



College of
Policing

Brief

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ISSUE 7 | AUGUST-OCTOBER 2020

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



[Less lethal weapons advancement](#) →

[Racial bias in CJS](#) →

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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.

The College would like to extend their deepest sympathies to the family and friends of Sergeant Matt Ratana, who was devastatingly shot and killed by a suspect, whilst on duty. The College joined forces on Friday 2 October, in holding a minute's silence to pay their respects to the officer. A fund has been created in Sergeant Ratana's honour, the details of which can be found on **page 20** of this edition.

Within this month's edition:

- The National Autistic Society - face covering exemptions
- NHS app for police officers
- Digital devices providing evidence in criminal trials.

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

Updated national hate crime guidance published

A report of a hate crime should be taken seriously and police forces must ensure steps are taken to manage risks to vulnerable people and communities, according to updated guidance from the College of Policing.

The **Hate Crime Authorised Professional Practice** has been developed following extensive consultation with officers, staff and the public, and provides detailed information to help police forces across England and Wales effectively and consistently investigate offences and keep the public safe.

The updated guidance addresses recommendations in a Her Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) report, which looked at the initial police response to reports of hate crime. It also takes into account the findings from a High Court ruling in February 2020 when a claim that the College's previous Hate Crime Operational Guidance for police was unlawful was rejected.

The new guidance has clear advice for officers and staff on the steps they should take when responding to non-crime hate incidents, including proportionate responses to take depending on the nature of the report and strategies to manage contact with all parties involved.

Further clarification is provided about why the police should record a non-crime hate incident, and what information about a non-crime hate incident should be recorded.

The new guidance details the latest products developed by the College to help officers and staff understand how to address the particular vulnerabilities of different people to reduce their risk of harm.

Officers and staff will also be able to access specific advice from the College on working with victims of crime who have been targeted due to their sexual orientation, disability or because they identify as transgender.

The guidance also includes updated information on the care and support which victims and witnesses should receive to manage any risks to them

when reporting an incident and the latest advice on investigating reports of people subjected to hate online.

David Tucker, crime lead for the College of Policing, said: ‘Hate crime can take many forms and has a devastating impact on the lives of people across all communities and in all walks of life, often increasing an individual’s sense of vulnerability.

‘It is appalling that in 2020 people are still being subjected to threats, abuse, and in some cases physical violence, because of their gender identity, race, religion or for other perceived differences.

‘Our guidance was developed after concerns were raised in The Stephen Lawrence Inquiry Report that the police were not properly recording incidents of race hate crime. A new approach for recording incidents was then expanded to include other areas.

‘When a hate crime is reported police should carry out a proportionate, sensitive and thorough investigation, taking into account the rights and freedoms of all parties, without unnecessarily restricting any individual’s right to free speech.

‘It is only by recording concerns that police can assess their seriousness and build up an accurate picture of the level and nature of offending across England and Wales.’

Read the full updated **[Authorised Professional Practice on the College of Policing’s website](#)**.

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Consultation on draft guidelines for risk released

The draft guidelines for recognising and responding to vulnerability-related risks have been released for consultation. The guidelines are for anyone who may come into contact with vulnerable people, including police officers, police staff, special constables and volunteers.

The guidelines consist of:

- one strategic-level guideline for chief officers
- three practical guidelines for police responders

Recognising vulnerability-related risk requires two steps.

1. Identify the vulnerability or vulnerabilities that caused a person to come to harm, or to be at risk of harm.
2. Identify if the risk of harm is continuing and what level of risk that poses.

A single checklist or tool is unlikely to address all vulnerabilities. However, it can inform and guide a responder on the nature and origins of risks, allowing decisions about the level of risk and what action to take to be reliant on responders using professional judgement.

The evidence base is reflected in three responder-focused guidelines: communication, clues and curiosity. This offers an evidence-based opportunity to inform professional judgement.

