



College of
Policing

Brief

Specialist roles in policing →

Police Federation on Taser use →

Changes to disclosure regime →

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



Internet Watch
Foundation
Hotline praised



Gig economy
Police Foundation
report



Stalking
links to
domestic abuse



Extracting data
from personal
devices



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,

We wish you all a happy new year! Welcome to to the first 2021 edition of 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:

- review of the Human Rights Act
- DCC Bernie O'Reilly appointed as interim College CEO
- how the College can help you to pursue a specialist policing role

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

Consultation on extracting data from electronic devices

Officers, staff and the public are being asked for their views regarding proposed national guidance on the extraction of data from electronic devices. Due to the widespread use of electronic devices, the data they contain can often provide crucial evidence in criminal investigations and prosecutions.

The College of Policing has developed draft guidance to cover the way that police manage this extraction, to help police investigations balance the need to follow all lines of enquiry, to guarantee a fair trial and to respect people's privacy.

The guidance is intended to provide a summary of the powers and obligations that police have under the Data Protection Act 2018. It has been developed with feedback from a range of stakeholders.

The guidance will provide a set of principles to apply when obtaining personal digital devices from victims, witnesses and suspects for an investigation, and when extracting the digital data from those devices. The guidance is also intended to help the public understand the responsibilities of the police to gather evidence.

Read more about [**extracting data from electronic devices draft guidance**](#)

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Cuppa connections

Cuppa connections allows you to randomly match with someone else in the network, so you can talk to police colleagues and share ideas over a brew. If you are interested in signing up, please [get in touch](#)

If you sign up, each month you will receive an email with a new match. You can then both arrange a call to have an informal chat. Cuppa connections aims to help you develop strong relationships with colleagues in other police forces, while improving wellbeing.

Find out more about [Cuppa connections](#)

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Operation Modify

Operation Modify is a new interactive learning resource that helps new and serving officers, police staff and volunteers to acquire the digital skills they need to undertake investigations effectively.

It consists of 10 episodes following the events from an initial incident, which show how to identify sources of digital evidence and respond to digital opportunities.

The first episodes are available now through the [College's learning platform](#)

The Policing Vision 2025 plan and a 'Real lives, real crime' report from Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) both identified the effect that digital crime is having on policing. The reports also found a need for policing to better support and advise victims of crime, and recommended better awareness of how to investigate and gather digital evidence. This learning tool aims to tackle some of these recommendations.

Read more about [Operation Modify](#)

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Coronavirus updates

Access the latest COVID-19 information

Visit the [College's COVID-19 hub](#), where you can find the latest legislation, guidance and information.

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COVID-19 restrictions: detrimental impact on children's education and welfare

Ofsted have now published the third and final set of reports that looked at the effects of the COVID-19 restrictions on children and young people. In schools, inspectors found that repeated absences due to COVID-19 (or suspected COVID-19) had resulted in pupils losing 'more learning'. The report stated that 'many children are thought to be at least 6 months behind where they should be', and that repeated periods of self-isolation had hindered the progress that some children had begun to make from September 2019.

While looking at children's social care, inspectors found that the restriction requiring children to self-isolate at children's homes for 14 days on arrival had a substantial detrimental impact. The two-week isolation period created a form of solitary confinement, which had a negative impact on many children's wellbeing and mental health. In some cases, the self-isolation period also undermined the child's safety and that of other occupants in the home. After being required to self-isolate, some children's anxieties about the situation manifested in the form of self-harm or physical attacks on staff.

Read more about the [impact of COVID-19 isolation on children's education and welfare](#)

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Legal updates

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 committee stage took place in March 2020. The report stage, a further line-by-line examination of the bill, is yet to be scheduled.

Read more about the [**Covert Human Intelligence Sources \(Criminal Conduct\) Bill 2019-21**](#)

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Prisons (Substance Testing) Bill 2019-21

A bill to make provision about substance testing in prisons and similar institutions.

The bill is due to have its report stage and third reading on 22 January 2021. Amendments selected by the speaker can be made to the bill at report stage.

Read more about the [**Prisons \(Substance Testing\) Bill 2019-21**](#)

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Sexual Exploitation Bill 2019-21

A bill to:

- criminalise paying for sex
- decriminalise selling sex
- create offences relating to enabling or profiting from another person's sexual exploitation

- make associated provision about sexual exploitation online
- make provision for support services for victims of sexual exploitation

The second reading for this private member's bill is due to take place on 29 January 2021.

