



College of  
Policing

# Brief

[Hate Crime \(Misogyny\) Bill](#) →

[Police officer assault app](#) →

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ISSUE 1 | JANUARY 2022

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



**Prison strategy**  
revolutionising  
jail system



**Victims' law**  
consultation  
launched



**Hate crime**  
Court of Appeal  
guidance ruling



**'Plan B'**  
courts to  
continue to run



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 January 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:

- Tributes paid at the 30th anniversary memorial service for murdered DC Jim Morrison.
- Police powers and procedures: stop and search and arrests.
- Increase in upskirting prosecutions.

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

# College news

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## **Going equipped – Issue 3 highlights diverse police experiences**

Issue 3 of Going equipped was recently published, covering a wide range of the diverse experiences across policing throughout autumn and winter 2021. Written by police officers and staff from across the country, this publication contains articles covering a variety of topics through different lenses of policing. This issue also contains the first article from the Royal Gibraltar Police.

The new issue covers topics such as:

- using distraction items to reduce stress for detainees in custody
- bridging police projects and academic research in areas such as prolific retail theft and honour-based abuse
- sharing best practices learned from talking to children
- results from research examining body recovery from water
- maternity support programmes for authorised firearm officers

Read more: [\*\*Going equipped: Highlighting diverse experiences across policing.\*\*](#)

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## **Court of Appeal hate crime guidance ruling**

The Court of Appeal has ruled on a case involving the College of Policing's hate crime operational guidance.

- Responses to allegations of hate crime are unaffected.
- For allegations of hate incidents, police need to apply their judgement in establishing whether there is hostility towards a protected characteristic group.
- If, having applied their judgement and taking account of the full context, no hostility is found, the incident should not be recorded as a hate incident.
- Additionally, policing will need to consider whether the incident in question might be dealt with in a way that is less intrusive and that does not infringe freedom of expression, for example signposting to alternative areas of support or ways of raising concern.
- Particular care is needed when the incident complained of takes place as part of debate. While hostility can sometimes be defended as being fair debate, police responders will need to consider whether, in the context of the incident, the words or behaviour complained of could reasonably be considered as motivated by hostility. In those cases, where common sense indicates an absence of hostility, no record should be made.

Read more: [\*\*Court of Appeal hate crime guidance ruling.\*\*](#)

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# Legal updates

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## Plan to reform Human Rights Act

The Government have proposed new legislation to amend part of the Human Rights Act.

The proposals aim to:

- balance individuals' rights, personal responsibility and the broader public interest
- give more power to Parliament to make decisions on laws affecting the UK population, giving Parliament more scope to decide how they interpret rulings from the European Court of Human Rights (ECHR) in Strasbourg
- make it easier to deport foreign criminals
- give the Supreme Court more ability to interpret human rights law in a UK context
- strengthen freedom of speech and the right to a jury trial

The Government has said that the UK will remain party to the ECHR and continue to meet its obligations under the convention and other international human rights treaties.

Read more: [Human Rights Act Reform: A Modern Bill Of Rights.](#)

Also read: [Plan to reform Human Rights Act.](#)

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## Bills

### **Hate Crime (Misogyny) Bill**

The Hate Crime (Misogyny) Bill is a Private Members' Bill presented to Parliament on **Wednesday 24 November 2021**. Private Members' Bills are public bills introduced by MPs and Lords who are not government ministers.

The Bill is not currently supported by the government. If passed, it would make motivation by misogyny an aggravating factor in criminal sentencing and require police forces to record hate crimes motivated by misogyny.

The next stage for this Bill, the second reading, is scheduled to take place on **Friday 18 March 2022**.

Read more: [\*\*Hate Crime \(Misogyny\) Bill\*\*](#).

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# Policing

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## News

### **‘Game-changing’ app will collect data on police officer assaults**

City of London Police are trialling an app to collect data on assaults on officers. The National Police Assaults Data app forms part of Operation Hampshire and will be rolled out to all forces in England and Wales. There were 36,969 assaults reported between 2020 and 2021 on police officers in England and Wales, an increase of more than 20% on the previous year.

The initiative is supported by the College of Policing, the National Police Chiefs’ Council (NPCC) and the national police wellbeing service Oscar Kilo.

