



College of
Policing

Brief

[Birthday Honours List](#)



[Challenges post COVID-19](#)



[Refreshed RASSO guidance](#)



college.police.uk

ISSUE 6 | JULY 2021

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



[Prisons to be 'net-zero'](#)



[Disparity in sentencing?](#)



[Domestic Abuse Act](#)



[Neurodiversity glossary](#)



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

© College of Policing Limited 2021

This publication is licensed under the terms of the [Non-Commercial College Licence v1.1](#). except where otherwise stated.

Where we have identified any third-party copyright information, you will need to obtain permission from the copyright holders concerned.

This publication is available for download at college.police.uk

Editorial	4	Criminal justice news	14
		Safer Streets Fund	14
College news	5	Plans to recover the justice system from impact of COVID-19 restrictions	15
Queen's Birthday Honours List recognises College employees	5	New prisons to be 'net zero' in future	16
Neurodiversity glossary of terms released	5	Revised sentencing guidelines for assault offences published	17
The College's commitment to the Welsh language	6	Sentencing Council – disparity in sentencing?	18
		Sentencing guidelines to be revised for burglary offences	18
Legal updates	8	Reports	19
Bills	8	March 2021: Police powers under the Terrorism Act 2000	19
Age of Criminal Responsibility Bill	8	Refreshed RASSO guidance published	19
Police, Crime, Sentencing and Courts Bill	8		
Acts	9		
Domestic Abuse Act 2021	9		
Policing	10		
News	10		
What does the Police Foundation do?	10		
Challenges for UK policing post-COVID-19 restrictions	10		
Reports	12		
CJA super-complaint: Police use of stop and search powers	12		

Editorial

Dear readers,

Welcome to the July edition of College 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.

In this month's edition:

- Queen's Birthday Honours List
- Challenges for UK policing post-COVID-19
- New prisons to be 'net zero' in future

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

[↑ Back to contents](#)

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

Queen's Birthday Honours List recognises College employees

Former Chief Executive of the College, Mike Cunningham, and the College's Head of Workforce Development, Louise Hodgson, have been recognised in the Queen's 2021 Birthday Honours List, being awarded a CBE and an MBE respectively.

Mike Cunningham has contributed more than 30 years to the service and led the College from 2018 to 2020, playing a vital role in policing's response to the coronavirus pandemic. Louise Hodgson has dedicated almost 20 years to policing and her work continues to be fundamental to the development of police officers across England and Wales.

Bernie O'Reilly, interim CEO of the College of Policing, said: 'I would like to congratulate all police officers, staff and volunteers who have also been recognised in the Queen's Birthday Honours List for their tireless commitment to keeping the public safe, especially in the face of a global pandemic.'

'Mike and Louise have made tremendous contributions to policing over their years of service and I would like to congratulate them both on receiving this outstanding honour.'

Read more: [**Queen's Birthday Honours List recognises two College of Policing employees.**](#)

[↑ Back to contents](#)

Neurodiversity glossary of terms released

The College's neurodiversity working group has released a new resource to help raise awareness and develop understanding around neurodiversity. The glossary has been developed for all officers, staff and volunteers and includes some of the most frequently used terms regarding neurodiversity. It is intended to help conversations and develop understanding in a complex area.

According to the glossary, a person whose brain ‘diverges’ from the majority can be described as neurodivergent. Neurodivergence can be genetic, the result of a brain-altering experience or a combination of the two. Neurodivergent conditions often come with pronounced strengths. However, there will typically also be areas where neurodivergent individuals struggle.

The National Police Chiefs’ Council (NPCC) neurodiversity lead, Assistant Chief Officer Alexis Poole, said: ‘I am very proud to be the NPCC lead for neurodiversity and to work with impressive people from across policing to create workplaces where everyone can thrive. This will help us deliver better policing services for everyone.’

Read more: [Neurodiversity glossary of terms released](#).

[↑ Back to contents](#)

The College’s commitment to the Welsh language

The College is publishing its first Welsh Language Scheme, setting out a commitment to support Welsh forces and outlining how services will be delivered to police officers and staff in Wales.

There is currently no formal obligation to prepare a statutory language scheme in respect of the Welsh language. As a result, the Welsh Language Commissioner (WLC) is supportive of a voluntary scheme being put in place. This will further assist Welsh forces to deliver against Welsh language standards and will highlight the College’s commitment to unity on both sides of the border and treat the English and Welsh languages on the basis of equality.

The scheme outlines how the College will deliver some of its services to the public, College staff and their colleagues within Welsh police services. The WLC and the Welsh Language Standards imposed on Welsh police forces have played a critical part in the development of the scheme.

