



College of
Policing

Brief

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ISSUE 2 | FEBRUARY 2022

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



[Police response to the pandemic](#)



[UK expands disregards and pardons scheme](#)



[Cybercrime School attacks](#)



[Magistrates' to cut pandemic backlog](#)



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 February 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:

- Police, Crime, Sentencing and Courts Bill - the House of Lords asks government to think again
- MPS opens investigation into No 10 Downing Street parties during the lockdown restrictions
- UK to expand disregards and pardons scheme

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

Scope for the Code of Ethics review published

The College of Policing finalised the Review of the Code of Ethics following public consultation between July and September 2021.

Following the consultation, changes to the **Scope of the Review of the Code of Ethics** acknowledge the need to:

- use clear language
- reflect that the Code will apply to everyone in policing (including officers, staff and volunteers)
- make it clear that the work will not revise the standards of professional behaviour themselves, as police regulations determine these
- describe the proposed approach, including the role of the committees and the evidence-gathering process
- use a behaviour change model to inform the work

Read more: **Scope for the Code of Ethics review published**

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Legal updates

Final draft statutory guidance: Offensive Weapons Act 2019

The Home Office has published the final draft of statutory guidance for the Offensive Weapons Act 2019.

The guidance is principally for the police, retailers, delivery companies and Trading Standards authorities. It sets out how duties imposed by the Act should be complied with, factors to consider when decision making, and how to proceed with individual cases concerning the possession, sale and delivery of knives, corrosives and offensive weapons, and the use of which to threaten others.

This guidance also provides advice in respect of sections 1 to 4 of the Act in Scotland in relation to the sale and delivery of corrosive products, and does not apply in Northern Ireland.

The guidance relates to the following parts of the Act.

- Part 1: Corrosive products and substances:
 - banning the sale and delivery of corrosive products to under-18s and delivery to residential premises
 - making it an offence to possess a corrosive substance in a public place
- Part 3: Sale and delivery of knives:
 - strengthening the law on the sale and delivery of knives to under-18s and delivery to residential premises
- Part 4: Possession of certain offensive weapons:
 - banning the possession of offensive weapons on further education premises
- Part 5: Threatening with offensive weapons:
 - strengthening the law on threatening with offensive weapons
- Part 7: Enforcement:
 - enforcement powers for Trading Standards relating to the sales of knives, corrosive products and offensive weapons

Read more: [**Final draft statutory guidance: Offensive Weapons Act 2019**](#)

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The Domestic Abuse Act 2021 (Commencement No. 3) Regulations 2022

Effective from 31 January 2022, these regulations bring section 3 of the Domestic Abuse Act 2021 into force.

Section 3 recognises the impact on children who witness or experience the effects of domestic abuse, treating them as victims of domestic abuse in their own right (where they are related to either the abuser or the abused).

Read more: **[The Domestic Abuse Act 2021 \(Commencement No. 3\) Regulations 2022](#)**

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Bills

Nationality and Borders Bill

Make provisions about nationality, asylum, immigration, victims of slavery or human trafficking and other connected purposes.

The Bill reached the second reading, following a general debate on 5 January 2022. The committee stage commenced on 27 January 2022.

Read more: [**Nationality and Borders Bill Committee stage**](#)

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House of Lords concludes examination Police, Crime, Sentencing and Courts Bill

The Bill concluded its third reading in the House of Lords on 25 January 2022. Following completion of third reading, the Bill now passes to the Commons for consideration of Lords proposals for change to be considered.

If the Commons makes amendments to the Bill, the Lords must consider them and either agree or disagree to the amendments or make alternative proposals.

A Bill may go back and forth between each House until both Houses reach agreement.

Once the Commons and Lords agree on the final version of the Bill, it can receive Royal Assent.

In exceptional cases, when the two Houses do not reach agreement, the Bill falls. If certain conditions are met, the Commons can use the Parliament Acts to pass the Bill, without the consent of the Lords, in the following session.

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

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Policing

News

Officers awarded Gallantry Medals

Sergeant Mike Hooper and PC Steve Quartermain were awarded the Queen's Gallantry Medal at Windsor Castle on 25 January 2022.

The officers risked their lives trying to rescue Leicester City owner Vichai Srivaddhanaprabha and four others killed in a helicopter crash outside the King Power Stadium on 27 October 2018.

During the ceremony, the officers discussed the support they received from Leicestershire Police, including psychotherapy and other counselling.