Chief Inspector Dave Brewster, who is on attachment to Oscar Kilo from the Metropolitan Police Service, said: ‘We need a way of gathering police assault data, at a detailed and consistent level.

‘In order for us to learn as an organisation and improve kit, equipment, training and policy, we need to really understand the scale and trends of what’s happening to our colleagues.

‘We want to reduce assaults, lessen the impact of assaults and improve the wellbeing support around them. This is potentially game-changing for policing.’

The new app allows officers to record assaults, signposts supervisors to carry out welfare assessments, then feeds into national figures to support the Police Covenant and help tackle the problem.

The app is quick and simple to use and sits within Microsoft Office 365.

Operation Hampshire, led by PC Barry Jarvis, is a national project providing a comprehensive response to police assaults, incorporating the key themes of supervision, wellbeing, communication, investigation and criminal justice. It has been developed in response to a number of recommendations from the Officer and Staff Safety Review (OSSR), which was published in September 2020.

Read more: [\*\*New app on officer assaults will ‘trigger support’ for victims.\*\*](#)

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## **New research calls for support for practitioners on recognising honour-based abuse**

Jennifer Holton, Citizens in Policing Manager at Wiltshire Police, has written a research piece examining the recognition of abusive behaviour and protecting a person’s honour.

In 2014, Jennifer was approached by her inspector about completing a project covering honour-based abuse (HBA). In quickly recognising the complexity of HBA, and the limited intervention from statutory agencies on the matter, Jennifer became the force lead on HBA.

The term HBA is used to encapsulate coercive, manipulative or violent behaviour towards a victim on the premise of perceived honour. HBA is recognised as separate and yet intrinsically linked to forced marriage (FM) and female genital mutilation (FGM) as each act is linked by being in the name of so-called honour.

In conducting a literature review, Jennifer found that HBA occurs across a range of crimes such as harassment, rape and murder. It is also often not correctly recorded as HBA thereby limiting the ability for police to build an accurate picture of the issue. In a similar vein, in 2018-2019, while Crown Prosecution Service (CPS) statistics recorded 80 HBA-related cases, HBA charity Karma Nirvana received 13,124 calls regarding HBA, showing the discrepancy in the recorded cases of HBA.

Other findings from Jennifer’s review include recognising the difficulty faced by victims of HBA to speak out due to the collusion, support and facilitation of said abuse by extended families or communities. Other barriers found included fears held by practitioners in challenging perpetrators of HBA over concerns of being accused of racism; coming under scrutiny in the media; and challenges in recognising female perpetrators.

In addition to a thematic review of academic research, the study also ran online surveys to gauge a level of understanding of HBA, FM and FGM. The surveys were undertaken by 137 multi-agency partners throughout

the south west of England. Key findings from the surveys indicated that, although 72% of respondents had received training on HBA, FM and/or FGM, 54% stated that they did not feel adequately equipped to deal with it. The study concluded by setting out critical recommendations. These included the need for executive leaders to be vocal in their support for frontline practitioners and the need to consider further training for frontline practitioners on individual strands of vulnerability.

Read more: [\*\*Do frontline practitioners recognise the signs of honour-based abuse?\*\*](#)

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### **Young adults overrepresented in the criminal justice system**

Evidence shows that young adults (aged 18-25) vary in maturity and that the parts of the brain responsible for planning and impulse control are some of the last to develop. In addition, young adults constitute less than 10% of the UK population but comprise between 30% and 40% of all police cases. This overrepresentation indicates a need for a distinct, tailored approach when policing young adults.

Policing think tank the Police Foundation and the Revolving Doors Agency charity have launched a knowledge exchange network. This network enables inspectors and chief inspectors from England and Wales to share evidence and tackle complex issues. It will focus on upscaling innovative and evidence-based practices.

Read more: [\*\*Policing young adults - The Police Foundation.\*\*](#)

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### **Sleep disorders education and screening programme offered to UK policing**

Oscar Kilo, the national police wellbeing service, is inviting officers and staff from UK policing to get involved in the SAFER (sleep, alertness and fatigue in emergency responders) programme. The aim of the programme is to reduce fatigue and sleep problems suffered by police officers and staff.