The strategic approach to the use of Welsh and English language is based on the following facts and principles, established by the Welsh Language (Wales) Measure 2011 and overseen by the WLC:

- The fact that the Welsh language has official status in Wales.
- The principle that the Welsh language should be treated no less favourably than the English language.
- The principle that persons in Wales should be able to live their lives through the medium of the Welsh language if they choose to do so.

The scheme will promote use of the Welsh language on a national scale within policing. It will contribute towards attracting more applicants who are Welsh speakers and learners to the police service, and work together with Welsh forces' recruitment departments to offer the candidate a bilingual recruitment journey. It will continue to support bilingual training and offer it to all Welsh officers and staff.

The College will seek opportunities to promote and develop the use of the Welsh language in all partnerships working with those delivering services in Wales and will consider the Welsh language in all new services and products that it delivers in Wales from the outset.

The College will consider the Welsh language in all future publications and documents available to staff and the public in Wales. Work to implement the scheme is already underway, including translation of key documentation and support materials.

Read more: [Our commitment to the Welsh language.](#)

[↑ Back to contents](#)

Legal updates

Bills

Age of Criminal Responsibility Bill

This Bill proposes a change to the age of criminal responsibility, stating that the age should be raised from 10 to 12.

The Bill underwent its first reading on 15 June 2021. A date for the second reading is yet to be scheduled.

Read more: [**Age of Criminal Responsibility Bill**](#).

[↑ Back to contents](#)

Police, Crime, Sentencing and Courts Bill

A Bill to make provision about:

- the police and other emergency workers
- collaboration between authorities to prevent and reduce serious violence
- offensive weapons homicide reviews
- new offences and for the modification of existing offences
- the powers of the police and other authorities for the purposes of preventing, detecting, investigating or prosecuting crime or investigating other matters
- the maintenance of public order

The Bill is currently at the committee stage.

The government has produced an [**updated factsheet**](#) for the Bill.

Read more: [**Police, Crime, Sentencing and Courts Bill**](#).

[↑ Back to contents](#)

Acts

Domestic Abuse Act 2021

The Act creates the first statutory definition abuse which includes emotional, coercive and controlling behaviour, and economic abuse. The scope of coercive and controlling behaviour has been extended to include behaviour occurring post-separation.

In addition, the Act creates a new offence of non-fatal strangulation and extends the scope of disclosing intimate images without the consent of the individual in the images, also known as ‘revenge porn’, to cover the threat to disclose intimate images to cause distress.

The government has produced a [**factsheet on the Domestic Abuse Act.**](#)

[↑ Back to contents](#)

Policing

News

What does the Police Foundation do?

The Police Foundation describes itself as the UK's policing 'think tank' and the only independent think tank focused exclusively on improving policing and developing knowledge and understanding of policing and crime reduction. Its mission is to generate evidence and develop ideas that deliver better policing and a safer society. It does this by working with the police and its partners to create change and producing trusted, impartial research.

The Foundation is an independent registered charity, and its work would not be possible without the support offered by a wide range of funders, including charitable trusts, foundations, businesses and individual donors. Most of its funding comes in the form of charitable grants or donations and the Foundation also carries out consultancy work for organisations such as police forces and other partner organisations.

The Police Foundation is independent of the police service, the government and party politics. Its ethos is that transparency is important for think tanks and its donors are listed on its website.

Read more: [What does the Police Foundation do?](#)

[↑ Back to contents](#)

Challenges for UK policing post-COVID-19 restrictions

Despite existing difficulties prior to the pandemic, early signs of an increasing toll on police wellbeing from policing the pandemic were already beginning to emerge by the end of 2020.

The University of Portsmouth has partnered with Hampshire Constabulary and is currently evaluating a significant expansion of the force's wellbeing strategy, which has been implemented in recent years to support the Constabulary's officers and staff.

Specific research is being carried out on the impact of policing the pandemic, funded by the Economic and Social Research Council (ESRC), which was part of UK Research and Innovation's rapid response to COVID-19. This research involved 626 police officers in Hampshire Constabulary who were surveyed in the summer of 2020, and 39 officers of different ranks and roles who participated in follow-up interviews during the winter of 2020-21.

The key challenges for a post-COVID-19 'wellbeing watchlist' are divided into five categories:

1. Officer safety
2. Impact on the frontline
3. Homeworking
4. Personal impacts
5. Negative perceptions of the police

Read more: [**Wellbeing watchlist: five challenges for UK policing post Covid-19.**](#)

[↑ Back to contents](#)

Reports

CJA super-complaint: Police use of stop and search powers

The Criminal Justice Alliance (CJA) has made a super-complaint about the police's use of 'suspicion-less' stop and searches and inadequate scrutiny of stop and search powers. Her Majesty's Chief Inspector of Constabulary, the Independent Office for Police Complaints (IOPC) and the College of Policing are assessing the super-complaint to consider whether it is eligible for investigation.