Read more about the [**Sexual Exploitation Bill 2019-21**](#)

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Before the court

Attorney General's Reference (No 1 of 2020) [2020] EWCA Crim 1665

On 17 October 2019, the defendant, in the crown court at Teesside, was acquitted of sexual assault and common assault. The Attorney General, pursuant to section 36 of the Criminal Justice Act 1972, has referred a point of law that arose in the trial proceedings to the Court of Appeal:

'Is it necessary for the prosecution to prove, as an element of the offence of sexual assault, not only that the offender intentionally touched another person without their consent and without reasonable belief in their consent, and that the touching was sexual, but that the offender intended his touching of that person to be sexual?'

Facts of the case

In August 2018, the defendant approached the complainant on a train and kissed her without her consent, or any reasonable belief that she was consenting. The complainant, who reported the incident after leaving the train, testified that the defendant appeared intoxicated and grabbed her face, before kissing her fully on the lips. The defendant claimed that he was not drunk and had heard another passenger say, in relation to the complainant, 'What do you want a photo with her for? She's fat and ugly.' As a result, the defendant stated that he gave the complainant a 'peck' on the lips to support her. It was not a sexual kiss and he did not intend to sexually assault her.

Court of Appeal conclusion

In response to the question posed by the Attorney General, the Court of Appeal held that it was not necessary for the prosecution to prove those factors mentioned above. The accused's purpose in relation to the activity may be relevant if a reasonable person would consider that, given the nature of the activity, it may be sexual and, because of the accused's purpose of the touching, it was sexual.

Read the [Attorney General's Reference \(No 1 of 2020\) \[2020\] EWCA Crim 1665 judgment](#)

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Dickens v R. [2020] EWCA Crim 1661

In 2012, the appellant was convicted of murder and sentenced to life imprisonment with a minimum term of 30 years' imprisonment. The appellant appeals against his conviction by leave of the full court granted in March 2020, along with an extension of time of six years and four months. The appellant was granted leave to call fresh evidence. The appellant was said to be the driver of the Corsa that was used to carry out a contract killing.

The grounds of appeal

Ground 1: The identity of the driver (non-disclosure at trial) – material that should have been provided at the time of the trial tends to suggest that someone other than the appellant was the driver of the Corsa.

Ground 2: The identity of the driver (fresh evidence) – material that was unavailable at the time of the trial similarly suggests that someone other than the appellant was driving the Corsa.

Ground 3: The safety of identification evidence – the conduct of the identification officer acting in breach of Annex A of Code D Police and Criminal Evidence Act 1984 means that the video ID procedure is said to be flawed.

Ground 4: The suggested mutual support provided by the identifications of the appellant and Harrison – the judge is said to have erred in directing the jury that the identification of the appellant and of Harrison by two different witnesses was mutually supportive evidence.

Ground 5: The judge should have excluded the comment to DC Weatherly.

Ground 6: The conviction is unsafe given the cumulative effect of the grounds of appeal 1–5.

Outcome

Ground 1: Although there was a clear failure by the prosecution as regards their disclosure obligations, the court do not consider that it resulted in any material unfairness and the conviction is not unsafe on this basis.

Ground 2: The court considers that the conviction of the appellant is not unsafe because following the trial the police came into possession of intelligence of this kind. This was unusable by the appellant, and it would have been highly injurious to his case to introduce the suggestion that he was to have been the driver, given the compelling coincidence that would then have arisen that he had been identified by Ms Deakin.

Ground 3: It would be necessary to demonstrate prejudice to the defendant, such that the conviction was rendered unsafe for this to form the basis of a successful appeal. The appellant has not provided material to support this contention.

Ground 4: The judge was entitled to direct the jury that the identification of the two accused were capable of being mutually supportive in the circumstances.

Ground 5: There is no substance in those circumstances to this ground of appeal.

Ground 6: The ground of appeal falls away.

Conclusion

The appeal against conviction is dismissed.

Read the full [Dickens v R. \[2020\] EWCA Crim 1661 judgement](#)

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Policing

News

How the College can help you pursue a specialist policing role

The College provides substantial support for specialists in policing to maintain their knowledge and competency. There are modules and programmes available on College Learn to help you learn more about specialist roles.

Training is available in counter terrorism, crime and missing-person search techniques. There are learning opportunities, such as the Professionalising Investigation Programme (PIP) qualifications, for those wanting to follow an investigation career pathway. There are also a range of roles for anyone keen to pursue a career in intelligence, and the Strategic Command Course is available for those who are keen to develop senior leadership and aspire to become a chief officer.