Oscar Kilo is making this programme available in response to the findings of the National Wellbeing Survey, which highlighted fatigue as a big area of concern due to long work hours, shift patterns, untreated sleep disorders and stress. Fatigue can affect workplace performance, increase the risk of accidents and injuries and affect long-term health.

The organisation has teamed up with experts at the University of Surrey to launch a new sleep disorders education and screening programme. Professor Steven Lockley of the University of Surrey has developed and designed this programme. He has been studying sleep and circadian rhythms for over 25 years. In a previous study Steven conducted at Harvard Medical School, he and his colleagues implemented similar education and screening programmes for police officers and firefighters. They found that over a third of active duty personnel were at risk of at least one sleep disorder without knowing it.

The SAFER programme is open to anyone working in UK policing. You do not have to work shifts or be in a frontline role.

Read more: [\*\*Sleep, Alertness and Fatigue in Emergency Responders.\*\*](#)

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## **Maternity support provides personal touch for firearms officers**

PC Josephine Brindley-McEvoy has written a practice note on the creation of the All Armed Command Authorised Firearms Officer (AFO) maternity support programme, which was created in 2019 after a female focus group.

The programme aims to provide AFOs with support when returning to armed duties and allows for various elements of training to be undertaken when the individual feels ready. This differs to previous practice which, in complying with longstanding regulations, for example, would expect required fitness levels to be achieved after returning to work and for the individual to immediately take part in AFO reaccreditation.

The programme works on a step-by-step basis. First the individual must be signed off by Occupational Health and complete a risk assessment with their line manager. Then, once allocated to a national firearms instructor, the individual develops a training plan that will be followed up

until full return to armed operational status. Additional support is offered in integrating the individual back into the training environment. A post-natal specialist fitness instructor may even be allocated to the individual to assist with achieving role-specific fitness levels.

It is recognised that employing this personal touch not only demonstrates the ethos to treat every firearms officer as an individual, but it also encourages more women to pursue a career in firearms. Finally, the maternity support programme can further support the retention of officers returning after maternity leave.

Read more: [\*\*Maternity support programme successfully emerges after focus group.\*\*](#)

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## **UK and Malta boost policing cooperation**

The UK and Malta have agreed on a new partnership, sharing police expertise and training methods and targeting organised crime groups. Both nations signed a memorandum of understanding which:

- facilitates greater cooperation between the UK NPCC and Malta Police Force
- strengthens collaboration between the UK's police service and Malta Police Force as it implements its 2020 to 2025 transformation strategy
- reinforces links between the College of Policing (recognised globally for its leadership training and professional standards) and the Malta Police Force

The new agreement will boost police cooperation, enabling both nations to share expertise and training methods. This partnership will also help officers in both countries to develop new skills, build community policing strategies and modernise digital services.

Read more: [\*\*UK strengthens policing cooperation with Malta.\*\*](#)

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## **Tributes paid at the 30th anniversary memorial service for murdered DC Jim Morrison**

A memorial service has been held for Met officer Detective Constable Jim Morrison on the 30th anniversary of his death. It took place on 13 December in central London near the spot where he was murdered in 1991. The memorial was attended by friends, family and police colleagues to pay tribute to the officer who was only 26 years old when he was killed.

30 years on, following extensive inquiries and arrests, the murder is still unsolved and his murderer has never been brought to justice.

The service was conducted by the Senior Chaplain for the Met Police, Revd Prebendary Jonathan Osborne. It also included a reading by his friend and former colleague, retired Detective Inspector Dave Willis. The Met Commissioner Cressida Dick added a floral tribute, alongside other flowers from former colleagues.

Detective Chief Inspector Rebecca Reeves of Central Specialist Crime, who is leading the ongoing investigation, attended the service with colleagues from her team. She said: 'I think that the key to identifying Jim's killer will be through continued help and information from the community, particularly the North African community, living and working in London's West End in 1991.

'The answers Jim's family need could lie with someone who lived in London in 1991, but is now abroad. They may not know that we are still investigating, but we never give up. 30 years on, we are still investigating and will not give up the search for justice.'