This super-complaint relates to the increasing use of section 60 of the Criminal Justice and Public Order Act 1994. Official data on police powers and procedures published by the Home Office shows that the number of s 60 stop and searches has increased over the past four years.

A report titled 'More harm than good', made by the CJA in May 2021, outlines the purpose of the super-complaint and the evidence collected to support it. Within the report, information is included on the fact that s 60 is often used in a more disproportionate way than standard 'stop and search' powers. The report also highlighted that the use of s 60 is increasing, while arrest rates are decreasing.

The report makes six recommendations:

1. The government should repeal s 60 powers.
2. If s 60 powers are retained, the government should introduce stronger safeguards to mitigate the harms caused.
3. The Home Office should mandate the current College of Policing guidance on community scrutiny for stop and search across all police forces.
4. The Home Office should establish an independent, national body to scrutinise national stop and search trends and support robust community scrutiny.
5. The Home Office should improve the consistency of data recording to increase transparency of all stops and searches, particularly for age and ethnicity.
6. The government should reinvest and ring-fence funding for youth services to ensure targeted support is available for those at risk of involvement in knife crime.

In addition to this report, a series of supporting statements from other individuals and organisations were submitted as part of the super-complaint.

Read more: **[Police super-complaints: police use of stop and search powers.](#)**

[↑ Back to contents](#)

Criminal justice news

Safer Streets Fund

The second round of the Safer Streets Fund was awarded to 40 areas across England and Wales on 3 June 2021. A total of £18.4 million is available to make streets safer through projects to improve security and to crack down on neighbourhood crimes such as burglary, vehicle theft and robbery.

The money from the Safer Streets Fund allows police and crime commissioners (PCCs) to work with local partners in areas that are affected by neighbourhood crime, investing in preventative approaches to make communities safer. This includes simple changes to the design of streets such as locked gates around alleyways, increased street lighting and the installation of CCTV.

Since its inception in 2020, the first round of Safer Streets has allowed forces to invest in crime prevention initiatives, funding 52 projects across 35 PCC areas and demonstrated that preventing crime in the first place is better for the public and reduces the demand on policing. For example, in Humberside, in one of the most deprived estates in the country, funding went towards upgrading 20 communal entrances to blocks that suffer a high-level of burglary, and installing 18 secure storage facilities for bikes and motorbikes. Secure fencing and gates have also been installed and there is now a dedicated community outreach programme to support residents and victims of crime on the estate.

Projects across the country have also focused on setting up Neighbourhood Watch groups, increased Automatic Number Plate Recognition technology and CCTV. Wardens have also been introduced to undertake community engagement and train members of the public in crime prevention.

The third round of the Safer Streets Fund also opened on 3 June 2021, providing another opportunity to bid from a fund of £25 million for the year 2021/22. This next round of funding will go beyond essential environmental measures like improved street lighting, with funding available for interventions to improve the safety of public spaces for all, with a particular focus on areas of potential concern to women and girls. The Fund is encouraging police to secure innovative bids for plans

primarily focused on helping make women and girls feel safer on the streets, as well as projects that could include an emphasis on changing attitudes and behaviours in local communities.

Read more: [**Millions more funding for projects to make our streets safer.**](#)

[↑ Back to contents](#)

Plans to recover the justice system from impact of COVID-19 restrictions

The Lord Chancellor spoke at the Law Society on 4 June 2021, thanking the ‘hidden heroes’ who kept justice moving during the COVID-19 pandemic.

The Lord Chancellor, Robert Buckland, also outlined his plans for recovering the system and propelling it towards a better future. His goal is threefold: to better support victims, make sure there are fewer of them and build confidence in the ability of the justice system to uphold justice.

Progress to recover the justice system has been made, evidenced through the amount of work the courts are progressing through, operating at around pre-pandemic levels. However, the scale of the challenge still remains, with the number of cases waiting to be heard in the criminal courts at historically high levels.

Read more: [**Lord Chancellor outlines his plans to recover the justice system from COVID-19.**](#)

[↑ Back to contents](#)

New prisons to be ‘net zero’ in future

As part of the UK’s ambition to bring all greenhouse gas emissions to net zero by 2050, new prisons will aim to be equally effective at cutting carbon emissions and crime.

As the government works towards net zero by 2050, four new prisons being built in England will include heat pumps, efficient lighting systems and thousands of solar panels. The aim is to reduce energy demand by half and cut carbon emissions by at least 85% compared to prisons already under construction.

