



College of
Policing

Digest

May 2013

A digest of police law, operational policing practice and criminal justice

The Digest is a primarily legal environmental scanning publication intended to capture and consolidate topical and key issues, both current and future, impacting on all areas of policing. During the production of the Digest, information is included from Governmental bodies, criminal justice organisations and research bodies. As such, the Digest should prove an invaluable guide to those responsible for strategic decision making, operational planning and police training.

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Legal Services
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College of Policing Digest May 2013

This month's edition of the Digest contains a summary of issues relating to police law, operational policing practice and criminal justice.

There are reports of cases on aggravated trespass and making off without payment.

We look in detail at recently published Government and Parliamentary reports and initiatives such as the CONTEST Annual Report relating to Countering Terrorism. Other reports covered include a Joint Review of Disability Hate Crime and the Centre for Social Justice's policy report called 'It Happens Here - Equipping the United Kingdom to fight modern slavery'.

Statistical bulletins are summarised on Police Powers and Procedures for England and Wales and a quarterly update on the operation of police powers under the Terrorism Act 2000 and subsequent legislation is also discussed. Consultations covered in this edition include a HMIC Inspection programme consultation and a Home Office consultation on revised PACE Codes of Practice.

The progress of proposed new legislation through Parliament is examined and Statutory Instruments and Circulars summarised.

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Bills Before Parliament 2012/13 - Progress Report

On 9 May 2012, the Queen's Speech unveiled the legislative programme for the 2012-2013 Parliamentary session.

- ◆ **Arbitration and Mediation Services (Equality) Bill** - A Bill to make further provision about arbitration and mediation services and the application of equality legislation to such services; to make provision about the protection of victims of domestic abuse; and for connected purposes.

The Bill includes provision for a new offence of falsely claiming legal jurisdiction. This offence, if enacted, would become section 118A of the Courts and Legal Services Act 1990 and would be committed where a person purports to determine in arbitration proceedings a matter excluded by section 80A of the Arbitration Act 1996, or falsely purports to exercise any of the powers or duties of a court to make legally binding rulings.

Second reading of the Bill took place in the House of Lords on 19 October 2012. Committee stage is yet to be scheduled.

- ◆ **Coroners and Justice (Amendment) Bill** - A Bill to amend section 62 of the Coroners and Justice Act 2009 (possession of prohibited images of children) to apply additionally to the possession of prohibited written material about children; to make consequential amendments to the Act; and for connected purposes.

The second reading of the Coroners and Justice (Amendment) Bill took place in the House of Commons on 19 October 2012. The date of committee stage is yet to be announced.

- ◆ **Crime and Courts Bill** - The Bill:
 - Provides for the establishment of the National Crime Agency (NCA) to prevent and investigate serious, organised and complex crime, enhance border security, and tackle the sexual abuse and exploitation of children, and cyber crime;
 - Makes provision for the appointment of a Director General as the operationally independent head of the NCA; makes provision for the governance of the NCA; and provides a framework for the NCA and other law enforcement agencies to collaborate in order to assist each other in the discharge of their functions;
 - Sets out the powers of the Director General and other NCA officers, including by making provision to enable the Director General to give designated NCA officers some or all of the powers of a constable, a customs officer or an immigration officer; and provides for a duty on the Director

General to publish certain information and for the disclosure of information by and to the NCA and for the use of information by the Agency;

- Provides for the NCA to be inspected by Her Majesty's Inspectors of Constabulary, and for regulations to make provision for oversight by the Independent Police Complaints Commission. The Bill places restrictions on certain NCA officers taking industrial action and makes provision for the determination of such NCA officers' pay and allowances;
- Provides for the abolition of the Serious Organised Crime Agency (SOCA) and the National Policing Improvement Agency (NPIA). The Bill includes provision for the Secretary of State to make, and lay before Parliament, staff and/or property transfer schemes. A staff transfer scheme may provide for a designated member of staff of SOCA or the NPIA, a designated constable or member of civilian staff in an England and Wales police force and a designated member of personnel or staff in any other body to become NCA officers, and employed in the civil service of the state. A property transfer scheme may provide for the transfer to the NCA of designated property, rights or liabilities from SOCA, NPIA, the chief officer of, or the policing body for an England & Wales police force or any other person;
- Contains provisions to modernise the courts and tribunals including establishment of a Single County Court system and Single Family Court to allow greater flexibility for the handling of cases to increase efficiency of the civil and family court systems in England and Wales;
- Increases the efficiency of fines collection by providing incentives for early payment and compliance, so that, in the event of a default, the offender will be charged the cost incurred for collecting their fine not the taxpayer;
- Makes provisions to reform the judicial appointments process to introduce greater transparency in the judicial appointments process and improve judicial diversity; and provides for the filming and broadcasting of judicial proceedings in specified circumstances;
- Makes provisions about border control and the powers of immigration officers;
- Creates a new offence of driving or being in charge of a motor vehicle with a specified controlled drug in the blood or urine in excess of the specified limit for that drug. Makes further provision for the taking of preliminary tests to determine the level of drugs in a person's blood or urine so

as to allow up to three preliminary tests of saliva or sweat to be taken when testing for drugs.

On 11 March 2013 changes to the Bill were announced to allow for defendant's legal aid costs to be recovered from any 'frozen' assets that they may have. The Bill's report stage and third reading in the House of Commons took place on 18 March 2013 and returned to the House of Lords for consideration of amendments. Outstanding issues on the Bill were resolved on 23 April 2013. A date for Royal Assent has yet to be set.

- ◆ **Justice and Security Bill** - A bill to provide for oversight of the Security Service, the Secret Intelligence Service, the Government Communications Headquarters and other activities relating to intelligence or security matters; to provide for closed material procedure in relation to certain civil proceedings; to prevent the making of certain court orders for the disclosure of sensitive information; and for connected purposes.