PC Quartermain encourages officers to come forward if they have any mental health issues associated with trauma, emphasising the need to help people in this line of work come to terms with trauma.

The officers' efforts were previously recognised in 2019, when they were among four people nominated for National Police Bravery Awards.

Read more: [**Gallantry medals for two Leicestershire officers**](#)

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MPS opens investigation into No 10 Downing Street parties during the lockdown restrictions

Speaking during the Police and Crime Committee of the London Assembly on 25 January 2022, the commissioner of the Metropolitan Police Service (MPS), Dame Cressida Dick, confirmed that MPS is now investigating parties held at Downing Street and Whitehall in breach of lockdown restrictions.

The investigation has been launched as a result of information provided by the Cabinet Office and her own officers stationed at Downing Street.

She said: 'I can confirm the Met is now investigating a number of events that took place at Downing Street and Whitehall in the last two years. I absolutely understand there is deep public concern about the allegations that have been made in the media over the last several weeks.'

Read more: [**MPS opens investigation into Downing Street parties**](#)

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The impact of inflation on officer's pay

According to a Trades Union Congress report, police officers are thousands of pounds worse off than ten years ago due to inflation. The analysis found that police officers pay failed to keep pace with prices over the past decade. Police constables and sergeants have had the most significant reduction, with inflation-adjusted pay of £5,595 a year lower than ten years ago.

Read more: [**Police officers thousands of pounds worse off than ten years ago**](#)

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ADDER projects disrupted more than 600 organised crime groups

Last year, Project ADDER (Addiction, Diversion, Disruption, Enforcement and Recovery) commenced, which was introduced to cut drug-related crime and harm in England and Wales.

According to the Home Office, outreach workers supported over 13,000 people in drug treatment interventions. Furthermore, over 600 organised crime groups have been disrupted.

Between January and December 2021, across all sites, Project ADDER has contributed to:

- over 600 organised crime group disruptions
- over £3.5m in cash seized
- almost 10,500 arrests (including drug trafficking, acquisitive crime, criminal damage and arson)
- over 4,300 out-of-court disposals started by police
- over 13,400 drug treatment interventions carried out by outreach workers

So far, the government has committed £59m in investment until 2023, pledging to extend the programme's funding to 2025 as part of the drugs strategy.

Read more: [**More than 600 organised crime groups disrupted by ADDER projects**](#)

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Transport Committee's inquiry into smart motorways has paused the rollout of all-lane running motorway schemes

Following the Transport Committee's inquiry into smart motorways, the government will immediately pause the rollout of all-lane running motorway schemes until five years of safety data is available. After this point, the government will assess the data and make an informed decision on next steps.

The government has committed to improving safety measures on existing stretches of smart motorway. The safety improvements set out in the government's 2020 action plan are to be independently evaluated by the Office for Rail and Road (ORR). Ministers have committed to an annual report to consider progress and will consider the Transport Committee's recommendation that the ORR reports on wider work by National Highways to improve safety on the Strategic Road Network.

The ORR will be assigned with independently evaluating stopped vehicle detection technology, along with other safety measures. This will include a commitment to reduce incidences of live-lane breakdowns and reducing the risk for those who break down. Today's response sets out a commitment to make these roads less confusing for drivers and give clear direction on what drivers should do if they break down in a live lane.

Where work is already under way on smart motorways, additional emergency refuge areas and stopped vehicle detection will be installed where possible. The Department for Transport invests £900 million to improve safety on existing all-lane running motorways to ensure that drivers feel safe and confident, including extra £390 million to install additional emergency areas.

Read more: [**Smart motorway rollout to be paused as government responds to Transport Committee report**](#)

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New appeal launched for the UK's most wanted fugitives

Twelve fugitives believed to be hiding in Spain have been revealed in the new most wanted campaign launched by the National Crime Agency (NCA) to trace and bring to justice the UK's most wanted.

The offenders are wanted for crimes including murder, large-scale drugs trafficking, and supplying firearms and ammunition.

Steve Rodhouse, the NCA's Director General of Operations, said:

'We have a brilliant relationship with the country's various law enforcement agencies and work together daily to protect the public.

'With 86 offenders arrested in our last fugitives' campaign, criminals know we will never give up and we're never far behind them.

'Our Spanish partners were crucial to many of those arrests, and in 2021 arrested and returned more than 25 wanted UK fugitives.

'The NCA's International Crime Bureau and International Liaison Officers work on behalf of UK policing to exchange information and intelligence with partners abroad leading to the tracing and arrests of criminals globally.'