The first of the four new prisons will be built next to HMP Full Sutton in East Yorkshire. The prison buildings will use new technology and modern methods of construction that produce as much (or more) energy than they consume. An all-electric design will eliminate the need for gas boilers, meaning they will produce net-zero emissions when the National Grid decarbonises. During construction, 40,000 tonnes of carbon will be conserved by using recycled concrete and steel.

This is expected to reduce CO2 emissions by 280,000 tonnes, cutting £100 million in energy costs over the next 60 years.

The new designs will build on the construction of HMP Five Wells in Northamptonshire and HMP Glen Parva in Leicestershire. Both are being constructed more sustainably than existing prisons by using recycled materials and incorporating green energy.

The UK became the first major economy in the world to pass laws to end its contribution to global warming by 2050. The target will require the UK to bring all greenhouse gas emissions to net zero by 2050, compared with the previous target of at least an 80% reduction from 1990 levels.

Existing prisons are also benefiting from a £15 million investment to cut their emissions. Solar panels are being installed at a further 16 sites to meet 20% of their power demand, bringing the total number of solar panels across the estate to over 20,000. More than 200 electric vehicle charging points are also being installed across 40 prisons.

The developments are part of the government’s £4 billion programme to create 18,000 additional modern prison places that boost rehabilitation and cut reoffending.

Read more: [**New prisons go green.**](#)

[↑ Back to contents](#)

Revised sentencing guidelines for assault offences published

Revised sentencing guidelines for assault offences, including murder and common assault, and new guidance for assaults on emergency workers have been published by the Sentencing Council, following consultation. The guidelines came into effect on 1 July 2021.

Specific guidance for sentencing offences of assaults on emergency workers will be provided to judges and magistrates. The guidelines for attempted murder have also been revised, with a new sentence range of up to 40 years.

Other key changes include:

- A new high-culpability factor of 'intention to cause fear of serious harm, including disease transmission' in the common assault guideline.
- A new aggravating factor of 'deliberate spitting or coughing' in the common assault and assault causing actual bodily harm (ABH) offences guidelines.
- A new high-culpability factor of strangulation to include asphyxiation and suffocation in all guidelines except attempted murder.
- A revised high-culpability factor of 'victim obviously vulnerable due to age, personal characteristics or circumstances' across all guidelines.

The new guidelines aim to bring a consistent approach to sentencing assault offences and assist sentencers in making a balanced assessment of the seriousness of the offence and imposing appropriate and proportionate sentences.

Read more: [**New guidelines for sentencing common assault and attempted murder published.**](#)

[↑ Back to contents](#)

Sentencing Council – disparity in sentencing?

The Sentencing Council is commissioning a research project to review whether its work has the potential to cause disparity in sentencing. The aspects to be examined within the project include: language used, offence context and the structure of sentencing guidelines.

The Council has asked for the views of those with direct experience of being sentenced and those who have experience with the criminal justice system.

Read more: [**Commissioning research: is there potential for the Council's work to cause disparity in sentencing?**](#)

[↑ Back to contents](#)

Sentencing guidelines to be revised for burglary offences

The Sentencing Council has published plans to revise sentencing guidelines for domestic, non-domestic and aggravated burglary offences in England and Wales in a consultation.

The revised guidelines introduce new middle categories for culpability and harm factors, providing judges and magistrates with greater flexibility when imposing a sentence. The format of the guidelines will also be amended, along with some minor changes to wording and placement of factors.

Read more: [**Burglary offences sentencing guidelines to be revised.**](#)

[↑ Back to contents](#)

Reports

March 2021: Police powers under the Terrorism Act 2000

In the year ending 31 March 2021, there were 166 arrests for terrorism-related activity; 98 fewer than in the previous 12-month period.

Of the 166 arrests:

- 45 (27%) resulted in a charge, of which 37 were for terrorism-related offences
- 77 (46%) people were released pending further investigation
- 36 people (22%) were released without charge
- 8 (5%) faced alternative action, such as a caution or being recalled to prison

Read more: [**Operation of police powers under the Terrorism Act 2000, financial year ending March 2021.**](#)

[↑ Back to contents](#)

Refreshed RASSO guidance published

The Crown Prosecution Service has published updated rape and serious sexual offences (RASSO) legal guidance to ensure the prosecution of these offences adequately reflects today's society.

The guidance contains insight into the impact of trauma on victims and updated advice on when it is reasonable and appropriate to make requests for digital evidence, such as mobile phone downloads. Key changes in the guidance include updated sections on: the impact of trauma, an offender-centric approach and reasonable lines of enquiry/digital data.

Further updates include myths and stereotypes, and cases involving same-sex suspects and complainants.

Read more: [**CPS updates rape legal guidance to reflect rapid growth in digital evidence.**](#)

[↑ Back to contents](#)

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.

college.police.uk



Follow us
@CollegeofPolice