Consideration of Commons amendments took place on 26 March 2013. Both houses agreed on the text of the Bill and the Bill is awaiting Royal Assent, which is yet to be scheduled.

The progress of Bills in the 2012/13 parliamentary session can be found at <http://services.parliament.uk/bills/>

Bauer v Director of Public Prosecutions [2013] EWHC 634 (Admin)

A hearing in the Queen's Bench Division at the Administrative Court in London before the Honourable Mr Lord Justice Moses and the Honourable Mr Justice Kenneth Parker.

Summary

Ten appellants were charged and convicted of aggravated trespass after taking part in a demonstration and entering the shop Fortnum and Mason. The District Judge agreed to state a case, namely whether he was right to conclude that the appellants had committed the second act required under Section 68(1) of the Criminal Justice and Public Order Act 1994.

Facts

In 2011 the ten appellants took part in a demonstration in London. The demonstration marched towards the shop called Fortnum and Mason. The protesters were welcomed into the shop, although their banners were taken from them and returned to them when they left the premises. At one point a substantial number of protesters rushed through the doors of the shop and forced themselves past security staff. Inside the store, protesters were shouting, some were masked and carrying placards. Drums were being beaten, and horns and bagpipes were played. Outside the shop the canopy of the store was damaged and the walls were sprayed with graffiti. Some customers continued as if the protest was not taking place, but others were recorded as being terrified and frightened. Some staff and customers were unable to leave the store. The appellants were charged with aggravated trespass contrary to Section 68(1) of the Criminal Justice and Public Order Act 1994.

Only the behaviour of six of the appellants was documented, and it was argued by at least four of the other appellants that they had done no more than trespass.

The District Judge held that the demonstration was an additional act over and above the act of trespassing, for the purposes of Section 68(1) of the Act to make up the offence of aggravated trespass. The judge further held that all ten appellants were guilty as principals, even though there was no evidence to identify four of them as committing particular acts. The judge considered whether those four appellants were principals or accessories and noted that it was not an offence to merely be present when a crime is committed. He did find that as each appellant was present at the scene and it was the intention of each appellant by his or her presence to encourage others to commit the offence, they were all guilty of aggravated trespass. The appellants stated that there was no additional act and therefore it was no more than the act of

trespass. On that basis, the judge agreed to state a case, namely whether he was right to conclude that the appellants had committed the second act required under Section 68(1). The issues for determination were:

- ◆ Whether the judge had been correct to find that the act of demonstration had been sufficient to find an additional act from trespass for the purposes of Section 68(1) of the Act to amount to aggravated trespass;
- ◆ Whether the judge had been correct to convict all of the appellants as principals rather than accessories in circumstances where there had been no evidence to identify four of them as committing particular acts.

The judgement

In relation to the offence of aggravated trespass pursuant to Section 68(1), not only does the trespass need to be proven but so does a further act, accompanied by one or more of the intentions identified within the legislation. The Administrative Court stated that whether 'mere occupation of land' could amount to a further act distinct from that of trespass depended upon the circumstances in which that occupation had taken place. There was nothing 'mere' about occupation which intended to have the effect of intimidating persons so as to deter them from engaging in lawful activity on the occupied land. There was no requirement to prove that damage had been caused or that there was any intention to cause damage. If it was caused then it would be far easier to prove an intention to intimidate, but mass invasion and continuing occupation might itself constitute 'doing' something on the land over and above trespassing on it.

The Administrative Court stated that in this case there was clear allegation of an act above and beyond trespass, namely demonstration, and the judge had been entitled to conclude that this was the case.

With reference to whether the judge had correctly convicted all of the appellants as principals rather than accessories, the Administrative Court stated that it would only have been necessary to consider whether any of the appellants had been an accessory if he had not been guilty as a principal offender but had encouraged the principal offenders to commit the crime. As the principal offence was the demonstration in force within the confines of the store, it made no sense to distinguish those taking part in the demonstration from those identified as doing some particular activity.

The Administrative Court said that there was no basis for saying that any of those participating in the demonstration were not guilty of aggravated trespass and thus had not been guilty as a joint

principal, and there was nothing 'mere' about the presence of those demonstrating. The district judge had erred by distinguishing between the named appellants and the other four as perpetrators and accessories. Once the district judge had been satisfied that the appellants presence amounted to an act distinct from trespass, it was wrong to go on to consider whether the appellants had taken part by encouraging others with their presence.

The Administrative Court concluded that each of the appellants were correctly convicted of aggravated trespass as they were all present at the demonstration and went into the store, had the intention to intimidate and all had committed the conduct element of that offence. Although the District Judge should not have considered whether the appellants' actions encouraged others, the appellants were guilty of the offence that they had been charged with. The appeal was dismissed.

The full case report can be found at
<http://www.bailii.org/ew/cases/EWHC/Admin/2013/634.html>

Daryl Howard Morris v The Queen [2013] EWCA Crim 436

A hearing in the Court of Appeal (Criminal Division) on Appeal from the Crown Court at Swansea before the Honourable Lord Justice Leveson, the Honourable Mr Justice Mitting and the Honourable Mr Justice Males.

Summary

On 22 May 2012 the defendant was convicted of dangerous driving at Swansea Crown Court. He was sentenced to a community order of 180 hours unpaid work and disqualified from driving for 12 months and ordered thereafter to undertake an extended driving test. The defendant challenged this ruling, and the defence also challenged the way in which the judge used an admission made by the defendant to modify the good character direction he had given.