Detectives are also offering a reward of £30,000 in the unsolved case. All unsolved homicides are never closed but are subject to continued review.

Read more: [\*\*Memorial service for murdered DC Jim Morrison.\*\*](#)

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## 9,639 knives seized in week of action

Between 15-21 November, Operation Spectre, which focuses on tackling knife crime, took place across police forces in England and Wales, as well as the British Transport Police. Over seven days, 9,639 knives were taken off the streets and 773 people were arrested for offences related to knife crime. Weapons seized included machetes, hunting knives and swords.

During Operation Spectre, the police also worked with HM Prison Service. 12 weapons were found across five prisons, including a knife made from a sharpened tuna tin.

In addition to physically combating knife possession, the week also included education and engagement events with the public. For example, 1,731 schools were engaged with and 727 community events took place to discuss the danger of knives. The week-long event also sought to engage with retailers who sell knives.

Deputy Assistant Commissioner Graham McNutt, the NPCC lead for knife crime, said: 'Our latest Op Sceptre saw our engagement with schools and communities increase to higher levels than ever before. Young people must understand that carrying a knife is not the answer, nor does it offer the protection they think it does. It only puts them at greater risk.'

The week successfully brought together multiple areas of policing including response officers, underwater search teams and neighbourhood policing teams to intensify the work across all forces in tackling knife crime.

Read more: [Over 9,639 knives removed from the streets as part of police week of action.](#)

Read more: [Over 9,639 knives removed from the streets as part of police week of action.](#)

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# Reports

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## **Police powers and procedures: stop and search and arrests**

The Home Office has undertaken a review of the annual 'Police powers and procedures' statistical bulletin. Due to the volume and variety of topics, the Home Office split the release into two parts.

The first release contains statistics on the use of stop and search powers and arrest by the police in England and Wales until 31 March 2021.

The second release contains statistics on the use of other police powers under the Police and Criminal Evidence Act 1984, fixed penalty notices and different outcomes for motoring offences, breath tests, pre-charge bail, released under investigation and detentions under the Mental Health Act.

Read more: **[Police powers and procedures: Stop and search and arrests, England and Wales, year ending 31 March 2021.](#)**

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# Criminal justice news

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## **Courts to continue to run in government's 'Plan B' for the pandemic**

The Lord Chief Justice announced courts and tribunals would continue to run as they had done over the course of the pandemic during the government's 'Plan B' to tackle rising coronavirus cases.

Lord Burnett and Sir Keith Lindblom, the senior president of tribunals, said: 'The measures being introduced under Plan B mean that hearings should continue to take place in person alongside effective use of video hearings and remote attendance where that is in the interests of justice.

'The coming weeks will bring their difficulties across all jurisdictions, both professionally and personally, but we have been there before and are equipped to cope.

'We are grateful for the efforts of judges, tribunal members, magistrates, the legal profession, HMCTS [HM Courts & Tribunals Service] and judicial office staff and all involved in the justice system over the last two years in support of the administration of justice and we are sure they will continue to do so.'

Read more: [Courts to 'continue as they have during pandemic'](#).

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## **New guidance provides safeguards to victims of modern slavery facing prosecution**

The NPCC recently published new practical and legal guidance, which aims to ensure victims of modern slavery are identified earlier in criminal investigations. This new guidance aims to ensure greater safeguards are in place to prevent the wrongful criminalisation of victims of modern slavery.

Notably, the changes seek to shift the focus in considering a suspect's claim of being a victim of trafficking before charging them. This shift places a firm expectation on prosecutors to be more alert to potential indicators of modern slavery.

On the basis of this new guidance, when an individual is suspected or claims to be a victim of modern slavery, as far as possible law enforcement must fully investigate the suspect's situation before the CPS make a charging decision. This new approach will have beneficial knock-on effects to the court system as currently investigations as to whether an individual is a victim of modern slavery are raised after they have been charged. This results in delays and an increase in case numbers and court appearances.

Lynette Woodrow, CPS lead for modern slavery, said: 'Working with the police in this way will continue to help save court time by reducing the number of adjournments while claims are raised and investigated, as well as help increase in modern slavery prosecutions.'