The Authorised Professional Practice (APP) operational guidance also underpins many of the operations in policing, providing information relevant to many specialist roles within policing.

Read more about [how the College can help you pursue a specialist policing role](#)

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DCC Bernie O'Reilly appointed as interim CEO

From 1 January 2021, Deputy Chief Constable Bernie O'Reilly, who joined the College in 2018, has taken over from Mike Cunningham as CEO of the College on a temporary basis. The recruitment process of appointing a new chief executive will continue while Bernie fills the temporary vacancy.

Christine Elliott, interim Chair of the College Board, has wished Mike 'all the best for his well-earned retirement' and thanks him for his commitment and dedication throughout his policing career. She has

also stated that she is delighted that Bernie will be taking up the role, allowing him 'to bring his extensive policing experience'.

Read more about [**DCC Bernie O'Reilly appointment as interim CEO**](#)

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National knife crime operation

As an initiative under Operation Spectre to take weapons off the street, more than 2,000 people have been arrested throughout England and Wales, as part of a crackdown on knife crime.

In addition to the arrests, close to 10,000 knives were handed in under the knife surrender scheme. Numerous tactics were adopted, which included patrolling at transport hubs, conducting weapons sweeps, deploying knife arches, utilising stop and search powers, and working with retailers and with UK Border Force colleagues to help prevent illegal knives from coming into the country.

A significant amount of engagement and prevention activity has also taken place, with the aim of steering young and vulnerable people away from knife crime.

Find out more information about the [**national knife crime operation**](#)

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National Chair of the PFEW speaks on the use of Taser

John Apter, National Chair of the Police Federation of England and Wales (PFEW), has responded to calls for the use of Taser to be prohibited on anyone under 18. John has made a statement following increased scrutiny of the use of the Taser and spit hoods by numerous groups, including Unicef.

Mr Apter is quoted as saying: 'I completely understand the sentiment involved in this discussion because this is a highly emotive issue. However, police officers have to police in the real world and that can be a violent and hostile place.'

‘The harsh reality is some ‘children’ are dangerous individuals, and we’ve seen this time and time again with under 18s being convicted for very serious offences including GBH, attempted murder and murder. My colleagues have to deal with this, often being injured in the process. I make no apology for doing everything I can so my colleagues can properly defend themselves and the public.’

Read the full article by [National Chair of the PFEW on the use of Taser](#)

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Reports

Review of Greater Manchester Police’s service to victims

An inspection was carried out to establish whether Greater Manchester Police provides a good service to victims of crime, by examining the journey from the first call through to the conclusion of the investigation.

The report found that the force generally responds well to calls, deploys the correct resources to help, and has markedly improved how accurately it records sexual offences, in particular crimes of rape.

However, the report found that the force:

- failed to record more than one in every five crimes reported and more than one in every four violent crimes
- did not record an estimated 80,100 crimes reported between 1 July 2019 and 30 June 2020, amounting to approximately 220 crimes a day
- failed to record a high proportion of violent crime, including domestic abuse and behavioural crimes such as harassment, stalking and coercive controlling behaviour
- had taken steps to improve the response to 101 calls but was still not answering around one in five
- failed to ensure that all investigations were conducted effectively, with investigation plans not completed to an acceptable standard and no appropriate levels of review and supervision applied

Some investigations were wrongly and prematurely closed, including those with a vulnerable victim. A proportion of these were domestic abuse cases where the suspect was identified but the victim did not support, or withdrew support for, police action. In too many cases, the investigators could not be sure that the victims were properly safeguarded and provided the right service or support, due to their wishes not being properly considered before the investigation was closed.

Inspectors estimated that the force recorded 77.7% (with a confidence interval of $\pm 3.2\%$) of reported crimes. This drop of 11.3% is a significant deterioration in recording standards since HMICFRS's 2018 crime recording inspection.

The force is investing in resources and new infrastructure to redevelop its Operational Communications Branch and to centralise its crime recording function. It is introducing a new assessment framework to ensure that more vulnerable victims are identified at the first point of contact and are directed to the right support. These measures are part of a long-term sustainability plan intended to improve the service that the force provides to victims of crime. It is too early to assess the effectiveness or impact of this work.

Read more about the [review of Greater Manchester Police's service to victims](#)

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Police Foundation - 'Fear of crime in the gig economy'

The [Police Foundation has published a report](#) that looks at the impact of crime on food delivery couriers in London's gig economy. This, according to the Foundation, is the first study exploring and giving a voice to this category of workers from a criminological perspective.