Facts

The defendant was a taxi driver and at approximately 3.30am on 12 March 2011 he accepted a fare from four young men who emerged from a casino in Swansea. The men had been drinking and were quite noisy, and arranged to be taken to an area in Swansea where they intended on having more than one drop off point. One of the men said that he told the defendant that there would be two destinations. When the defendant reached the first destination, three of the men alighted from the taxi and started walking at a fast speed. The fourth man, Jamie Thompkins, remained in the taxi and intended on paying the fare. The defendant did not realise that Jamie Thompkins was still in the taxi, and thought it was an evasion of the fare, so drove his taxi onto the pavement and caused one of the men, namely Martin Walters, to fall to the ground and suffer a broken ankle. There was an issue as to way the injury had been sustained. The police were called, but were unable to interview the four men properly as they were intoxicated. There was no independent evidence of Martin Walter's position after the collision and the taxi had been moved.

The prosecution argued that the defendant had deliberately drove his taxi onto the pavement and drove into Mr Walters causing him to fall under the taxi. This was dangerous driving and the defendant had acted unreasonably in all the circumstances and had used unreasonable force in any event.

The defence case was that although the defendant did not check that all the passengers had alighted from the seven seat taxi and therefore did not realise one man was still in the taxi, he believed that they shared an intention of making off without payment of the fare. The defendant argued that he had driven onto the pavement to prevent them from making off without payment and/or to assist

in their lawful arrest, in the absence of a police officer. He contended that he was driving at slow speed on the pavement to prevent the men escaping, and Mr Walters had fallen over the bonnet of the car to the ground, and that is what caused his injuries. The defendant asserted that his actions were reasonable.

The defendant also relied on his previous good character, and evidenced his positive character traits and professional driving skills. He admitted, however, that on one previous occasion in Llanelli, he had driven onto the pavement.

The jury initially considered the general defence contained within Section 3(1) of the Criminal Law Act 1967 which provides:

'A person may use such force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large.'

The defence argued that the jury should first consider whether the defendant was seeking to prevent the crime, before considering whether he was assisting in the lawful arrest of offenders. The judge disagreed, stating that the crime had already been committed when Mr Walters and his friends had alighted from the taxi, and therefore the defendant could not have been preventing a crime that had already occurred, when he drove onto the pavement.

Carefully prepared directions were provided to the jury, and the appeal by the defence was based on the argument that it should have been left to the jury to decide whether the defendant genuinely believed that his passengers were in the act of making off without payment, and if so the jury should have been directed to consider the degree of force used, again by reference to the defendant's genuine belief. The defence also challenged the judge for using the defendant's admission that he had previously driven on a pavement in order to modify the good character direction he had given.

The judgement

The Court of Appeal referred to case law namely *Attwood* [2011] RTR 173 and *Aziz* (1993) Crim LR 708 and stated that with reference to the offence of making off without payment, if a passenger were to explain (honestly) to the taxi driver that they had to enter their house in order to obtain the fare, the moment for payment would be deferred for him to do so. A decision not to return to the taxi and pay would mean from that moment on the passenger is making off without payment. The Court of Appeal stated that the taxi driver would never be able to know precisely when the passenger decided not to pay and therefore must be able to follow the passenger to challenge him in an attempt to prevent the commission of the offence.

In relation to the use of force in the prevention of a crime such as to prevent an unlawful attack on another (see the case of Jones [2007] AC 137), the defence is afforded by Section 3 of the Criminal Justice Act 1967. The Court of Appeal stated that if honest belief affords a defence under Section 3 in those circumstances, it must equally do so for a person who claims to have used reasonable force to prevent the commission of a crime other than a crime of violence against another. If the defendant honestly believed that the men were making off without payment, he was entitled to use reasonable force to prevent the commission of the offence, and therefore the question for the jury would be whether driving onto the pavement was the reasonable exercise of the use of force.

The Crown Court judge directed the jury to consider firstly whether the defendant had reasonable grounds to believe it was necessary to arrest Mr Walters to prevent him from making off without payment. If the jury concluded that there were not reasonable grounds, the jury never got to the question of the use of reasonable force and this is where the difficulties arose. The judge had eliminated the possibility that the jury could conclude that the defendant was acting to prevent crime, because he had concluded that once the passengers had moved away from the vehicle they had already committed the crime of making off without payment. The judge thereby failed to ensure that the jury focussed on what the defendant honestly believed was happening at the time, before using those conclusions to go on to decide whether he may have had reasonable grounds for suspecting an offence was being committed and crucially whether the force used may have been reasonable.

The Court of Appeal concluded that the judge had incorrectly directed the jury and the conviction was unsafe. In relation to the defence's submission regarding the defendant's good character, this was rejected. The defendant was entitled to have his driving licence returned to him with no re-test required. An application for a re-trial had been made on the basis that taxi drivers have a particular responsibility in relation to their driving and the safety of the public, but the Court of Appeal stated that rather than order a re-trial the better course of action was to refer the facts of the case to the relevant licensing authority.

The full case report can be found at <http://www.bailii.org/ew/cases/EWCA/Crim/2013/436.html>

**SI 2013/668 The Children, Schools and Families Act 2010
(Commencement No. 3) Order 2013**

This Order is the third Commencement Order and brings into force section 8 of the Act on **15 April 2013**.

Section 8 of the Act inserts section 14B into the Children Act 2004. Section 14B gives Local Safeguarding Children Boards in England the power to request any person or body to supply such information as is specified in the request either to the Local Safeguarding Children Board or to another person or body.

**SI 2013/705 Coroners and Justice Act 2009
(Commencement No. 12) Order 2013**

Sections 117(4), (5), (6), (7) and (8) in force on **22 April 2013**. This Order brings into force section 117(4), (5), (6), (7) and (8) of the Coroners and Justice Act 2009. These provisions amend section 51 of the Police Reform Act 2002 so that local policing bodies must ensure that particular arrangements in relation to the visiting of terrorist detainees by independent custody visitors are in place.

