



College of  
Policing

# Brief

[Home Secretary on policing](#) →

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ISSUE 9 | OCTOBER 2021

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



[Youth Justice and Criminal Evidence Act](#) →

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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](http://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](mailto:brief@college.pnn.police.uk)

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# Editorial

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Dear readers,

Welcome to the October 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:

- improve your digital investigative skills with Operation Modify
- from police pay to firearms licensing, the Home Secretary highlights key issues facing policing today
- Safety Tech Challenge Fund launched to tackle online child safety concerns

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](mailto:brief@college.pnn.police.uk)

# College news

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## **The College signs the Charter for families bereaved through public tragedy**

The College has signed the ‘Charter for families bereaved through public tragedy’, reaffirming our commitment to ensuring that families bereaved through public tragedies like Hillsborough are treated with more compassion, sensitivity and respect. The charter is a key recommendation from the 2017 review of the Hillsborough families’ experiences by The Right Reverend James Jones.

The National Police Chiefs’ Council (NPCC) signed the charter on behalf of all 43 police forces in England and Wales. The NPCC has also written to all police forces and chief constables, to ensure that principles established in the charter are implemented.

Signing the charter expresses a public commitment to learning the lessons of the Hillsborough disaster and its aftermath.

The College of Policing and the NPCC will be publishing a formal response to Bishop Jones’ full review of the Hillsborough families’ experiences in the coming months.

Read more: [\*\*The College signs the Charter for families bereaved through public tragedy\*\*](#)

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## **Improve your digital investigative skills with Operation Modify**

Operation Modify is the online learning element of the Digital Intelligence and Investigation (DII) project. It has been produced with the input of over 120 subject matter experts from policing, and covers the top ten digital concerns highlighted by forces. These digital concerns have been identified by policing as the priority areas for skill development. They help officers, police staff and volunteers to acquire the digital skills they need to undertake investigations effectively.

The learning can be used as supporting material for the Police Constable Degree Apprenticeship (PCDA), PIP level 1 and fast-track entry. It is a suitable next step after completion of the Digital Foundation 1 programme and as preparation for the upcoming Digital Foundation 2 programme.

It consists of 10 episodes released through College Learn, which is easy to use across a range of devices, including mobile devices. Operation Modify covers the following 10 subjects:

- Digital Media: Internet of Things
- Digital Scene Management
- Core Digital Data Collection
- CCTV and ANPR
- Core Digital Data Collation and Interpretation
- Digital Forensics
- Missing Person's Support
- Online Fraud
- Internet Intelligence and Investigation
- Digital Victim and Witness Support

Read more: **[Put your digital investigative skills to the test with Operation Modify](#)**

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# Legal updates

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## Bills

### **Police, Crime, Sentencing and Courts Bill**

This Bill is to make provisions 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 was debated at its second reading in the House of Lords on 14 September. This was the first opportunity for members of the Lords to debate the key principles and main purpose of a Bill, and to flag up any concerns or specific areas where they think that amendments are needed. A date for the committee stage is yet to be scheduled.

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

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## Statutory instruments

### **Youth Justice and Criminal Evidence Act 1999 (Commencement No. 22) Order 2021 (SI 2021/1036 (C. 57))**

Section 28 of the Youth Justice and Criminal Evidence Act 1999 provides that where a witness's video recorded interview has been admitted as their evidence in chief under section 27 of the Act, the court may also direct that any cross-examination and re-examination of the witness be video recorded and that recording admitted as evidence.

This Order expands the availability of section 28 directions to proceedings before the crown courts sitting at Durham, Harrow, Isleworth or Wood Green, where the witness is eligible for special measures under section 17(4) of the Act.

This provision is coming into force on 30 September 2021.