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

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Consultation on draft practice advice for COVID-19 and potentially infectious people released

The draft practice advice for the Coronavirus Act 2020 – Schedule 21, powers relating to potentially infectious people, has now been released for consultation. It has been produced to provide clarity on police application of the powers to keep a person, who they reasonably suspect is potentially infectious, at a place for screening and assessment under Schedule 21 of the Coronavirus Act 2020. It allows constables, public health officers and immigration officers to direct or remove a person to, or keep the person at, a place suitable for screening and assessment.

Read the full draft [here](#).

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NPCC and the College pledge to improve officer and staff safety

Following the completion of the national safety survey carried out by the College, the views of over 40,000 officers and staff have been collected and used to shape a full-scale review of officer and staff survey. The review was commissioned in response to concerns about rising assaults and increased violence against officers.

The review found that assaults against officers were most likely when suspects were hostile, resisting arrest or intoxicated. The College has estimated that in 2018/19, there were 328 recorded assaults per 1,000 constables. Only half of those surveyed by the College said that their training had taught them how to defuse confrontation properly.

Figures show that, in 2018/19 alone:

- there were 30,885 recorded assaults on police officers
- assaults with injury increased by 26% to 10,409
- the estimated total number of assaults, including unrecorded assaults, exceeded 45,000
- an estimated 71,308 days were taken as sick leave

Key findings from the survey and use of force data

Repeat victimisation: Of those who had been assaulted in the previous 12 months, 50% of custody officers and 46% of response officers have been assaulted at least three times during their career.

Personal safety training: Most police officers, special constables and PCSOs who responded to the survey (81%) had received personal safety training in the past 12 months.

Equipment: More than two-thirds of PCSOs who responded (69%) did not think that the standard equipment they were provided with was adequate – for example, body armour and audio.

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

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New conflict management guidance released

To coincide with the publication of the results of the national police safety survey, the College has released new conflict management guidelines, which will address some of the key findings from the survey.

In the survey, officers were asked which tactics they used regularly that might have been taught during personal safety training. 91% said they were most likely to use non-physical conflict management skills on a regular basis, rather than physical skills. However, 26% said that not enough time was spent training essential communication.

The guidelines, which are aimed at chief constables, encourage force leaders to ensure that police officers and staff receive training for the key non-physical conflict management skills, including emotional awareness, active listening, and verbal and non-verbal communication techniques. Each guideline includes practical advice taken from frontline policing and places significant emphasis on supervisory support.

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

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Effective supervision: consultation on draft guidance

The College of Policing has launched a consultation to seek comments on draft guidelines for effective supervision.

The guidelines focus on how the College can support the wellbeing, development and performance of officers, staff and volunteers across policing. They set out the actions that supervisors can take to support their staff, the behaviours they need to display to be effective in their role, and the actions that chief constables can take to support supervisors in their force.

These guidelines are supported by an evidence base of social research and established good practice in forces. They have been developed in collaboration with serving police officers and staff supervisors, as well as subject matter experts and academics.

The College is seeking feedback from people across policing who may be affected by these guidelines. The consultation is open for comments until 30 September 2020.

More information about the consultation can be found [here](#).

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Coronavirus updates

National Autistic Society – exempt from wearing a face covering

Clare Hughes, a Criminal Justice Coordinator from the National Autistic Society, has provided the College with a statement regarding those who have a legal exemption to not wear a face covering. ‘Many autistic people simply cannot safely wear a mask’, Clare states. The National Autistic Society have produced a wealth of resources, such as exemption cards, badges and explanatory documents. These resources can be presented to staff or officers, to help those who are unable to wear face coverings. Please click [here](#) to visit the National Autistic Society’s website. Specific guidance issued for officers and staff can be found [here](#).

It is important to note that people with a reasonable excuse are not required to prove this reasonable excuse – for example, through documentation or exemption cards – under the Health Protection Regulations 2020. However, by carrying an exemption card, it may reduce the possibility of confrontation.

Clare Hughes’ full statement is as follows:

‘It is vital that police on the ground understand the exemptions around face coverings – and understand autism, so they can sensitively and purposefully make adjustments for autistic people – like giving them more time to answer questions.