**SI 2013/748 Legal Aid, Sentencing and Punishment of
Offenders Act 2012 (Amendment of
Schedule 1) Order 2013**

In force **1 April 2013**. This Order amends Schedule 1 to the Legal Aid, Sentencing and Punishment of Offenders Act 2012 ("the Act"), which sets out the scope of civil legal aid. Articles 3, 5, 6 and 7 deal with civil legal services.

Article 4 amends the definition of domestic violence in paragraphs 12, 28 and 29 of Part 1 of Schedule 1 to the Act, to cover incidents, or patterns of incidents, of controlling and coercive behaviour.

**SI 2013/801 Criminal Justice Act 2003 (Conditional
Cautions: Code of Practice) Order 2013**

In force **7 April 2013**. This Order brings into force a revised code of practice in relation to conditional cautions. The code is revised under section 25(6) of the Criminal Justice Act 2003 ("the 2003 Act"), and sets out certain matters as to when conditional cautions may be given and the conditions that may be attached. The previous code was brought into force by SI 2010/133.

Section 133 of the 2012 Act amended Part 3 of the 2003 Act to permit authorised persons (a constable, an investigating officer or a person authorised by a relevant prosecutor) to give a conditional caution to a person aged 18 or over and set and vary conditions without reference to a relevant prosecutor.

Section 134 of the 2012 Act amended Part 3 of the 2003 Act to provide for conditional cautions to be given to a relevant foreign offender provided at least one of the following objects is met:

bringing about the departure of the relevant foreign offender from the United Kingdom; and ensuring that the relevant foreign offender does not return to the United Kingdom for a period of time.

**SI 2013/862 The Protection of Freedoms Act 2012
(Consequential Amendments) Order 2013**

In force **13 May 2013**. This Order makes amendments to specified Orders and Regulations consequential upon the amendment of offences relating to the trafficking of people for sexual exploitation set out in the Sexual Offences Act 2003. Section 109 of the Protection of Freedoms Act 2012 amends the offences set out in the 2003 Act, repealing the offences at sections 57, 58 and 59 and inserting a new offence at section 59A (the “new offence”).

Paragraph 1 of the Schedule amends paragraph 3 of Schedule 1 to the Criminal Justice Act 1988 (Reviews of Sentencing Order) 2006 to specify the new offence for the purposes of Part IV of the Criminal Justice Act 1988.

Paragraph 3 of the Schedule amends the table in Part 7 of Schedule 1 to the Criminal Legal Aid (Remuneration) Regulations 2013 to insert an entry relating to the new offence. Schedule 1 sets out the graduated fees and fixed fees payable to advocates for proceedings in the Crown Court.

**SI 2013/903 Legal Aid, Sentencing and Punishment of
Offenders Act 2012 (Consequential
Amendments) Regulations 2013**

In force **20 May 2013**. These Regulations are made under section 149(1) and (2) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (“the Act”).

Regulations 2 and 3 make amendments which are consequential on Section 132 of, and Schedule 23 to, the Act (penalty notices for disorderly behaviour). The Act makes a number of amendments to provisions on penalty notices for disorderly behaviour.

Regulation 2 of these regulations amends the provisions in the Penalties for Disorderly Behaviour (Amount of Penalty) Order 2002 by removing references to persons aged below 18. Regulation 3 amends the provisions in the Schedule to the Railway Safety Accreditation Scheme Regulations 2004 to omit references to a constable being in uniform and a reference to authorised constables.

HMIC Publishes 2013/2014 Inspection Programme Consultation

Her Majesty's Inspectorate of Constabulary (HMIC) has published a consultation to seek views on its inspection programme for 2013/2014.

HMIC propose the following six areas would benefit from inspection:

- ◆ Freeing up police time - an examination of how police efficiency and working practices should be improved through the use of modern technology;
- ◆ Preventive policing - an examination of police efficiency and effectiveness in preventing crime;
- ◆ Police attendance - an inspection of police efficiency and effectiveness in responding to calls from the public;
- ◆ Police leadership and culture - an examination of the way the leadership of the police has responded to the findings of HMIC's reports on police integrity and of the Leveson Inquiry report;
- ◆ Crime data integrity - an inspection of the effectiveness of the police in dealing with reports of crime by members of the public;
- ◆ Police use of Automatic Number Plate Recognition (ANPR) - an examination of the police use of ANPR to prevent crime.

The consultation seeks the views on the following questions:

- ◆ Are the areas of policing listed above the right areas of policing to add to the inspection programme for 2013/14?
- ◆ Which of the areas of policing listed above would you consider to be the most important for HMIC to inspect and which the least?
- ◆ Are there any factors HMIC should take into account that might alter the proposed sequence or timing of these inspections?

The proposed sequence and timing of these inspections are discussed in the consultation document, along with details of the inspection programme in detail. The consultation is aimed at government bodies, local policing bodies, inspectorates, law enforcement agencies and members of the public. The consultation document can be found at <http://www.hmic.gov.uk/media/hmic-2013-2014-inspection-programme-for-consultation.pdf>

The consultation closes on 7 May 2013. Answers to the consultation questions together with any other comments should be emailed to:

haveyoursay@hmic.gsi.gov.uk

or sent to:

Ann-Marie Field
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Consultation on Revised PACE Codes of Practice

The Home Office has published a consultation on revising the Police and Criminal Evidence Act 1984 (PACE) Codes of Practice. The codes proposed to be amended are codes A, B, E and F which concern stop and search, searching premises, and audio and visual recording of interviews.