Read more: **[Youth Justice and Criminal Evidence Act 1999 \(Commencement No. 22\) Order 2021 \(SI 2021/1036 \(C. 57\)\)](#)**

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# Policing

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## News

### **Super-complaint made by the Centre for Women’s Justice on police use of protective measures in cases of violence against women and girls**

A super-complaint was submitted by the Centre for Women’s Justice about the police’s alleged failure to use protective measures to safeguard women and girls. In response to this super-complaint, HM Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), the College of Policing and the Independent Office for Police Conduct (IOPC) have published a report.

The joint investigation by HMICFRS, the College of Policing and the IOPC found that there were good examples of the police using these measures. The investigation also identified police forces’ lack of understanding over how and when to use protective measures, which means that support for victims is sometimes not good enough. Victims may therefore be less likely to report crime in the future.

As a result, these bodies have made recommendations for the police, the Home Office, the NPCC and the Ministry of Justice to do more to help ensure that all measures are used as efficiently and effectively as possible.

The report also includes actions for HMICFRS and the College of Policing regarding their own work.

Read more: **[A duty to protect: Police use of protective measures in cases involving violence against women and girls](#)**

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## Anger over pay freeze

The president of the Police Superintendents' Association Paul Griffiths told members that the organisation would withdraw from the pay review process. There are also plans to mount a challenge against it.

Mr Griffiths told delegates that: 'it is essential that police officers have fair and transparent processes in place to determine their pay, and that they have a clear voice within this'.

The anger stems from plans to freeze pay for officers who earn more than £24,000. NHS staff will receive a 3% increase, and firefighters and local government workers will receive a 1.5% rise.

Read more: [Superintendents' Association withdraw from pay review process](#)

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## From police pay to firearms licensing: the Home Secretary highlights key issues facing policing today

On 14 September, the Home Secretary Priti Patel attended this year's Police Superintendents' Association conference. In her appearance, via video link, she recognised the challenges to policing posed by the COVID-19 pandemic and expressed thanks to all of policing for the superb work conducted throughout this difficult time. She further recognised the occasion as a critical moment to pay tribute to all those who had fallen in the line of duty, and to acknowledge the ultimate sacrifices made by so many colleagues during their policing careers.

In her speech, the Home Secretary discussed several key areas of policing, including:

- police pay
- police pensions
- diversity in policing
- the Beating Crime Plan
- police powers
- Plymouth and firearms licensing
- the Police Covenant and wider police wellbeing

The Home Secretary concluded her speech by reiterating her resolute support for policing and the central role played by all those across the Superintendents' Association in pursuing our shared mission to keep this country safe.

Read more: [Home Secretary's Police Superintendents' Association Speech 2021](#)

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### **Dame Cressida Dick granted two-year contract extension**

The Home Office has confirmed Dame Cressida Dick will continue to lead the Metropolitan Police Service until 2024. The two-year extension to her current fixed-term appointment was granted by Her Majesty the Queen.

Commissioner Dame Cressida Dick has said that she is: 'immensely honoured and humbled to have been asked to extend my time as Commissioner for a further 2 years. I am proud to continue to serve my city.'

The Home Secretary Priti Patel states that the contract extension 'will provide continuity and stability as we emerge from the coronavirus pandemic and recruit 20,000 additional police officers'.

Read more: [Dame Cressida Dick to continue leading the Metropolitan Police](#)

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### **Pre-charge bail consultation concludes**

Consultations on amendments to pre-charge bail conditions have concluded.

The following measures have been proposed:

- removing the statutory presumption to release without bail
- adjusting the timescales and authorisation levels for pre-charge bail, to better reflect the operational realities faced by investigating officers while maintaining rigorous oversight of decisions to extend bail timelines

- ensure that victims are a vital part in the pre-charge bail process, that they are fully informed as the case progresses, and that they can ask questions and provide views where appropriate
- working with policing stakeholders to ensure that there is appropriate guidance to operate the pre-charge bail system
- The Home Office has reaffirmed the government's commitment to ensuring that the police have the powers they need to protect victims of crime. They believe that changing the conditions for pre-charge bail is key to these aims.