Read more: [Twelve fugitives revealed in new Most Wanted campaign](#)

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NCA act on the COVID-19 rise in school cybercrime attacks

Data from the National Crime Agency's National Cyber Crime Unit (NCCU) shows a 107% increase in referrals to its Prevent team, in relation to deploying DDoS (distributed denial of service) attacks from 2019 to 2020. Many referrals into the Prevent team are for children of secondary school age, with the median age at 15 and the youngest at nine.

In response, the NCA and Schools Broadband introduced a new initiative to divert young people away from criminality.

There has been an increase in cyberattacks designed to access schools' networks or websites during the COVID-19 pandemic. This initiative aims to educate students who search for terms associated with cybercrime on school computers. Instead of reaching an access denied 'block' page, students will see a warning message and suggested redirection to the [Cyber Choices website](#).

Often referrals involve the use of stresser or booster services. These services cause DDoS attacks, deny access to an organisation's network or website, and cause significant disruption to schools and colleges.

So far, the initiative has shown a significant reduction in stresser and booster searches over a period of four weeks.

Read more: [**Rise in school cybercrime attacks sparks NCA education drive**](#)

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Officers, staff and volunteers recognised in Queen's New Year's Honours

Individuals from all ranks from forces across the country, and performing a wide range of roles within the policing, have been awarded honours for their services to policing.

The 2022 list includes a total of 50 police personnel honoured for their extraordinary contributions to policing.

Martin Hewitt, Chair of the National Police Chiefs' Council, said:

'I congratulate all of those recognised for their service to policing in the Queen's New Year's Honours List. It is great to see so many officers, staff and volunteers from across the country being awarded for their contributions to local communities and public safety.

'The awards highlight the commitment and hard work of policing to protect and keep our communities safe all year round and everyone should be rightly proud to be recognised in this way.'

Read more: [**Officers and staff recognised in Queen's New Year's Honours List**](#)

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Reports

Framework for transparent and accountable asset return

To increase transparency and provide insight into government decision making on returning proceeds of crime, the UK published its policy of principles on international asset returns. It applies across England, Wales and Northern Ireland.

The government recognises the need for global transparency and accountability, in line with the UN Convention Against Corruption provisions.

The document forms part of the UK's 2021 commitments under the G7, the UK's National Action Plan and the upcoming 2022 US Summit for Democracy.

Read more: [**UK sets global transparency standard for asset returns**](#) and [**Framework for transparent and accountable asset return**](#)

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How well have the police responded to the pandemic?

A report has been co-authored and jointly published by the Police Foundation and Crest Advisory, setting out how UK policing responded to these challenges during the first 12 months of the pandemic, from March 2020 to April 2021.

The report finds that the police have been presented with unprecedented challenges since the beginning of the COVID-19 pandemic, which highlighted both the strengths and weaknesses of the current policing model. On the positive side, despite coming under considerable pressure, the police responded well to the operational challenge, keeping core services running at a time when other public services often struggled. Less positively, the pandemic has reinforced the limits of the existing 43 force structures and the demands that will require different policing skills and capabilities.

The Police Foundation and Crest Advisory's latest report covers:

- public consent and legitimacy in a pandemic
- police demand during the pandemic
- the effectiveness of the police's response
- policing COVID-19 across Europe: comparisons with England and Wales
- the pandemic and the future of policing

The report identifies five key lessons that can be taken from how the COVID-19 pandemic has been policed and makes a series of recommendations based upon them:

- crime prevention
- managing demand and workforce reform
- clarity around the rules
- communication and engagement
- the importance of a strong strategic centre

Read more: [**Policing the pandemic**](#)

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Criminal justice news

Magistrates' courts given more power to cut backlog the pandemic has caused

In response to huge delays in justice system caused by the pandemic, the Secretary of State for Justice, Dominic Raab, has announced that magistrates in England and Wales will be given more sentencing powers to tackle the backlog of cases waiting to be dealt with by criminal courts. This will reduce both the number of outstanding cases and the pressure faced by crown courts. It is estimated that this could free up almost 2,000 extra days of crown court time a year.

Currently, magistrates' sentencing powers are limited to six months. They are to have their sentencing powers increased so they will be able to hand out jail terms of up to 12 months, double the current powers. At present, any crimes warranting a jail term of more than six months must be sent to crown court, where judges determine the appropriate sentence.