In relation to Code A the following amendments are proposed:

- ◆ All stop and search powers under the Terrorism Act 2000 will be removed. This change is necessary following an amendment to PACE made by the Protection of Freedoms Act 2012 which removed the requirement for these powers to be included in PACE Code A and made them subject to a new Code of Practice issued under the Terrorism Act 2000;
- ◆ Schedule 5 of the Terrorism Prevention and Investigation Measures Act 2011 (TPIMs) introduced new powers to be able to search persons without them having to be arrested. These powers are outside the scope of the new Terrorism Code but within the statutory scope of sections 2 and 3 of PACE and Code A, and new provisions within Code A will outline these powers, ensuring that Code A applies to the conduct and recording of the exercise of them;
- ◆ References to Annex F in Code A are to be replaced by Annex L in Code C following the introduction of Annex L on 10 July 2012, which supersedes Annex F. Annex L of Code C relates to establishing the gender of persons for the purpose of searching.

In relation to Code B the following amendments are proposed:

- ◆ New provisions within Code B will outline the powers to enter and search premises under Schedule 5 to the Terrorism Prevention and Investigation Measures Act 2011 (TPIMs), for the purposes of serving, monitoring and enforcing TPIMs notices. These provisions replace control order provisions in the Prevention of Terrorism Act 2005 that have been repealed;

- ◆ A new general reference to warrants where the issuing enactment specifies a period of less than three calendar months within which it must be executed.

In addition a common change to both Codes A and B is proposed which amends the statutory threshold for exercising the power in section 139B of the Criminal Justice Act 1988 relating to search for weapons from reasonable belief to reasonable suspicion. This reflects the amendment to section 139B made by section 48 of the Violent Crime Reduction Act 2006 and reference to the new offence under section 139AA introduced by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 added.

In relation to Code E the following amendments are proposed:

- ◆ There are new and amended provisions proposed relating to the conduct and recording of voluntary interviews of suspects who are not under arrest. These take into account recent amendments to Code G and Code C 3.21 and 3.22 which support the use of voluntary interviews to ensure that these interviews are subject to Code E and distinguish them from custody cases. These proposed changes recognise that the current provisions, which focus on custody cases, are not practicable for voluntary interviews which need not take place at a police station with custody facilities. They provide for a sergeant to be responsible for voluntary non-custodial cases and also for giving authority not to make an audio recording.

In relation to Code F the following amendment has been proposed:

- ◆ Changes that mirror those in Code E relating to audio recording described above.

In addition changes have been proposed for both codes E and F as well as the Code of Practice for Video Recording Interviews in Terrorism Cases for consistency and to distinguish the scope of each. The changes include additions and amendments taken from Code F and the terrorism code which are equally applicable to Code E such as the security of master recordings as well as clarification of the current provisions.

These draft amendments have been circulated for consultation in accordance with section 67(4) and the consultation closes on 10 May 2013.

The consultation documents can be found at <https://www.gov.uk/government/consultations/consultation-on-revised-pace-codes-of-practice-2013>

Responses to this consultation should be sent to: pacereview@homeoffice.gsi.gov.uk

Consultation on Draft Statutory Guidance on the Making or Renewing of National Security Determinations Allowing the Retention of Biometric Data

The Home Office has published a consultation on draft statutory guidance relating to the retention of DNA profiles and fingerprints. The Protection of Freedoms Act 2012 came into force last year and reformed the system of retention destruction and the use of DNA and fingerprint data by the police and other law enforcement authorities, ensuring that only those convicted of a criminal offence will have their fingerprints and DNA retained indefinitely. Under the provisions of the legislation, a retention period of DNA profiles and fingerprints can be sought for up to two years at a time, beyond the normal three year limit for the purposes of national security by making a National Security Determination (NSD). Before the powers to make a NSD come into force the Act requires that draft statutory guidance is prepared and consulted on, and is then issued to police and other law enforcement authorities.

The draft guidance includes information on:

- ◆ The scope of the powers;
- ◆ Requirements for making or renewing a national security determination (NSD);
- ◆ Recording, monitoring and reporting on the use of the powers;
- ◆ Engagement with Commissioner for the Retention and Use of Biometric Data.

The consultation document can be found at <https://www.gov.uk/government/consultations/protection-of-freedoms-act-2012-consultation-on-draft-statutory-guidance>

The consultation closes on 20 May 2013. Responses to the consultation should be sent to:

Counter-Terrorism Legislation Team
5th Floor Peel Building Office for Security and Counter-Terrorism
Home Office
2 Marsham Street
London
SW1P 4DF

Or email:

counterterrorismlegislation@homeoffice.x.gsi.gov.uk

Independent Police Complaints Commission publishes 'Near Miss' Learning Report

The Independent Police Complaints Commission (IPCC) has published an Independent Investigation Learning Report relating to police custody. The report followed a case in which a man was arrested on suspicion of burglary and was taken into police custody. He was assessed by a healthcare professional (HCP), and although the man denied taking any drugs or alcohol, the HCP decided that he may be under the influence of a substance and therefore placed him on a regime of 30 minute rousal checks during his detention. The man was put in a cell monitored by CCTV at 11.34am.

The man's condition deteriorated whilst he was in custody. He was continually checked every thirty minutes by the custody staff, but from 2.18pm these checks were conducted from the cell hatch. At this time, the man was seen lying on the floor and from this time onwards was not seen to make any movements. At 3.33pm a check was conducted on the man and he was unresponsive, and consequently was taken to hospital where it was established that he was suffering from a methadone overdose and suspected pneumonia. He later admitted that he had taken three 100ml of methadone prior to his arrest.

The IPCC have outlined some recommendations in their report following this case. The first recommendation concerns training. The Association of Chief Police Officers (ACPO) Guidance on the Safer Detention and Handling of Persons in Police Custody and the Police and Criminal Evidence Act 1984 state that rousal checks require the detention officer to enter the cell. If the detainee is seen to be walking around the cell then entering the cell may not be required, however this will need to be documented. A new version of the ACPO Guidance was released between the incident and the IPCC investigation. A local recommendation that was made by the IPCC was to ensure that all custody staff were aware of the relevant revisions to this guidance, and if this was to take place by way of training, audits should be taken of this in addition to regular refreshers being scheduled where necessary. In addition it was suggested that the custody sergeant should conduct some form of dip sampling process in relation to the checks being conducted and the custody record entries, to ensure that they are meeting the standards specified in the relevant policies and guidance.