Read more: [Police powers: pre-charge bail](#)

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## **YJB and APCC share data tool on the ethnicity of children in contact with the youth justice system**

The Youth Justice Board (YJB) and the Association of Police and Crime Commissioners (APCC) have reached an agreement on sharing data on the ethnicity of children in the youth justice system.

The YJB has given APCC access to its summary disproportionality tool, which will help commissioners better understand local issues and concerns, and will encourage them to collaborate with the relevant agencies in order to address any disparity.

Norfolk PCC Giles Orpen-Smellie said: 'Ensuring that all children are treated fairly by the criminal justice system must without question be a priority for all agencies who work in this area. My team has been able to use the disproportionality tool and data to produce a report on ethnic disproportionality in the youth justice system in Norfolk and shared this report with our local youth offending team (YOT).

'In turn, the YOT have used this data to make a series of recommendations for the future, including upskilling staff in identifying and eliminating bias, the establishment of a multi-agency group responsible for developing a local joint disparity protocol and continuing to collect and analyse data to understand where disparity is occurring.'

Read more: [The YJB's 'summary disproportionality tool'](#)

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## **Prestigious Fulbright–Stephen Lawrence Award to provide unique research opportunity**

The US-UK Fulbright Commission has joined forces with the National Black Police Association and APCC to launch The Fulbright–Stephen Lawrence Scholar Award, which will enable a UK police officer or member of staff to conduct research at three historically Black colleges and universities (HBCUs) in the United States. This award aims to further research into policing and the criminal justice system, and to exchange knowledge and promote best practices between the US and the UK, to improve community engagement in regards to race.

Established in 1948, the US-UK Fulbright Commission tackles global challenges, including those on diversity, equity and inclusion. Likewise, the National Black Police Association, established in 1998, works to place fairness at the heart of the police agenda in the UK.

Commenting on the launch, APCC Lead on Equality, Diversity and Human Rights and the Deputy Mayor for Policing and Crime in West Yorkshire, Alison Lowe, stated: ‘we look forward to seeing the gains in fresh knowledge and perspectives from this exchange with HBCUs in the US, that can be used to better serve all our communities’.

Baroness Doreen Lawrence, Stephen’s mother, also endorses the prestigious award in her son’s name, noting that: ‘there are a lot of challenges and it is important that Stephen’s name continues to stand up for justice and equality, for police officers to respect the community they serve’. Baroness Doreen Lawrence will also be part of the selection of candidates, which will be open competition and merit-based.

Read more: [\*\*Fulbright–Stephen Lawrence Award 2022-23 Launch\*\*](#)

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## **First past the post: Police and crime commissioner elections**

The Minister for the Constitution and Devolution, Chloe Smith, has announced measures to apply the first-past-the-post system to the election of council and metro mayors across England, and to police and crime commissioners across England and Wales.

The change to first past the post aims to further strengthen the accountability of those elected, making it easier for the voters to express a clear choice. In order to make these changes, the government will bring forward amendments to the Elections Bill to deliver these changes.

Read more: [\*\*First past the post\*\*](#)

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# Criminal justice news

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## **Consultation opens on miscellaneous amendments to sentencing guidelines**

series of proposed changes to existing guidelines.

The proposed changes are designed to bring greater clarity and consistency and reflect developments in legislation. They relate to:

- breach of a sexual harm prevention order (SHPO) – clarifying that it is not open to the court to vary the SHPO or make a fresh order of its own motion for breach
- compensation – adding wording relating to giving reasons if compensation is not awarded in all relevant guidelines
- confiscation – providing fuller information on confiscation in all relevant guidelines
- racially or religiously aggravated offences – making the uplift for racial or religious aggravation a separate step and consistent across guidelines for these offences
- domestic abuse overarching guideline – revising the definition of domestic abuse in the light of the Domestic Abuse Act 2021 and expanding it to include a wider range of relationships

The consultation closes on 2 December 2021.