Of all couriers interviewed as part of this study, a large majority had been a victim of crime or attempted crime while working. The study also found that there was widespread under-reporting of these offences. Three factors were identified by the Foundation as to why moped delivery couriers were particularly vulnerable to crime. These were the nature of the gig economy, a lack of protection from commercial platforms, and low levels of confidence in the police.

Food delivery offers a quick and simple route into employment, with uncapped hours of work, unlimited earnings and a self-employed status. However, couriers interviewed stated that they felt exploited in a culture of finance over safety. As earnings are dependent on customer demand, there is no guarantee of regular income. Therefore, many couriers felt they had to be available to work for long hours, often at night and while alone. Furthermore, due to the nature of the job, 'waiting around' for work is expected, which can make couriers an easy target for moped theft.

The report also identified a lack of protection from commercial platforms. Uber Eats, for example, do not allow couriers to view the delivery location until the order has been accepted. There is an option to cancel the trip after the delivery location is revealed and to report the reason for the cancellation as 'I feel unsafe'. However, many couriers who were interviewed stated that Uber Eats had suspended accounts and issued financial penalties to those who had cancelled trips for this reason. Couriers also stated that after reporting being a victim of crime, Uber Eats had suspended their account for two weeks while the crime was investigated. There was no financial protection provided to couriers during this period, resulting in a reluctance to report crime.

From interview responses, couriers' previous and current experiences of the police had contributed to feelings of insecurity and under-reporting. Specifically, a lack of police presence, slow response times and poor communication with victims had resulted in a lack of confidence. Therefore, couriers explained that they protect themselves instead, by avoiding certain locations and carrying weapons.

The Foundation made a number of recommendations for food delivery companies, restaurants, the police and London authorities to protect couriers and prevent crime. These include the creation of a database of self-reported courier experiences of crime, which would be accessible to couriers, the police, delivery companies and local authorities, allowing couriers to have a clearer idea of the risks they face. It also aims to increase collaboration between the police and other authorities to tackle courier crime.

Read more about the [Police Foundation report](#)

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Criminal justice news

Changes to disclosure regime come into force

Following public consultation, changes to both the Code of Practice issued under the Criminal Procedure and Investigations Act 1996 (CPIA) and the Attorney General's Guidelines on Disclosure came into force on 31 December 2020.

The Code replaces the earlier Code, which was published in 2015, and implements recommendations made in the Attorney General's 2018 review regarding the efficiency and effectiveness of disclosure in the criminal justice system. The review found that there are certain items of material that almost always assist the defence, and therefore meet the test for disclosure, but are sometimes not disclosed until there has been significant correspondence and challenge from the defence, wasting time and resources. The review therefore proposed introducing a rebuttable presumption that certain types of categories of unused material meet the disclosure test. This is one of the most important changes to be brought about by the new Code.

The Code includes a list of material that is likely to include information that meets the test for prosecution disclosure. This includes crime reports, the defendant's custody record and any material casting doubt on the reliability of a witness. However, the Code also makes clear that while this information is likely to meet the test, it does not result in automatic disclosure. The material will still need to be carefully considered and the disclosure test will need to be applied before a decision to disclose is made.

The revised Attorney General's Guidelines on Disclosure replace the existing guidelines issued in 2013, along with the Supplementary Guidelines on Digital Material, which were also issued in 2013 as an annex to the general guidelines. They reiterate that disclosure should be completed in a thinking manner, in light of the issues in the case, and not simply as a schedule-completing exercise. As well as updating the principles in relation to disclosure and giving further guidance on the rebuttable presumption, the guidelines provide information on pre-charge engagement. This refers to voluntary engagement between the parties to an investigation after the first PACE interview and before any suspect has been formally charged. This can include giving the suspect

the opportunity to comment on any proposed further lines of inquiry or to provide the identity and contact details of any potential witnesses.

There are a number of potential benefits highlighted that may arise from pre-charge engagement, including early resolution of a case, which may reduce anxiety and uncertainty for both suspects and complainants. It also gives suspects who maintain their innocence the opportunity at an early stage in the investigation to identify lines of inquiry that point away from them or towards another.

Access the [revised Code and the Attorney General's Guidelines on Disclosure](#)

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Review of the Human Rights Act launched

Sir Peter Gross, a former Court of Appeal judge, will be leading a review of the Human Rights Act 1998 (HRA). An expert panel will examine how the HRA is operating and providing protection within today's society, more than 20 years on from its creation. The review is limited to looking at the structural framework of the HRA, rather than amending the actual rights contained within.