The IPCC investigation also identified that handovers were only being conducted by the custody sergeants, and not between the detention officers or the sergeants and detention officers. In this case, this meant that the detention officer that was conducting checks on the arrested man did not know why he was on rousal checks and did not know what the concerns of the HCP were. This was in contravention of the ACPO guidance, which specifically

highlights the importance of comprehensive and effective debriefing and handover between custody staff. The second local recommendation made by the IPCC was for the force in question to ensure that a structured handover process was put in place for both sergeants and detention officers and this should be conducted at every shift change. It should be ensured that this process is implemented force wide.

The final local recommendation concerned the CCTV within the custody centre. The investigation found that there was a lack of proactive responsibility in the custody centre in question in terms of monitoring the CCTV from video cells. Although the arrested man was not considered a self harm or suicide risk, the custody sergeant clearly had concerns regarding his welfare to request extra monitoring and despite this none of the custody staff appeared to notice the man's deterioration. The IPCC recommended that when the custody sergeant makes a decision to place a detainee in a video cell and they are not perceived as a potential self-harmer or suicide risk, the sergeant should stipulate the expectations he or she has on the CCTV monitoring to ensure that it is utilised effectively.

The IPCC sent a draft learning report to the police force in question and a response was received detailing actions which the IPCC considers appropriate in the circumstances. The police force is drafting an action plan which will be forwarded to the IPCC in due course.

The full report can be found at http://www.ipcc.gov.uk/news/Pages/pr280313_custody_near_miss.aspx?auto=True&l1link=pages%2Fnews.aspx&l1title=News%20and%20press&l2link=news%2FPages%2Fdefault.aspx&l2title=Press%20Releases

Government Publishes Annual Report on Work to Protect the UK from Terrorism

The Government has published an annual report on CONTEST, the government's strategy for countering terrorism. The Annual report titled 'CONTEST The United Kingdom's Strategy for Countering Terrorism' outlines the current threat from Terrorism and key achievements between July 2011 and December 2012.

The report states that in the twelve months to 30 September 2012:

- ◆ 245 people were arrested for Terrorism-related offences in Great Britain;
- ◆ 45 people were charged with Terrorism-related offences;
- ◆ 18 people were convicted of Terrorism-related offences;

- ◆ 25 people are awaiting trial (as of 18 January 2013).

One area the report details is the Safety and Security programme relating to the London 2012 Olympics, stating that up to 14,500 police officers and 18,000 armed forces personnel were deployed on Games security duties, and approximately 1 million accreditation application background checks were completed for Games Family Members, workers, volunteers, athletes, journalists and officials. The report confirms that a significant number of people were refused for national security reasons. It also details the cost aspect of policing and wider security for the Olympic Games within the report.

The CONTEST strategy covers all forms of terrorism and is based around four workstreams:

- ◆ Pursue: to stop terrorist attacks;
- ◆ Prevent: to stop people becoming terrorists or supporting terrorism;
- ◆ Protect: to strengthen our protection against a terrorist attack; and
- ◆ Prepare: to mitigate the impact of a terrorist attack.

The Government focuses on these four areas in detail, when providing its response within the Annual Report.

The full Annual Report can be found at <https://www.gov.uk/government/news/protecting-the-public-from-terrorism>

Home Office releases statistics on Police Powers and Procedures for England and Wales in 2011/2012

On 18 April 2013 the Home Office released statistics relating to Police Powers and Procedures for England and Wales. The statistics cover the following topics:

- ◆ Arrests for notifiable offences;
- ◆ Police detention;
- ◆ Stops and searches;
- ◆ Road checks;
- ◆ Intimate searches;
- ◆ Fixed penalty notices in relation to motoring offences;
- ◆ Breath tests.

A user guide has also been published to assist in the interpretation of the statistics.

Arrests for notifiable offences

In relation to arrests made in England and Wales in 2011/2012, a summary of some of the key statistics are below:

- ◆ 1,044,230 males were arrested in comparison to 1,141,800 males in 2010/2011;
- ◆ 190,798 females were arrested in comparison to 220,165 females in 2010/2011;
- ◆ 319,967 males were arrested for Violence Against the Person;
- ◆ 33,628 males were arrested for Sexual Offences;
- ◆ 28,783 males were arrested for Robbery;
- ◆ 64,238 females were arrested for Violence Against the Person;
- ◆ 829 females were arrested for Sexual Offences;
- ◆ 2,795 females were arrested for Robbery;
- ◆ 79.5% of arrests made were of white people, exactly the same percentage as 2010/2011;
- ◆ 8.3% of arrests made were of Black (or Black British) people, exactly the same percentage as 2010/2011;

- ◆ 5.9% of arrests made were of Asian (or Asian British) people, in comparison to 5.8% in 2010/2011.

Police Detention

In relation to Applications for Warrants of further detention under the Police and Criminal Evidence Act 1984 (PACE) in 2011/2012, a summary of some of the key statistics are below:

- ◆ 478 applications were made;
- ◆ 15 applications were refused;
- ◆ 97% of applications were granted;
- ◆ Of those applications that were granted 62% resulted in a charge.

Stop and Searches

In relation to Stop and Searches in England and Wales in 2011/2012 not including those conducted by the British Transport Police, a summary of some of the key statistics are below:

- ◆ 1,126,874 stop and searches took place under Section 1 of PACE;
- ◆ 45,691 stop and searches took place under Section 60 of the Criminal Justice and Public Order Act 1994;
- ◆ No stop and searches took place under 44/47A of the Terrorism Act 2000.