The guidance will also allow robust cases to be built by prosecutors and therefore lead to strong evidence-led prosecutions. Such an approach is also beneficial as it removes the burden placed on vulnerable victims when faced with providing evidence in court.

Read more: [\*\*Victims of modern slavery to be further protected from prosecution by earlier investigation.\*\*](#)

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## **New sentencing guideline published for firearms importations**

The Sentencing Council has published a new guideline for sentencing offenders convicted of firearms importation offences in England and Wales. This guidance will ensure a consistent approach to sentencing firearms importation offences, making the process more transparent and comprehensible for victims, witnesses, defendants and the public.

The guideline covers the importation of firearms and ammunition under two Customs and Excise Management Act 1979 offences and applies to adult offenders sentenced in magistrates' court or the Crown Court on or after 1 January 2022.

Read more: [\*\*Firearms - importation sentencing guidelines published.\*\*](#)

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## Major step towards a victims' law as consultation is launched

Landmark reforms for victims in the criminal justice system have been welcomed by a police and crime commissioner (PCC).

Victims of crime will be better heard, served and protected under wide-ranging reforms set out by the government on 9 December 2021 with a major step towards a victims' law.

Justice Secretary Dominic Raab set out plans for a first ever victims' law that would guarantee greater consultation with victims during the criminal justice process to ensure their voices are properly heard, working together with the police, CPS and courts service to appropriately account for the service they provide to victims.

Matthew Barber, PCC for Thames Valley, said: 'I welcome today's announcement of reforms to better protect and support victims of crime. All too often within the criminal justice system victims feel like their needs and rights are neglected. The range of proposals outlined, which create greater transparency and set out clear expectations and accountability for justice agencies, will I hope give victims a greater voice.

'Any proposals aimed at increasing the number of prosecutions for rape and sexual violence reaching court, I also strongly welcome. As chairman of Thames Valley's Criminal Justice Board, the proposed scorecards will help me to scrutinise the work of other agencies and hold all partners to account for delivering on behalf of victims.'

Read more: [Police and Crime Commissioner welcomes landmark reforms for victims.](#)

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## New prison strategy aims to revolutionise jail system

The recently published Prisons Strategy White Paper has set out a new prison building programme.

The paper principally highlights:

- the introduction of new technology to tackle smuggling and aid plans to keep offenders clean from addiction
- intense new literacy and numeracy standards enforced by a new

### Prisoner Education Service

- a new drive to get offenders back into work with greater assistance in finding employment
- ‘resettlement passports’ to function as in-depth plans for prisoner release to ensure prisoners have the basics to stay crime-free
- new fast-tracked punishments, which link to a prisoner’s offence and support rehabilitation, such as prisoners fixing cells if they themselves cause the damage

Modernising the jail system, as set out by the new white paper, will primarily seek to cut reoffending and protect the public by ensuring prisoners receive education, skills and addiction support to effectively promote crime-free lives on release.

This new strategy will be supported by a large investment, which will seek to establish six new prisons over the next five years, along with the employment of 5,000 new officers. The strategy aims to ensure everyone across the country can positively benefit from the security that comes from a safe neighbourhood.

Read more: [\*\*New prison strategy to rehabilitate offenders and cut crime.\*\*](#)

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## **Increase in upskirting prosecutions**

The CPS has encouraged victims and witnesses to continue reporting instances of upskirting to the police.

According to analysis by the CPS, upskirting convictions have increased since the law came into force. Between 1 April 2020 and 30 June 2021, 46 men and one teenage boy were prosecuted for 128 offences under the Voyeurism (Offences) Act 2019. Of these, 15 men who were prosecuted for upskirting were simultaneously charged with other sexual crimes – including child abuse, sexual assault, extreme pornography and wider voyeurism offences. In the previous year, between 1 April 2020 and 30 June, there were 16 prosecutions for 47 offences.

Siobhan Blake, who leads CPS work on sexual offence prosecutions, urged victims and witnesses to report upskirting to the police. She said: 'Not only will the CPS treat your complaint seriously; you may also be helping to protect the public from dangerous sexual predators.'

Read more: [\*\*UPSKIRTING: Public urged to report offenders as prosecutions double.\*\*](#)

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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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