Autistic people and their families have been through many hardships due to the pandemic, and we did see some positive steps by the police during lockdown to understand the needs of autistic people – such as their need to do exercise away from their family home. But it’s important that the police build on their knowledge of autism, if we’re to prevent autistic people feeling fearful that they may be confronted by police for not wearing a face covering.

The government must do their bit so that autistic people who can’t wear a mask can still go out and about without fear of being challenged by the police for breaking the rules and make sure that all police receive autism understanding training.’

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SI 2020/1026 – The Health Protection (Coronavirus, Wearing of Face Coverings in a Relevant Place and on Public Transport) (England) (Amendment) (No. 3) Regulations 2020

This regulation amends the Face Coverings Regulations, which require individuals to wear a face covering in a ‘relevant place’, unless they have a reasonable excuse.

‘Relevant place’ is amended to include restaurants, bars, pubs and theatres. However, the reasonable excuse for removing a face covering while eating and drinking remains in force.

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

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SI 2020/1029 – The Health Protection (Coronavirus, Restrictions) (No. 2) (England) (Amendment) (No. 5) Regulations 2020

As of 14 September 2020, a new regulation has come into force prohibiting groups of more than six people from meeting up socially, in either a public or private place. Criticism has been directed towards the government for portraying this guidance as law before it was actually introduced on 14 September. Civil liberty groups have questioned whether the amendment is necessary, asking why this law has been introduced at this stage of the pandemic, when deaths ‘from COVID-19’ have remained consistently low for the past few months.

The regulations also require businesses selling food or drink to close between the hours of 10pm and 5am, and restrict the number of attendees at marriages and marriage receptions to 15.

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

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SI 2020/1045 - The Health Protection (Coronavirus, Restrictions) (Self-Isolation) (England) Regulations 2020

This regulation requires adults who have been notified that they have tested positive for coronavirus (not through the NHS COVID-19 app), or have been identified as a close contact of someone who has tested positive, to self-isolate for a specified period.

Self-isolation is defined as remaining in their home, or another suitable place, for the specified period. The specified period differs depending on the circumstances. For someone who has tested positive, the specified period is 10 days of self-isolation from the date on which their symptoms began.

Exceptions for leaving the place of self-isolation include:

- seeking urgent medical assistance
- fulfilling a legal obligation
- obtaining basic necessities, such as food or medical supplies, where it is not possible to do so by any other means

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

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Legal updates

Statutory Instruments

SI 2020/953 - The Prosecution of Offences (Custody Time Limits) (Coronavirus) (Amendment) Regulations 2020

These Regulations do not apply to an accused individual who is in custody in relation to an offence and subject to a custody time limit provided in regulation 5 of the Prosecution of Offences (Custody Time Limits) Regulations 1987, before the coming into force of these Regulations.

Amendment of the 1987 Regulations

Regulation 5 (custody time limits in the crown court) of the Prosecution of Offences (Custody Time Limits) Regulations 1987 is amended as follows:

- In paragraph (3), for '112 days' substitute '168 days';
- In paragraph (6B), for '182 days' substitute '238 days'.

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

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Bills

Prisoners (Disclosure of Information About Victims) Bill 2019-21

To require the Parole Board to take into account any failure by a prisoner serving a sentence for unlawful killing or for taking or making an indecent image of a child to disclose information about the victim.

The date for the Bill's second reading is yet to be announced. The Bill completed its House of Lords stages on 8 September 2020 and was presented to the House of Commons on the same day.

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

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Sentencing Bill [HL] 2019-21

A bill to consolidate certain enactments in relation to sentencing.

The bill was passed by the House of Commons without amendment on Wednesday, 30 September 2020 and is now awaiting royal assent.

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

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Problem Drug Use Bill 2019-21

A bill to:

- require the Secretary of State to declare problem drug use a public health emergency and review the effects of welfare sanctions on people who use drugs
- amend the classification of drugs in the Misuse of Drugs Act 1971
- make provision for safe drug consumption facilities
- decriminalise the possession of small quantities of drugs for personal use
- make provisions about the stigmatisation of problem drug use

The next stage for this bill is the second reading, scheduled to take place on Friday, 13 November 2020.

