warrants. He was interviewed again on a number of occasions but in June 2013 the Crown Prosecution Service (CPS) decided no charges should be brought against him. The arrest formed part of an investigation which resulted in 45 individuals being convicted of fraud-related offences for making compensation claims for alleged whiplash injuries. The claimant was a GP who provided medical reports for clients of claims management company Advance Claims.

The main issues discussed in the 10-day trial were whether Detective Constable Lunn, the arresting officer, and his fellow officers honestly and reasonably believed that there were reasonable grounds for suspecting that an offence had been committed by the claimant and that it was necessary to arrest him. Further issues included whether the search warrants had been obtained lawfully, whether the claimant would have been lawfully arrested by another officer had he not been arrested by DC Lunn, and whether the *ex turpi causa* doctrine applied.

The findings

The material available to DC Lunn at the time constituted reasonable grounds for suspecting the claimant had been party to offences being committed by those operating Advance Claims. There was scope for debate as to whether the claimant's activity was fraudulent or not, but it was reasonable to suspect that it was. The Recorder was entitled to reach the conclusion that he did in paragraph 39 of his judgment.

The Recorder's finding on the issue of whether DC Lunn genuinely suspected that the claimant had committed a crime, was challenged. It was submitted that there was no, or insufficient, evidence as to DC Lunn's state of mind. This submission was rejected.

It was held that there were no reasonable grounds for believing that it was necessary to arrest the claimant, and that if DC Lunn had not arrested him, it cannot be said that another officer would have arrested the claimant lawfully.

Given the particular circumstances of the case, there were no reasonable grounds for believing that it was necessary to arrest the claimant and that his arrest was therefore unlawful.

Conclusion

The Recorder's decision was quashed and the claimant's arrest was unlawful. The appeal is allowed.

Read the full judgment [here](#).

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R (RD) v Secretary of State for Justice [2020] EWCA Civ 1346

RD, aged 13, together with three friends, stole an item of clothing to the value of £20. She was subsequently arrested for the offence. The police did not prosecute RD and instead issued a reprimand.

Eight years later, upon finishing university, RD decided to pursue a career with South Wales Police in a police staff role with aspirations of later becoming a police constable. She was asked to disclose any convictions or cautions and consequently disclosed the reprimand. As a result, her application was rejected and she was informed that any future applications were also likely to be rejected.

It is now common ground between the parties to the appeal that the rejection of RD's application was unlawful and she should not have been asked to disclose her spent reprimand for the role of police staff. The Rehabilitation of Offenders legislation does not apply to police staff roles but would cover the role of a police constable. The Divisional Court granted permission to appeal.

The issues

The Secretaries of State, supported by the National Police Chiefs' Council, appealed the order made by the Divisional Court. The appeal only concerned the issue of whether the legislation requiring an applicant for a role of police constable to disclose any reprimand received as a child is compatible with Article 8 of the European Convention on Human Rights (ECHR). This was not disputed and two issues arose. The first was whether the reprimand was received as a child 'in accordance with the law' and the second was whether it was 'necessary in a democratic society... for the prevention of disorder or crime...'

Conclusion

A requirement for full disclosure by a would-be police constable of all convictions, including reprimands received as a child, in accordance with the law within the meaning of Article 8 ECHR, is necessary for the prevention of disorder of crime and the protection of others. Therefore, the appeal was allowed and the declaration made by the Divisional Court was set aside.

In final comments it was noted that police recruitment material must make clear that a reprimand received as a child is not an automatic disqualification for appointment as a constable, and all circumstances for a fair assessment are considered. It was highlighted that the disproportionate number of reprimands issued to Black, Asian and minority ethnic children, when compared to the population as a whole, would impact the vital social objective of recruiting more diverse police members.

Read the full judgement [here](#).

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Policing

News

Met officers charged after non-fatal shooting

On 29 October 2020, two officers from the Metropolitan Police were charged following a non-fatal shooting incident in south London. The incident occurred on 3 December 2018 in south Wimbledon.

The first officer, identified as NX1, was charged with wounding with intent. The second officer, known as MY55, was charged with attempted wounding with intent. The CPS authorised the charges following a referral of evidence from the Independent Office for Police Conduct, after investigating the shooting.

The officers appeared at Westminster Magistrates' Court on 25 November at 2pm for the first hearing.

Read more about this incident [here](#).

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Forces unite to tackle knife crime

Operation Sceptre, a nationwide crackdown on knife crime, began on Monday 9 November 2020. Numerous operations will take place, carried out with partner agencies.

As part of these operations, forces will educate young people and parents on the risks of carrying knives and outline which support services they can access. Operation Sceptre will also highlight ongoing work with schools, charities, retailers, the health services and local communities, to reduce knife crime.