In relation to those stop and searches that took place under Section 1 of PACE and other legislation:

- ◆ 236,469 searches took place for the reason of stolen property in comparison to 2010/2011 when 236,183 searches took place for the same reason;
- ◆ 552,493 searches took place for the reason of drugs in comparison to 2010/2011 when 590,801 searches took place for the same reason;
- ◆ In total 1,137,551 searches took place under Section 1 of PACE or other legislation in comparison to 2010/2011 when 1,229,324 searches took place.

In relation to those stop and searches that took place under Section 60 of the Criminal Justice and Public Order Act 1994:

- ◆ 390 people were found to be carrying an offensive weapon or dangerous instrument;
- ◆ 182 were arrested for offensive weapons;

- ◆ 1,094 were arrested for another reason.

In relation to self defined ethnicity of those who were subject to stop and search:

- ◆ 65.8% of people were White in comparison to 2010/2011 when 64.4% were White;
- ◆ 15.1% of people were Black (or Black British) in comparison to 2010/2011 when 16.3% were Black (or Black British);
- ◆ 10.5% were Asian (or Asian British) in comparison to 2010/2011 when 10.8% were Asian (or Asian British).

Intimate Searches

The statistics show that in 2011/2012 there were in total 84 searches conducted under Section 55 of PACE. Of those searches, 76 of them were for reasons relating to drugs and 8 were for reasons relating to other harmful articles. Of the 76 people searched in relation to drugs, 14 of those were found to have Class A drugs on their person. In relation to those searched for other harmful articles, one person was found to have a harmful article on their person.

Although not discussed here, statistics on other subjects such as motoring offences and breath tests are also covered in great detail.

The statistics can be found in full at <https://www.gov.uk/government/publications/tables-for-police-powers-and-procedures-in-england-and-wales-201112>

The user guide in relation to these statistics which the Home Office has also produced can be found at <https://www.gov.uk/government/publications/police-powers-and-procedures-in-england-and-wales-201112-user-guide>

Centre for Social Justice releases Report on the Fight against Modern Slavery

The Centre for Social Justice (CSJ) has released a policy report called 'It Happens Here- Equipping the United Kingdom to fight modern slavery.' It seeks to breathe new life into the fight against modern slavery by:

- ◆ Injecting new and effective leadership to match the seriousness of the crime;
- ◆ Developing better information about the extent and pattern of modern slavery in the UK in order to bring clarity and transform our national and local responses;
- ◆ Equipping those on the frontline to recognise modern slavery and act;

- ◆ Offering more compassionate and radical support to rebuild the lives of survivors;
- ◆ Ensuring that the business community plays its part to stamp out this crime, including by ensuring transparency in their global supply chains.

The report states that the CSJ has gathered evidence of numerous cases of exploitation in factories, fields, construction sites, brothels and houses and that research has shown that a large proportion of cases are never reported or recognised. The report provides a definition of the term 'Modern Slavery' which includes human trafficking, forced labour and servitude.

Responsibility within government against modern slavery and human trafficking currently lies with the Minister for Immigration and the CSJ recommends within the report that this remit be transferred to the Minister for Policing and Criminal Justice, as it is first and foremost a serious crime and not an immigration issue. The CSJ also recommends that the Government establish an Anti-Slavery Commissioner to oversee and impact the UK's response to the issue.

The report also states that UK law is currently confusing as offences relating to modern slavery and human trafficking are dealt with by three different pieces of legislation, namely the Sexual Offences Act 2003, the Asylum and Immigration (Treatment of Claimants) Act 2004 and the Coroners and Justice Act 2009. The CSJ recommends that a new piece of legislation called the Modern Slavery Act is introduced. The report states that this piece of legislation should include:

- ◆ All human trafficking and slavery offences, in order to symbolically reflect the criminality of human trafficking for any form of exploitation and to highlight that modern slavery is not tolerated in British society;
- ◆ Provisions for ensuring that victims of human trafficking are not prosecuted for crimes they may have committed as a direct consequence of their trafficking situation;
- ◆ Provisions for the obligation to identify victims of modern slavery and human trafficking and investigate the circumstances of their victimisation;
- ◆ The outlined role of the Anti-Slavery Commissioner, including its authority to conduct unannounced visits and launch independent investigations with or without the permission of Secretaries of State, and its obligation to promote awareness of the interests of victims of modern slavery.

Further recommendations within the report include changes to the National Referral Mechanism (NRM) which is a gateway to some

support services for victims who choose to make a referral and stripping the UK Border Agency of its Competent Authority status.

The CSJ also recommends that the police are more widely trained on the relevance of human trafficking offences in addressing the internal trafficking of British children. The report states that in many areas police are unaware of the issue or treat it as a low strategic priority and a simple and clear protocol for each force, underpinned by a national strategy will assist forces to bring a consistent and effective approach to investigations into modern slavery. The report also states that every police force should have an identified Single Point of Contact (SPOC) for human trafficking.

The report focuses on how to assist survivors of modern slavery to rebuild their lives, and states that all trafficked victims from outside the EU should be offered assistance through a return and reintegration scheme when returning home and a return and reintegration scheme should also be developed for EU nationals who have been trafficked and want to return home. The CSJ also recommends that more specialist foster placements are made available for children who have been trafficked and that quality therapeutic care tailored to the needs of trafficked children must become a priority.

Finally the report recommends that the Transparency in UK Company Supply Chains (Eradication of Slavery) Bill is enacted in Parliament. This Bill requires companies with annual worldwide gross receipts exceeding £100 million to engage positively and safely with the anti-slavery agenda without fear of reprisal.