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

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Before the court

Racist attacker pleads guilty

A 15-year-old has admitted to punching a man and saying ‘I don’t want your coronavirus in my country’ on 24 February 2020. The victim was walking alongside a friend towards Tottenham Court Road tube station when the teenager launched the unprovoked attack.

The victim is a Singaporean law student in his 20s, who was left with a bloodied nose and swelling and bruising to his face, including his eye. He has since undergone surgery.

The teenager admitted to wounding or inflicting grievous bodily harm. He was sentenced on 7 September 2020. The Crown Prosecution Service (CPS) will be applying for a hate-crime sentence uplift in this case at the next hearing.

Read the full article [here](#).

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Farmer found guilty of contaminating baby food

A farmer who contaminated baby food jars with shards of metal as part of a £1.5m blackmail plot has been found guilty. Nigel Wright began threatening Tesco in 2018, warning his local store in Lincolnshire that he would contaminate the food on their shelves unless they paid him £750,000 worth of bitcoin. Wright demanded larger sums of money, telling Tesco that he would contaminate the jars with salmonella, white powder and knives. A mother in Lockerbie discovered small knife fragments in the baby food she was about to feed her child.

Wright was found guilty of blackmail and contaminating goods at the Old Bailey on 20 August 2020.

Read the full article [here](#).

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R v Taiwo [2020] EWCA Crim 902

The offender, Michael Taiwo, was charged with murder of Mr Davis, and was due to appear in court on 3 September 2019. The offender then indicated a willingness to plead guilty to manslaughter. He was arraigned on 23 January 2020 and pleaded guilty to the lesser offence. The death in question had resulted from a single punch administered by the offender.

The offender was sentenced to four years and ten months' imprisonment. In this case, the Attorney General applies, under section 36 of the Criminal Justice Act 1988, for leave to refer a sentence to this court on the ground that it was unduly lenient. The offender seeks to challenge the same sentence on the ground that it was manifestly excessive.

Victim Personal Statements were provided by the deceased's mother, sister and other close friends, which described the traumatic effect of Mr Davis' death on them. The offender had no previous convictions and there was positive character evidence in his favour. It was stated that he was truly remorseful.

One important issue was whether this was a category B case, indicating high culpability, or a category C case, indicating medium culpability. For this to be a category B case, the death must have been caused in the course of an unlawful act, which either involved an intention by the offender to cause harm falling just short of GBH, or carried a high risk of death of GBH that was – or ought to have been – obvious to the offender. The category C guidelines include, but are not limited to, cases where death was caused in the course of an unlawful act that had involved an intention by the offender to cause harm, or involved recklessness as to whether harm would be caused.

At step two under the guideline, it is stated: 'Where a case does not fall squarely within a category, adjustment from the starting point may be required before adjustment for aggravating or mitigating features.' Aggravating factors include the fact that the offender was in drink at the time and had sought to escape detention after the offence. There was strong mitigation in that he had no convictions, had positive character assessments, was truly remorseful and was relatively young at the time.

The trial judge dealt with these factors and reached a sentence of six years' imprisonment. This was reduced to four years and ten months after 20% credit was given for the guilty plea.

The court placed this case within category B and found that the appropriate sentence would have been one of nine years' imprisonment. With the 20% credit, this would result in a sentence of seven years and two months' imprisonment. The appeal was allowed and the sentence increased to one of seven years and two months' imprisonment.

Read the full judgement [here](#).

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Policing

News

Priti Patel opens refurbished PSA headquarters

The Home Secretary, Priti Patel, formally opened the refurbished headquarters of the Police Superintendents' Association (PSA) on 3 September 2020. The headquarters, a former Thames Valley Police building, houses the administration function of the association.

The President of the PSA, Paul Griffiths, stated that he was delighted to welcome the Home Secretary to open the building. Paul said, 'It was a poignant moment for us after her predecessor from almost 40 years ago did the same for its original opening back in 1983'.