Police will partner with Border Force nationally to enable monitoring of knives and other offensive weapons, including the importation of knives and other illegal items. Knife crime offences have continuously risen since 2013/14, but October 2020 figures showed a 1% decrease, predominantly due to the lockdown restrictions.

Early intervention to steer young people away from knife crime, coupled with measures tackling the root causes of carrying a knife, remain crucial.

Read more about the initiative [here](#).

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NPCC ‘ready to learn from Undercover Policing Inquiry’

The National Police Chiefs’ Council (NPCC) has reiterated its commitment to assisting and learning from the Undercover Policing Inquiry. As a core participant, it will contribute to the Inquiry’s aims to identify mistakes, areas of good practice and learning for the future.

The NPCC has provided hundreds of documents relating to undercover operations and statements and will play an active role as a liaison between the Inquiry and police forces.

There are now comprehensive guidelines, legislation, safeguards and welfare support in use, including the following:

- College of Policing Authorised Professional Practice on undercover policing
- undercover operatives follow a strict undercover code of conduct
- undercover operatives receive extensive training and are regularly assessed
- officers must undergo a personality assessment and sometimes a psychological assessment before they can be accepted as an undercover officer
- authorising officers must be trained before granting permission to deploy undercover operatives and a judicial commissioner must be notified. Any deployment lasting longer than 12 months requires the approval of judicial commissioners
- police also follow the Home Office’s Covert Human Intelligence Sources Revised Code of Practice

There are a number of recent high-profile police operations which have potentially saved hundreds of lives.

- More than 100 suspected paedophiles were arrested in the West Midlands for targeting children online, resulting in convictions and sentencing totalling more than 100 years.
- Counter terrorism police have thwarted potential attacks in London, including on the Pride Parade
- More than 46 people were jailed by South Wales Police after a large-scale drug investigation, with total sentences of more than 180 years.

Read more about the inquiry [here](#).

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Reports

Policing the pandemic

At the height of the lockdown restrictions, one survey found that 25% of adults were not adhering to the rules for restricted movement and 75% were not adhering to social isolation rules. In responding to this, the police have had to balance enforcement and policing by consent, as well as considering resourcing, public expectations and the severity of harm caused.

To assist forces with this unprecedented challenge, the NPCC and the College produced guidance based around the four 'E's - engage, explain, encourage and, as a last resort, enforce. The implementation of this approach has come under scrutiny during the pandemic, due to differing enforcement tactics in each force.

Crest Advisory and the Police Foundation are carrying out research to examine the nature and effectiveness of the police response to the pandemic. An important aspect of the research is to understand the experiences of members of the public, asking people directly what they thought about the policing of the restrictions from the beginning of the first lockdown through to September 2020. Findings from focus groups in London, the West Midlands and Greater Manchester are outlined below.

The effectiveness of police interventions

Some focus group participants mentioned how policing resources were limited before the lockdown restrictions, and that the additional demand may lead to 'trade-offs' to strike the right balance. This appears to be the case when considering the number of Fixed Penalty Notices (FPNs) to enforce the coronavirus regulations. Between March and May, only 17,039 FPNs were issued.

Among the focus group participants, it was recognised that people needed to take more individual responsibility in following the rules, but that there was confusion over what was law and what was governmental guidance. This, it is suggested, may have contributed to the discretionary approach taken by the police.

The fairness of the police response

There was an overall preference for more robust enforcement across the focus groups. Some participants felt that those breaking rules in more heavily policed areas were being unfairly or disproportionately penalised, when compared to areas with less of a police presence.

Several individuals raised incidents of alleged rule-breaking by public officials, such as Dominic Cummings, with no sanctions being imposed. Some suggested this had undermined the legitimacy of the lockdown, made it harder for rules to be enforced and cast doubt over the reasons for imposing the lockdown.

Those who were already sceptical or anxious of the police indicated a heightened sensitivity in relation to the new legislation and police powers. There is evidence of a disproportionate number of FPNs being issued to black and minority ethnic groups throughout the pandemic, with many members of the focus group raising this as a particular concern. Specific examples of disproportionate broadcasting were raised, outlining concerns that the treatment of white and black people who broke the rules in similar ways were dealt with differently. Focus group members felt incidents relating to black and minority ethnic groups were publicised in a substantially more negative way and receiving harsher sanctions.

Most members of the focus groups stated that they had confidence in the police, or that their overall opinions had not changed as a result of the pandemic. A minority stated that their opinion of the police had become more negative. These included people who had reported a breach of the lockdown rules, and no action was taken.

Read more about the report [here](#).

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Criminal justice news

Newly trained sniffer dogs set to enter prisons

176 new sniffer dogs have joined the 630 dogs already in place to stop illegal items entering the most challenging prisons in England and Wales. These dogs have proven to be crucial in keeping out illegal drugs, phones and tobacco.