Read more: [\*\*Miscellaneous amendments to sentencing guidelines\*\*](#)

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## **New Police, Crime, Sentencing and Court Bill must not undermine access to justice**

The Law Society has warned that the government must guard against the new Police, Crime, Sentencing and Courts Bill 2021-22 and ensure that the system can meet the additional pressures that the legislation will create. The society also warned that increased funding will be required to deliver on the Bill's aims.

The President of the Law Society, I. Stephanie Boyce, expressed concerns about the impact on access to justice of measures in the Bill. She said: ‘We support the ambitions of this bill to improve the justice system and help to build safer communities, but we are concerned about the impact on access to justice of measures in the bill to increase the use of remote hearings, enable remote juries and make changes to pre-charge bail’.

Read more: [New bill must not undermine access to justice](#)

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### **Former Lord Chancellor Robert Buckland calls for tougher corporate crime laws**

The former Lord Chancellor Robert Buckland called for ‘stronger laws against companies that facilitate economic crime’, but emphasised that firms should not face an ‘undue burden of compliance’.

During a speech at the International Symposium of Economic Crime, Robert Buckland expressed concerns that current laws on corporate criminal liability are no longer fit for purpose, mainly when applied to large corporations.

Further, he states that reform may be needed to ensure that large organisations can be held to account. However, he clarifies that he does not wish to burden unnecessary compliance on companies to avoid punishing law-abiding corporates.

Read more: [Buckland calls for tougher corporate crime laws](#)

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### **Safety Tech Challenge Fund launched to tackle online child safety concerns**

The Home Secretary, Priti Patel, has called on G7 interior ministers to take child safety seriously as she launches a new fund aimed at tackling child sexual abuse online. The Home Secretary has also called upon G7 partners to support the UK’s approach in holding internet technology



giants accountable for harmful content posted across their site, reiterating the critical need to consider public safety when designing their products.

The new **[Safety Tech Challenge Fund](#)** will provide five organisations worldwide with up to £85,000 each to design and develop innovative technologies, to ensure that children remain safe when using end-to-end encrypted messaging services.

Alongside the new fund, the Minister for Digital and Culture, Caroline Dinenage, outlined how laws will be introduced to drive a safer internet for all, especially children, as part of the government's wider efforts to tackle harmful behaviours online.

John Clark, President and CEO of the National Center for Mission and Exploited Children, welcomed the launch of the Safety Tech Challenge Fund, commenting that: 'last year we received more than 21 million reports relating to child sexual exploitation, and the number of reports this year is likely to be higher'.

While experts recognise end-to-end encryption to be a multi-layered and complex issue, the new fund has been warmly welcomed by many as an essential tool to finding a 'global solution to keeping children safe online without compromising consumer privacy'.

The fund will run for five months from November 2021. Applications for funding are open from 8 September 2021 to 13 October 2021.

Read more: **[New fund launched to find global solution to online child safety concerns](#)**

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## **The Justice (Sexual Offences and Trafficking Victims) Bill to improve public safety**

Actions such as 'up-skirting', 'down-blousing', and adults masquerading as children online are just some of the new offences that are closer to becoming law, following the introduction of the second stage of legislation by the Justice Minister, Naomi Long. This Bill will update the law on sexual offending in Northern Ireland.

The Bill includes provisions to exclude the public from all serious sexual offence hearings and the introduction of anonymity for defendants pre-charge.

In addition, current laws around revenge pornography will be strengthened to include:

- threats to disclose private sexual photographs to cause distress
- addressing the use of ‘the rough sex defence’
- the extension of existing legislation covering abuse of a position of trust of a child to include sports and faith settings

Read more: [\*\*New legislation proposed to protect the most vulnerable\*\*](#)

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## **Police Chief to tackle violence against women and girls**

The NPCC has appointed DCC Maggie Blyth as the National Police Lead for coordinating police action across England and Wales, in order to tackle violence against women and girls.