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

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Fund launched in memory of Sergeant Matt Ratana

In memory of Matt Ratana, who was tragically killed on duty, a fund has been set up by the Metropolitan Police Hayes Sports club, also known as the Warren, where Matt was a regular visitor.

The fund will be administered by the Warren, which is independent of the Metropolitan Police Service, but is **recognised** by the force as an official fundraising account. The funds will be subsequently distributed in Matt's memory, for his benefit.

If you would like to donate to the fund, please click [here](#).

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Rise in emergency worker assaults

Provisional statistics released by the NPCC, which show how crime has changed since the pandemic began, have highlighted that assaults on

emergency service workers have risen by 29% in August 2020, when compared to the same period last year.

Other findings from the statistics show that in 2020, when compared to 2019:

- mental health incidents have increased by 5%
- police-recorded crime has decreased by 3%
- the number of reported rape cases has increased by 4%
- the number of recorded domestic abuse incidents has increased by 7%

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

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Police Covenant to be enshrined in law

After 90% of respondents backed covenant plans laid out in a consultation, the government have confirmed a new covenant will be enshrined in law to enhance support and protection for the police. This will apply to all serving or former police personnel.

The consultation, launched in early 2020, was aimed at those serving within the police, those who had previously served, their families and any groups with an interest in supporting policing. Over 1000 responses to the consultation were received.

The government have published their findings from the consultation, including plans to implement the Police Covenant. These include:

- enshrining a Police Covenant in law, which will create a statutory duty to do more to support the police
- placing a requirement on the Home Secretary to report annually to parliament on progress with the covenant
- ensuring the covenant applies to all those working within, or retired from, policing roles, whether paid or as a volunteer

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

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NHS app – police officers

The Police Federation of England and Wales (PFEW) are encouraging rank-and-file police officers to download the NHS COVID-19 app on their personal phones and use it while on duty. PFEW's support for the app came after discussions with the NPCC, NHS app developers and colleagues from the National Cybercrime Security Centre.

John Apter, the National Chair of the PFEW, has said the app is seen 'as a key part of the public campaign to contain the virus alongside Personal Protective Equipment, distancing and hand hygiene'. Although the PFEW supports and encourages downloading the app, it has made clear that this is a personal decision for officers.

Read more about downloading the app [here](#).

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Reports

Performance Report of the Police Service of Northern Ireland

An inspection was carried out into how well the Police Service of Northern Ireland (PSNI) treats its workforce and the people of Northern Ireland. It found that the service is good, despite operating in a particularly complicated social and political environment.

- The service treats the public fairly and respectfully, with signs that the historically difficult relationship between the PSNI and some Catholic communities is improving.
- More schools are now receptive to working with the PSNI's school liaison officers. In some areas, officers are more able to carry out neighbourhood policing.
- The PSNI does not monitor its use of force or stop and search powers closely enough, meaning it cannot be confident that its officers are always behaving fairly and properly.
- Most frontline PSNI officers are not issued with conducted energy devices, such as Tasers. Those who respond to serious incidents involving dangerous people therefore have fewer options available to them to resolve the incident with the minimum use of force.

- The service has a strong ethical culture and is generally well placed to tackle corruption.
- The service works hard to identify and resolve problems or perceptions of unfairness in the workforce.
- The religious identity of its staff still shows a large disparity, with two Protestant officers for every Catholic officer. However, considerable effort has been made in this area.
- Its approach to wellbeing is disjointed, with long waiting times to access mental health support compared with other kinds of support.
- Many staff expressed a lack of confidence in the performance review system. A more consistent process for managing poor performance and developing talent should be introduced.

Does the service inspire public confidence?

The overall finding was good. Areas for improvement include the following.

- Officers are not consistently submitting correct forms after incidents where they have used force. The use of force is therefore not being recorded accurately. The service needs to implement a system that identifies when a form is missing and prompts officers to submit one.
- The service should consult widely on making conducted energy devices available to more frontline officers.
- The service should improve the recording of stop and search data and the quality of its scrutiny, particularly external scrutiny, into the use of this power and its effect on communities.