These plans build on the significant action taken since the start of the pandemic to drive court recovery. This includes:

- investing £250m to support recovery in the courts in the last financial year – plus over £50m for victims and support services
- ensuring that there is no limit on the number of sitting days the crown court can sit this year
- setting up Nightingale courtrooms across the country to increase capacity and ensure more trials can be heard
- creating two 'super courtrooms' that can accommodate up to 12 defendants, increasing capacity for large trials
- opening 3,265 cloud video platform virtual courtrooms across all jurisdictions – these currently hold around 13,600 hearings per week using audio and/or video hearings

The impact of these measures is already being seen. The number of outstanding cases has dropped by around 70,000 in the magistrates' court since its peak in July 2020, while the caseload in crown court is starting to come down.

Read more: [**Magistrates' Courts given more power to tackle backlog**](#)

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The Ministry of Justice launch magistrate recruitment campaign

The Ministry of Justice launched a new campaign to hire 4,000 new magistrates, constituting the most extensive recruitment effort in 650 years.

Magistrates can deal with a range of cases themselves, such as traffic offences and burglary.

The work is voluntary, with individuals expected to dedicate a minimum of 13 days a year to service, meaning that many magistrates often fulfil this crucial role alongside full-time employment and caring responsibilities.

This announcement came after the government unveiled plans to double magistrates' sentencing powers from six months to a year, to help drive down waiting times and bring criminals to justice more quickly.

Read more: [**Magistrate recruitment campaign launched**](#)

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UK to expand disregards and pardons scheme

The Home Office will extend the government's disregards and pardons scheme to apply to anyone who was historically convicted or cautioned for consensual same-sex sexual activity (under abolished discriminatory laws). People will soon be able to have these convictions disregarded. In addition, these historic convictions will be wiped from their criminal records and will no longer need to be disclosed.

As a result, more people will be eligible for pardon for historical convictions relating to consensual same-sex activity.

In amendments to the Police, Crime, Sentencing and Courts Bill, the government will broaden the scheme's eligibility to encompass 'any repealed or abolished civilian or military offence that was imposed on someone purely for, or due to, consensual same-sex sexual activity'.

Read more: [**Historical convictions for same-sex sexual activity to be wiped**](#)

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Prosecutors seek the public's views on mercy killings and so-called 'suicide pact' cases

The Crown Prosecution Service (CPS) has launched a public consultation, which set out a number of public interest factors that prosecutors will need to consider when deciding whether or not to charge a suspect with murder or manslaughter, where the suspect believes they were acting wholly out of compassion for the deceased.

A 12-week consultation began on Friday, 14 January 2022 and will end on Friday, 8 April 2022.

The proposed update to the legal guidance does not decriminalise any offences, and a suspect is not immune from prosecution if they claim it was a 'mercy killing' or failed suicide pact.

Director of Public Prosecutions, Max Hill QC, said:

'Suicide pacts and so-called mercy killings are tragedies for the family and friends of those involved.

'It is a sensitive and emotive topic which can be very divisive and provoke strong views, but our prosecutors may need to decide whether the legal test for criminal charges has been met. The individual circumstances of every case must be carefully weighed up when considering whether it is in the public interest to charge.

'But let me be clear that these are extremely serious cases. We will always prosecute cases of murder and manslaughter where there is sufficient evidence and it is in the public interest.'

The draft guidance sets out 11 factors that tend to favour a prosecution.

Read more: [**Prosecutors seek the public's views on mercy killings and failed suicide pacts**](#)

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Investment is needed to ensure timely justice for victims, witnesses and defendants

The Justice Committee questioned the chair of the Independent Review on Criminal Legal Aid, Sir Christopher Bellamy QC. The review concluded that a £135 million increase in legal aid funding would help meet likely increased demand from the government's drive to recruit more police officers and tackle the backlog in the courts. The committee examined Sir Bellamy's analysis of the challenges facing criminal legal aid providers, the sustainability of the market and the current state of the criminal justice system.

The Law Society has echoed calls to increase criminal legal aid rates by 15%. The President of the Law Society, I. Stephanie Boyce, cited the growing number of professionals leaving criminal law, which could undermine the system's ability to tackle the backlog in the criminal courts.

Last July, the Justice Committee warned that large numbers of criminal defence lawyers leaving their jobs put the justice system's fairness at risk, as it would leave many people who can't afford a lawyer without defence.

Read more: [**No more delay: investment needed now to halt the decline of the criminal justice system**](#) and [**Justice Committee examines calls to increase criminal legal aid funding**](#) and [**Statistical data sets HMCTS management**](#)

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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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