The review will focus on:

- the relationship between the domestic courts and the European Court of Human Rights (ECtHR)
- the impact of the HRA on the relationship between the judiciary, executive and parliament
- the implications on how the HRA applies outside of the UK and whether there is a need for change

The panel members, who have been selected due to their experience, are Sir Peter Gross (chair), Simon Davis, Alan Bates, Professor Maria Cahill, Lisa Giovannetti QC, Sir Stephen Laws QC, Professor Tom Mullen and Baroness O'Loan.

Read more about the [Review of the Human Rights Act](#)

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Internet Watch Foundation Hotline praised by Ministers

In line with the increasing number of cases, the government are exploring new ways to tackle online grooming. Speaking in the House of Lords in early December, Baroness Benjamin, a Liberal Democrat life peer, stated that lockdown had created a ‘perfect storm’ for online sexual abuse, with the number of self-generated images rapidly increasing. She called for the government to take further steps to prioritise the protection of children and to make support available for victims.

Baroness Williams of Trafford also raised concerns about the rise in cases, referring to the figures as ‘extremely concerning’. She went on to acknowledge the devastating harm that these images can have on young people, putting them at risk of further crimes, before commending the Internet Watch Foundation for the work they are doing.

Read more about the [Internet Watch Foundation Hotline](#)

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CPS - October coronavirus legislation review

The Crown Prosecution Service (CPS) have reviewed all prosecutions in October that were made under the Coronavirus Act and the Health Protection Regulations. The findings are detailed in the table below:

Number of cases finalised (October)	Number incorrectly charged
Health Protection (Coronavirus, Restrictions) Regulations: 91 cases	Withdrawn 9
	Returned to court 1
	Total 10
Coronavirus Act: 31 cases	Withdrawn 27
	Returned to court 4
	Total 31

Gregor McGill, CPS Director of Legal Services, has stated that the CPS 'remain committed to reviewing, to ensure the right people are charged with the right offences'.

Read more about the [CPS - October coronavirus legislation review](#)

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Overcoming harmful sexual assault myths and stereotypes

CPS staff are aware of the unique barriers that many people face in deciding whether to report offences relating to sexual assault, including shame, guilt, fear of the process or of not being believed, shock, cultural context, embarrassment, language barriers and fear of reprisal from the community. Overcoming these barriers to even report these crimes is significant, and sexual offending remains one of the most misunderstood forms of criminality in society.

The societal myths and stereotypes surrounding these offences are damaging and outdated, and the legal guidance has been recently revised to tackle them.

Perceptions about victims can be a source of focus for the defence, as can the way in which victims acted and how they were dressed, both during and after an assault. However, it is vital to understand that these factors do not play a part in the CPS deciding whether criminal charges should be brought. There is extensive training for prosecutors on myths and stereotypes, as well as the updated Rape and Serious Sexual Offences (RASSO) legal guidance for consultation.

Decisions are made depending on the merits of each individual case, based on the Code for Crown Prosecutors. Any victim has the right to ask for a decision to be reviewed, to ensure that cases are not inappropriately closed, and police can appeal CPS decisions. Prosecutors must consider the credibility of witness accounts based on evidence, and myths and stereotypes must not influence this. These decisions are made by the most experienced lawyers, who have undertaken a vast amount of training to ensure that decisions are not improperly influenced by stereotypes. The prosecutor must be satisfied that there is sufficient evidence to provide a realistic prospect of conviction and that it is in the public interest.

The CPS recognise that guidance needs to be constantly reviewed. This has included new training on the impact of traumatic experiences such as sexual assault, guidance on prosecuting cases of same-sex violence and a consultation on the rape legal guidance, including updated content.

Read more about the [**CPS' work on overcoming harmful sexual assault myths and stereotype**](#)

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Analysis of stalking reveals a link to domestic abuse

Stalking is being increasingly recognised as a form of domestic abuse, with the CPS finding that the majority of offences are committed by ex-partners. A random sample of cases across England and Wales demonstrated that this figure was 84%, with three-quarters previously reporting domestic abuse in their relationship.

A record 2,288 charges were brought in 2019/20, which is more than double the number five years previously. This increase is partly driven by better recognition among police and prosecutors of stalking as part of a wider pattern of domestic abuse.