Is the behaviour of the service's workforce ethical and lawful?

The overall finding was good. Areas for improvement include the following.

- Better use of computer monitoring software.
- Developing a process that deals with welfare and performance matters, and acting on intelligence about personnel who may be at risk of corruption.

- The service should consider giving briefings about abuse of position for a sexual purpose to existing supervisors, not just those who have been promoted recently.

Does the service inspire the confidence of its workforce?

The overall finding was good. Areas for improvement include the following.

- The service should provide its workforce with better information about grievance procedures.
- It should introduce a more consistent process for managing poor performance.
- It should seek to reduce waiting times for mental health support.

Read the full report [here](#).

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End-of-year update of the police workforce

Police workforce

- As of 31 March 2020, there were 129,110 full-time equivalent officers in post in the 43 territorial police forces in England and Wales.
- This was an increase of 4.8% on March 2019 and the largest year-on-year change since 2003/04.
- Excluding transfers, 12,883 police officers joined the 43 forces in 2019/20, the highest number since comparable data collection began in 2002/03.

Police functions by ethnicity

- As of 31 March 2020, those identifying as White accounted for 92.7% of all officers. Those identifying as Black, Mixed, Asian or Other accounted for 7.3%. Twelve months earlier, these figures were 93.1% and 6.9% respectively.
- In terms of local policing, the largest officer function in full-time equivalent was 91.8% White and 8.2% Black, Asian and minority ethnic, as of 31 March 2020. Twelve months earlier, these figures were 92.2% and 7.8% respectively.

- Under-representation was highest among senior ranks, compared with constables and other ranks. In all, 4% of officers of rank chief inspector or above were Black, Asian and minority ethnic, compared with 8% of constables.

Diversity

- There were 40,319 female police officers in the 43 police forces on 31 March 2020, making up 31% of police officers in England and Wales (up 1% from last year). Of the 7,141 leavers, 27% were female. Most female officers left either via normal retirements or voluntary resignations (44% of all female leavers compared with 29% of all male leavers).
- Over half (56%) of all police officers were aged 40 or under, with 9% of all officers aged 25 and under. The age profile varied by rank: 2% of chief officers were aged under 40, compared with 62% of constables.

Officer wellbeing

- There were 2,578 full-time equivalent police officers on long-term sick leave in the 43 forces, accounting for 2% of officers.
- There were 4,857 full-time equivalent police officers on a long-term absence in the 43 forces, accounting for 4% of all officers.
- Excluding Cheshire (who was unable to provide data), there were 5,345 police officers on recuperative duties, accounting for 4% of officers. A further 5,121 officers were on adjusted or restricted duties, accounting for a further 4%.

Read the full report [here](#).

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Criminal justice news

Digital devices are helping to provide key evidence in criminal trials

The Director of Public Prosecutions (DPP) has said in a speech that digital devices, such as smart doorbells, dash-cam footage, car GPS systems and Amazon Alexas, are increasingly providing evidence in criminal trials. Max Hill QC spoke at the Westminster Policy Forum on how developments in digital technology are driving significant changes in the way that evidence is collected and used in court.

The DPP told of how the GPS system in a Land Rover Discovery was instrumental in providing evidence during a crossbow murder case. The defendant was questioned about his possession of crossbows, but it was two weeks later – when the GPS system was retrieved from his partner’s burned-out vehicle – that vital evidence was found.

It showed that the car had travelled to the crime scene the night before the murder and again the following night, remaining until 12 minutes after the victim was shot. The system also indicated that the boot was opened and closed. The offender was convicted and received a life sentence.

The CPS is investing in technology to help review evidential data and identify personal data to help with General Data Protection Regulation (GDPR) responsibilities. It will also provide enhanced search capabilities that will enable the prosecution to establish the most relevant elements of the evidence.

Read the full article [here](#).