In the past year, they have helped prevent more than 2,000 illegal items, including over 100 kilograms of drugs, from entering the wings. Over 50 prisons are due to receive their new additions by March 2021. Each dog will be paired with their own handler, specially trained in detecting contraband items.

Training for the latest cohort is underway, with the dogs having to complete multiple courses and assessments. Their handlers will also undergo vigorous training.

The dogs and handlers are being funded by the government's £2.75 billion commitment to transform the prison estates. This includes:

- £100 million to bolster prison security, clamping down on contraband, self-harm and crime behind bars
- £2.5 billion to provide 10,000 additional prison places and create efficient jails that rehabilitate offenders and reduce reoffending
- £156 million to tackle the most pressing maintenance issues

Read more about the training [here](#).

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Government triggers antique firearms law change

New measures were introduced on Monday 9 November to target antique firearms that are used in violent crimes. Approximately 26,000 firearms will now require licences. A previous exemption allowed collectors and dealers to possess and trade old firearms, but evidence suggested this loophole was being exploited. As such, seven types of ammunition will be removed from the definition of 'antique firearm', which is expected to

make up the 26,000 firearms. Since 2007, six fatalities have been linked to antique firearms.

Existing owners of firearms who will be affected by the regulations can sell, deactivate or surrender firearms ahead of the law changing, which will take place shortly after it is approved by Parliament.

Read more about the new laws [here](#).

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Internet watchdog receives record child sexual abuse reports

The Internet Watch Foundation (IWF) believes an increased number of people working from home due to lockdown restrictions contributed to record reports of suspected child sexual abuse material online.

In September 2020, the IWF received the highest ever number of public reports to its hotline of suspected child sexual abuse materials in one month. 15,258 reports from members of the public were processed, a 45% increase compared to September 2019.

Hotline director, Chris Hughes, said: ‘The coronavirus lockdown and more people working from home have contributed to an acceleration in the increase of public reports.’ However, a number of these reports have fallen outside of the IWF’s remit, such as legal adult pornography or provocative slogans on children’s clothing.

IWF chief executive Susie Hargreaves praised the vigilance of members of the public, demonstrated by the increase in reporting. But she requested that people carefully check the IWF’s reporting guidelines first to ensure analysts do not waste their time reviewing content which falls outside of the charity’s remit.

For more information on the report, please click [here](#).

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Charity calls for government to protect parents in pandemic

The NSPCC has launched a Fight for a Fair Start Campaign, urging the government to make sure all new parents receive the support they need, both now and after the pandemic. Services struggled to support families even before the pandemic, but COVID-19 restrictions have meant that many women have had to give birth alone and new parents have been cut off from their usual support networks. The pandemic has also meant many families have been left without health visits due to restrictions and redeployment of health staff.

Since April this year, the NSPCC's helpline has received 1,897 contacts from adults concerned about parental mental health, with over half being serious enough to be referred for further support. The monthly average number of contacts has increased by over a third compared to the monthly averages for January to March.

All families in England are entitled to receive five check-ins from qualified health visitors. However, research carried out with 2,000 mothers found only 6% had been supported by the same health professional. Meanwhile, one in four mothers had reviews conducted via letter, text message or a phone call instead of face to face.

Read more [here](#).

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Reports

Modern slavery and human trafficking in Northern Ireland

Criminal Justice Inspection Northern Ireland (CJINI) has published an in-depth assessment of how the criminal justice system in Northern Ireland deals with modern slavery and human trafficking. The inspection, titled 'Hidden in plain sight: Tackling modern slavery and human trafficking in Northern Ireland', examines the work carried out by the Police Service of Northern Ireland (PSNI) and the Public Prosecution Service (PPS).

Inspectors found that there were good connections between PSNI officers, other police forces and other relevant organisations, such as the National Crime Agency. They also found police officers from the PSNI's Modern Slavery and Human Trafficking (MSHT) Unit and prosecutors

worked very well together on MSHT cases. Frontline police officers were found to be committed to supporting and helping victims of MSHT.

Inspectors also made strategic and operational recommendations for improvement.

- PSNI needs an up-to-date strategic analysis of MSHT in Northern Ireland to better understand the problem, meet future demands and support victims.
- The Department of Justice (DoJ) should review the Northern Ireland Modern Slavery Strategy and develop a better approach to raise awareness, support victims and tackle MSHT more effectively.
- The DoJ should consult on legislation to enable jury directions in MSHT cases.
- PSNI should review interpreting and translating services to ensure they take account of ethnic, cultural and religious sensitivities.
- There needs to be a greater focus on pursuing perpetrators of trafficking offences against children.

Read more about the inspection [here](#).

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HMICFRS – National Crime Agency’s relationship with regional organised crime units

In November, Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services published a report following an inspection of the National Crime Agency’s (NCA) relationship with regional organised crime units (ROCU). The inspection asked the following questions.