Read more about the [**stalking analysis**](#)

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Diversity

Review to look at making a fairer justice system for neurodivergent people

According to Lord Chancellor, Robert Buckland QC, quicker recognition of – and better support for – offenders who have neurodivergent conditions, such as autism, ADHD and dyslexia, would help to combat crime. Neurodivergent offenders may have particular speech and language needs, making it more difficult for them to fully comprehend, and take part in, the criminal justice process from arrest through to court and potential sentencing.

The review will cover a wide range of neurodiversity and aims to result in better understanding and support from the police, prison and probation services. In turn, this would boost public confidence and safety, by helping neurodivergent people to better engage with rehabilitation processes. A new call for evidence will also be used to provide a more accurate picture of how many offenders have neurodivergent conditions and what support is already available.

Findings from the call for evidence will be used to develop a training package to educate frontline staff about neurodiversity and how to identify when someone needs extra support. Three prisons – HMP Whatton, HMP Wakefield and HMP & YOI Parc – and the Lancashire division of the National Probation Service have already received accreditation from the National Autistic Society in the last few years for the work they do to support people with autism.

Read more about the [**review to look at making a fairer justice system for neurodivergent people**](#)

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Reports

Report published following super-complaint on policing and immigration status

A joint investigation by HMICFRS, the Independent Office for Police Conduct (IOPC) and the College of Policing has concluded that immediate action is needed to ensure that vulnerable migrant victims of crime can confidently report to the police. It follows a super-complaint, submitted by Liberty and Southall Black Sisters, about the practice of the police sharing victims' immigration information with the Home Office. The investigation raises concerns about the effect that sharing immigration information between the police and the Home Office has on victims of crime with unsettled immigration status. The investigation found that the current system causes significant harm to the public interest.

The investigation's recommendations include the following.

- Where officers only have concerns or doubts about a domestic abuse victim's immigration status, they should immediately stop sharing information on those victims with Immigration Enforcement.
- The Home Office should review the relevant legal framework and policy to establish sound and fair priorities regarding migrant victims of crime and migrant witnesses to crime who have insecure or uncertain immigration status.
- The Home Office and the National Police Chiefs' Council (NPCC) should develop a safeguarding protocol about the police approach to migrant victims and witnesses of crime.
- The police should establish safe reporting pathways for all migrant victims and witnesses to crime.

Access the [**report published following super-complaint on policing and immigration status**](#)

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Changes to bail legislation may increase risk to victims

A joint inspection carried out by HMICFRS and HM Crown Prosecution Service Inspectorate (HMCPPI) has found that changes to bail legislation in 2017 have led to potentially increased risk to victims and uncertainty for suspects.

Changes to bail, introduced through the Police and Crime Act 2017, were intended to solve the problem of suspects being on bail for lengthy periods of time. The Act also allowed suspects to be released under investigation (RUI), as opposed to formal bail. However, the inspection found the following.

- Suspects still faced long delays and the changes had unintended consequences for victims.
- Not enough thought was given to how the legislative changes would impact victims.
- RUI left too many victims without the reassurance and protection of bail conditions.
- There was an inconsistent implementation of the changes at force level due to a lack of clear guidance.
- Victims and suspects do not understand the legislation and are not being sufficiently updated about the progress of their case.

Read more about the [changes to bail legislation](#)

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Access to mental health services improved by joint working

A joint report from Ofsted, the Care Quality Commission (CQC), HMICFRS and HMI Probation has found that more children with mental health needs are getting support at the right time. As part of the report, partners in six local authority areas were looked at between September 2019 and February 2020, to see how effective they were at working together to help children with poor mental health. The report found the following.

- Restructures of child and adolescent mental health services (CAMHS), along with a willingness by agencies to work together, have broadened the help available for a range of mental health needs. This has also led to quicker identification, referrals and support.

- In many cases, professionals were knowledgeable and could recognise the signs of poor mental health.

However, the report also identified that some agencies needed to get better at identifying children suffering from poor mental health, rather than ignoring the possibility. The report acknowledged that schools have an important role in supporting children's mental health, but that they are unable to do it alone and must be well supported by partner agencies, to allow children to get specialist help when they need it.

Many police forces were deemed to have well-developed training and support for officers to identify and help children with mental ill health, but this was not found to be consistent across all areas. The inspectors saw many examples of children being kept in custody overnight, without being helped to access mental health services.

Despite improvements in partnership working being made, the report found that specialist CAMHS are still limited in some areas and resources are overstretched. Some of the most vulnerable children have to wait too long for their mental health needs to be identified and to be provided with access to specialist services.

Read the [joint working report](#)

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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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