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August’s coronavirus review findings

The findings of the CPS review for completed prosecutions in August under the Coronavirus Act and Health Protection Regulations.

There were 112 cases finalised in August under the Health Protection (Coronavirus, Restrictions) Regulations, with 16 incorrectly charged. Of those incorrectly charged, 14 were withdrawn and two returned to court.

There were 20 cases finalised under the Coronavirus Act, with 20 incorrectly charged. Of those incorrectly charged, 15 were withdrawn and five returned to court.

Of the cases reviewed, all but three were charged by the police. 84% of the Regulation offences and 90% of the Act cases were charged in March and April, mostly alongside other substantive offences.

Read the full article [here](#).

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AI-enabled future crime

Experts from academia, the private sector, the police, the government and state security agencies identified and ranked 20 AI-enabled crimes in order of concern. Fake audio and video content topped the list, being perceived as the biggest threat.

AI has potential for crime detection and prevention but there is also the potential that AI technologies can be exploited for criminal purposes.

High-concern crimes include the following.

- Audio/visual impersonation – this could be impersonation of friends or family to gain access to funds, or fake video calls of public figures speaking or acting in a way to influence public opinion.
- Driverless vehicles as weapons – this could expand vehicular terrorism, enabling single perpetrators to perform multiple attacks or even coordinating large numbers of vehicles at once.
- Tailored phishing – AI has the potential to improve the success rates of phishing attacks by crafting messages that appear more genuine and using varying details to experiment with what works.
- Disrupting AI-controlled systems – the opportunities for attack will multiply, from causing widespread power failures to traffic gridlock and breakdown of food logistics. Systems with responsibility for public safety and security, and systems overseeing financial transactions, are likely to become key targets.

- Large-scale blackmail – AI can be used to harvest information from social media, email logs, browser history, hard drive or phone contents.
- AI-authored fake news – AI could be used to generate multiple versions of a particular piece of content to boost visibility and credibility.

Other crimes that are considered medium- and low-risk are noted in the findings, such as autonomous attack drones and burglar bots.

Read the full article [here](#).

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Racial bias is pulling black young adults into an avoidable cycle of crisis and crime

An analysis of government data shows that Black young adults (18-24) are significantly more likely to be dragged into the criminal justice system for relatively low-level and non-violent offences, such as theft or minor drug offences, rather than being provided with the support they need.

Ministry of Justice data reveals that:

- repeat offenders account for nearly 40% of all people in the criminal justice system
- the proportion of Black adults that are convicted of 16 or more offences has doubled between 2000 and 2016 – now constituting 10% of all repeat offenders

Black young adults are:

- twice as likely to receive a caution
- 8.4 times more likely to receive a conviction
- 1.5 times more likely to be sent to prison
- given prison sentences that are 80% longer than those given to White young adults who commit similar offences

Over the last 10 years, the number of young adults going through the criminal justice system has significantly decreased. However, the rate of this fall has been different across ethnicities. The fall for White young

adults was 55% and the fall for Black young adults was 34%, leading to an increase in the proportion of Black young adults in the system. Black young adults are also less likely to be given a community sentence and are more likely to receive an immediate custodial sentence than their White counterparts are.

The government has not explained why these racial disparities exist.

Read the full report [here](#).

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Competition for advancing less lethal weapons

The Defence and Security Accelerator (DASA) competition is seeking proposals for innovative technologies that allow law enforcement officers to safely prevent the escalation of conflict in serious or violent circumstances from a distance. The primary focus will be on solutions for distances between 5m and 50m, but solutions for distances between 0m and 70m will also be considered.

At the end of the Phase 1 competition, the innovation is expected to be sufficiently developed to achieve either proof-of-concept or prototype demonstration.

The total funding available in this Phase 1 competition is £500k (excluding VAT) to fund up to nine proposals. This competition closes for submissions at midday BST on Thursday, 15 October 2020.

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

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New Taser model approved

As of 24 August 2020, trained police officers can be equipped with a more effective Taser, following approval of a new model by the Home Secretary.