- How effective are collaboration arrangements between the NCA and ROCUs?
- How effective are the NCA’s regional organised crime coordinators at developing and maintaining the relationship between the NCA and ROCUs?
- How does the NCA’s relationship with ROCUs support their role to lead, task, coordinate and support operational activity at local, regional, national and international levels?
- What support does the NCA provide to ROCUs and is it effective and consistent across the network? What specialist capabilities does the NCA make available to ROCUs and how easy is it to access these?
- How effective is the NCA at prioritising threats from the highest risk serious and organised criminals and engaging with ROCUs to target these through effective use of the capabilities for each agency?
- To what extent is the NCA integrated and/or co-located with ROCUs to support their ‘relentless disruption of serious and organised crime’?

In summary, the report sought to establish how effectively the NCA works with one of its most important partners, the ROCU network, to tackle serious and organised crime. The report found that the NCA and ROCUs work well together in some areas and the findings were largely encouraging.

The organisations work well together in some areas, including the specialist services that the NCA provide, such as protected persons and kidnap and extortion. However, the NCA and ROCUs could work better together to reduce the risk of serious and organised criminality, by improving joint tasking procedures at a local level and developing more co-location or integration in some branch offices.

Read more about the report [here](#).

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Safeguarding website launched to combat online radicalisation

A new, dedicated safeguarding website, **Act Early**, has been launched to help combat a ‘perfect storm’ in relation to online radicalisation. The impact of lockdown, social isolation and a rise in hateful extremism online is making more young people vulnerable to radicalisation and other forms of grooming.

The website, alongside an advice line from Counter Terrorism Policing (CTP), provides advice, guidance and support for anyone who is concerned that someone they know may be at risk from being radicalised by terrorists or extremist content online.

Between 1 January 2019 and 30 June 2020, 17 children were arrested in relation to terrorism offences, some as young as 14 years old. Nearly all will have been radicalised entirely online. In the same time period, more than 1,500 children under the age of 15 were referred to the government’s Prevent programme to help them choose a different path, away from hatred and violence.

Head of Counter Terrorism Policing, Assistant Commissioner Neil Basu, stated that there had been a ‘sharp increase in extremist material online’ but he remained hopeful that by acting early, extremism could be stopped.

Further information about the new resource can be found [here](#).

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Consultations

Law Commission consultations: hate crime, communications offences and confiscation

The Law Commission currently has three open consultations relevant to policing, all of which close later this month.

Hate crime laws

Hate crime laws in England and Wales currently recognise five protected characteristics: race, religion, sexual orientation, disability and transgender status – however it does not treat all of those protected characteristics equally. The consultation is looking to equalise protection

across all of the existing protected characteristics and add sex or gender to the list of protected characteristics.

The consultation also proposes:

- establishing criteria for deciding whether any additional characteristics could be recognised in hate crime laws, for example 'age'
- reformulating the offences of stirring up hatred to focus on deliberate incitement of hatred, thus providing greater protection for freedom of speech where there is no such intent
- expanding the offence of racist chanting at football matches to cover homophobic chanting and other forms of behaviour, such as gestures and throwing missiles at players

This consultation closes on **24 December 2020**. Further information, including how to respond to the consultation, can be found [here](#).

Harmful Online Communications: The Criminal Offences

This consultation paper makes a number of proposals for reform to ensure that the law is clearer and effectively targets serious harm and criminality arising from online abuse. This is balanced with the need to better protect the right to freedom of expression.

The proposals include:

- a new offence to replace the communications offences under the Malicious Communications Act 1988 and the Communications Act 2003, to criminalise behaviour where a communication would likely cause harm
- including cyber-flashing – the unsolicited sending of images or video recordings of one's genitals – as a sexual offence under the Sexual Offences Act 2003
- raising the threshold for false communications so it is only an offence where the defendant knows the post is false, they are intending to cause non-trivial emotional, psychological or physical harm, and if they have no excuse

This consultation closes on **18 December 2020**. Further information, including how to respond to the consultation, can be found [here](#).

Confiscation of the proceeds of crime after conviction

This consultation paper considers how the existing statutory framework could be improved with the following objectives in mind:

1. to improve the process by which confiscation orders are made
2. to ensure the fairness of the confiscation regime
3. to optimise the enforcement of confiscation orders

This consultation closes on **18 December 2020**. Further information, including how to respond to the consultation, can be found [here](#).

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About the College

We're the professional body for the police service in England and Wales.

Working together with everyone in policing, we share the skills and knowledge officers and staff need to prevent crime and keep people safe.

We set the standards in policing to build and preserve public trust and we help those in policing develop the expertise needed to meet the demands of today and prepare for the challenges of the future.

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