The full-time role will see DCC Maggie Blyth agreeing and delivering a new police strategy that will focus on interventions to prevent violence, target perpetrators and ultimately achieve justice.

DCC Blyth was promoted to Assistant Chief Constable in May 2019 and her current portfolio is local policing and public protection across Hampshire. Prior to this, DCC Blyth worked in the Probation Service, specialising in youth justice, and local government child protection services.

The role is due to start on Monday, 11 October 2021.

Read more: [\*\*Deputy Chief Constable Maggie Blyth\*\*](#)

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## LED lights in 'green prisons push'

HMP Garth has become the first prison to build eco-friendly lights in-house, which cuts the amount of energy used and saves taxpayers' money.

The project, which was developed by Garth staff, has led to a product that is 36% cheaper than the original design. The lights use around 62% less electricity and are expected to save around £2.5m a year, once introduced across the prison estate.

The prison has purchased components to retrofit 6,700 lights and prisoners have been producing around 100 a week, to be installed in the prison and wider estate. The project will create up to 250,000 highly-skilled jobs, helping offenders to learn new skills, which can assist in finding jobs on release.

Read more: [LED lights](#)

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## Reports

### **The Government publish COVID-19 Response: Autumn and Winter Plan 2021**

A report has been published setting out the government's plans for autumn and winter 2021/22. Winter is always a challenging time for the NHS. This winter could be particularly difficult due to the impacts of COVID-19, on top of the usual increase in emergency demand and seasonal flu.

The government will aim to sustain the progress made and prepare the country for future challenges, while ensuring that the NHS does not come under unsustainable pressure. They plan to achieve this by:

- building our defences through pharmaceutical interventions – vaccines, antivirals and disease modifying therapeutics
- identifying and isolating positive cases to limit transmission – test, trace and isolate
- supporting the NHS and social care – managing pressures and recovering services

- advising people on how to protect themselves and others – clear guidance and communications
- pursuing an international approach – helping to vaccinate the world and managing risks at the border

This is the government's Plan A. However, the pandemic can change course rapidly and unexpectedly. They will remain vigilant and monitor the data closely, taking the necessary action to support and protect the NHS. In preparation, the government is undertaking contingency planning in case Plan A is not sufficient to keep the virus at manageable levels, so that the public and businesses know what to expect.

The government is also taking steps to ensure that the UK has the best protection available from vaccines beyond this autumn and winter.

Read more: [\*\*The Covid-19 Response: Autumn and Winter Plan 2021\*\*](#)

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## **The internet and radicalisation**

The government have produced a report presenting their findings from a study carried out to explore the role of the internet in radicalisation and offending in 235 convicted extremists in England and Wales.

The study aimed to establish the role of the internet in radicalisation processes and offending by comparing radicalisation pathways across three groups:

- those who were primarily radicalised online
- those who were primarily radicalised offline
- those who were radicalised through both online and offline influences

Four key areas were investigated:

- whether the internet plays a prominent role in radicalisation
- whether those taking different radicalisation pathways differ in their internet use
- whether differences exist in demographic profiles and type of offences committed by those taking different radicalisation pathways

- whether the pathway taken has an impact on professionals' perceptions of risk of committing future violent extremist offences

Key results and recommendations from the study include the following.

- The role of the internet was found to be increasingly prominent in the radicalisation of convicted extremists in England and Wales, both for males and females, along with younger and older individuals.
- Between 2005 and 2017, there appeared to be less reliance on specific extremist websites and more reliance on open social media platforms.
- New online counter terrorism measures should aim to target younger users and appeal not only to males, but also to females.
- Once vulnerable individuals have been identified online, it is important for their wider needs to be considered, as opposed to focusing solely on interventions to address an 'extremist mind-set'.

Read more: [\*\*The role of the internet in radicalisation\*\*](#)

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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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