The new model – Taser 7 – is faster, more accurate and more compact than previous models. It will also reduce force costs, by replacing disposable batteries with rechargeable ones. However, only specially trained officers will be able to use the new model. Those who are already trained to use older models will require new training before using Taser 7.

Chief constables will decide how many officers in their force can carry Taser 7 based on strategic assessments of threats and risks in their force areas.

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

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Analysis of coronavirus fines

An analysis of coronavirus fines shows a low overall rate in fines issued across England and Wales, with young men receiving the biggest proportion. It also shows that people from ethnic minority groups were issued with a fixed penalty notice (FPN) at a rate of 1.6 times higher than White people.

The analysis examines rates of FPNs issued on two different bases: force area where the individual was present when issued the fine, and the force area where the individual who was issued the fine was normally resident. The number of FPNs issued was relatively low, at 17,039 in total.

The national level analysis showed the following.

- 70% of FPNs were issued to men under 45 when they comprise only 22% of the population.
- 57% of those issued with an FPN were young men aged 18-34, who make up only 14% of the resident population.
- The number of FPNs issued to people from ethnic minority groups was at a rate of 4.0 per 10,000 population, compared

with 2.5 per 10,000 population for those who identified as White. Rates per 10,000 were highest for Asian (4.7) and Black people (4.6), followed by people of Mixed ethnicity (3.1) and those from other minority ethnic groups (2.6).

- The disparity rate – the rates per 10,000 people from ethnic minority groups, as a ratio of the rates per 10,000 White people – was 1.6 times higher for people from ethnic minority groups than for White people.
- Disparity rates were higher than the ethnic minority group average for Asian and Black people (both 1.8 times higher than White people). People of Mixed ethnicity experienced a rate 1.2 times higher than White people, while those from other ethnic minority groups had the same rate as for White people.
- Young men aged 18-24 and 25-34 from ethnic minority groups were over-represented by around twice the rate of young White men in the same age groups.
- Young White women (18-24) had similar levels of representation as their representation in the general population, whereas women of the same age from ethnic minority groups were slightly under-represented.

Police force area level analysis showed the following.

- There was considerable variation across force areas, with the disparity rate ranging from 1 to 6.5 comparing people from ethnic minority groups with White people. Rates were generally higher in force areas that attract tourists to coastal areas and beauty spots. FPNs issued to non-residents explained some of the disproportionality observed.
- When assessing disproportionality rates, these factors will also interact with ethnicity. Such areas typically have relatively small resident ethnic minority populations. In such areas, a small number of FPNs issued to people from ethnic minority groups can lead to relatively high disparity rates.
- Disparity rates were found to be generally lower when rates were calculated on the basis of where the individual was usually resident. The upper range fell from 6.5 to 4.6.
- The small number of FPNs issues and the relatively small size of the resident ethnic minority population in some force areas can

produce large differences in rates per 10,000 population. Careful interpretation of the comparative rates is required.

- 20 forces issued less than 40 FPNs in total to people from ethnic minority groups. This is much less than one FPN to a person from an ethnic minority group across the entire force per day in each of these areas.
- One force issued FPNs at a rate of 30 per 10,000 to Black individuals. However, because of the small number of Black residents of the force area, this was the product of only three FPNs issued to Black people. This indicates how sensitive the rates are to small changes in such areas.

There were limitations of the dataset and challenges in drawing conclusions from the analysis, which include the following.

- There is no single measure that would provide the precise level of disproportionality in the policing of these new regulations.
- Each method is inferior to direct analysis of the volume of people acting in contravention of regulations or those who came to the attention of police. Such an analysis would enable an assessment of whether people from different ethnic backgrounds were treated differently by police.
- The report cannot explain disproportionality.
- Comparisons at force area level need to be made with caution, since force areas differ significantly.
- Wide variation in the number and rates of FPNs issued at force area level affects the national averages across the dataset.
- Analysts can be less confident in the findings at force level for the forces with higher levels of missing ethnicity data.

Read the full analysis [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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