The full report can be found at [http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/CSJ_Slavery_Full_Report_WEB\(5\).pdf](http://www.centreforsocialjustice.org.uk/UserStorage/pdf/Pdf%20reports/CSJ_Slavery_Full_Report_WEB(5).pdf)

Consultation on Improving the Code of Practice for Victims of Crime

The Ministry of Justice has launched a consultation on improving the Code of Practice for victims of crime. It sets out the Government's plans to reform the Victims' Code to provide victims with clearer entitlements from criminal justice agencies, as well as a better tailored service to individual needs. The consultation is aimed at the public, victims of crime, criminal justice agencies, the judiciary, the advice sector, organisations that work with victims of crime and all with an interest in this area in England and Wales.

The paper covers:

- ◆ Victims' entitlements;
- ◆ Duties on criminal justice agencies;
- ◆ Specific entitlements for children and young people;

- ◆ The Victim Personal Statement;
- ◆ Businesses;
- ◆ Information on Restorative Justice;
- ◆ Means of redress/complaints process.

The consultation document can be found at <https://consult.justice.gov.uk/digital-communications/code-victims-crime>

The consultation closes on 10 May 2013. Responses to the consultation questions should be sent to:

Bola Fabunmi
Ministry of Justice
Post Point 8.01
8th Floor
102 Petty France
London
SW1H 9AJ

Or emailed to:

VictimsCodeConsultation@justice.gsi.gov.uk

Home Office Publishes Quarterly Update on the Operation of Police Powers under the Terrorism Act 2000 and subsequent legislation

The Home Office has released updated statistics relating to the Terrorism Act 2000, including arrests and outcomes as well as stop and searches made under the powers of the Act. The figures date to 30 September 2012.

In relation to pre-charge detentions under Section 41 of the Terrorism Act 2000, of the 51 people that were arrested under this section in the year ending 30 September 2012, 92% were held in pre-charge detention for seven days or less.

In the same year, of the 245 people arrested in total for offences under the Terrorism Act 2000, 38% were charged in comparison to 41% in the previous year.

Of those 245 people arrested in the year ending 20 September 2012, 101 were released without charge and 50 were dealt with by an alternative action.

Other important figures detailed within the statistics for the year ending 30 September 2012 include:

- ◆ Of those arrested, 45 persons were charged for terrorism-related offences;

- ◆ Of those arrested and charged for a terrorism-related offence, 18 were convicted and 25 were awaiting prosecution (as at 18 January 2013);
- ◆ There has, as yet, been no use of new stop and search powers under Section 47A of the Terrorism Act 2000 since formally brought into use on 18 March 2011.

In relation to court outcomes, of the 19 people whose trials were concluded in the year ending 30 September 2012, 18 were convicted and one person was found not guilty. As of 18 January 2013, 25 people were awaiting trial who were arrested and charged during that year.

The Crown Prosecution Service Counter Terrorism Division (CPS CTD) dealt with 29 defendants whose cases concluded in the year ending 30 September 2012, and of those 24 were convicted. All but one of those defendants convicted, received custodial sentences. Of those 24, 22 of them had pleaded guilty.

There were 107 people in prison for terrorism-related offences on 30 September 2012. In addition, there were 26 prisoners in custody who were classified as domestic extremists/separatists and one prisoner who was a historic terrorist prisoner, that being a person convicted prior to the current terrorism legislation.

With regards to stops and searches, 720 people were stopped and searched under section 43 by the Metropolitan Police Service in the year ending 30 September 2012 in comparison to 1,211 people in the previous year. Of those 720 searches, 5% resulted in arrest.

The full Quarterly update can be found at <https://www.gov.uk/government/publications/operation-of-police-powers-under-the-terrorism-act-2000-and-subsequent-legislation-quarterly-update-to-september-2012--2>

Joint Review of Disability Hate Crime Published

Her Majesty's Crown Prosecution Service Inspectorate (HMCPISI), Her Majesty's Inspectorate of Probation (HMI Probation) and Her Majesty's Inspectorate of Constabulary (HMIC) have published a joint review titled 'Living in a different world: Joint Review of Disability Hate Crime.' It considers how the police, Crown Prosecution Service (CPS) and probation trusts deal with disability hate crime, the policies, procedures and actions of the three agencies and also the social attitudes and barriers that exist for disabled people generally.

The review states that in relation to the identification and reporting of disability hate crime, there is a lack of clarity and understanding as to what constitutes disability hate crime and there is confusion between policy definitions and the statutory sentencing provision contained within section 146 of the Criminal Justice Act 2003 (CJA 2003). The review states that improvements need to be made by the police and CPS in how they identify and record disability hate crime and all police, CPS and probation staff need to be fully aware of Section 146 of the CJA 2003. Furthermore a common policy definition needs to exist which is universally recognised and is simple to interpret.

The review highlights that under reporting of disability hate crime is a significant concern which needs to be addressed, and further steps need to be taken to improve the confidence of disabled people to report matters to the police. Once reports are made, practitioners need to ensure that any disabilities are identified, including hidden impairments, and victims are supported sufficiently.

The review states that community engagement projects need to be jointly co-ordinated and have specific aims, the immediate priority being increasing reporting of disability hate crime.

The review asserts that the police are failing to fully consider disability hate crime issues in day to day investigative work, and provides examples of poor understanding of different types of disabilities by officers in addition to a frequent failure to examine the offender's motivation for committing offences. The review states that as a consequence of this, insufficient evidence is obtained to support the requirement under section 146 of the CJA 2003. It also states that there is a failure by the police to identify disability hate crime cases to the CPS when seeking charging advice and there is a lack of provision of appropriate information to the CPS by the police.

In relation to the CPS, the review states that whilst CPS lawyers demonstrated the ability to identify disability hate crimes, they did not necessarily ensure that all the required evidence was provided

by the police and did not always analyse the disability hate crime issue sufficiently. The review concludes that the CPS needs to ensure that disability hate crime is correctly identified on its case management system, administrative errors need to be reduced, and a process is put in place to ensure that on every relevant file a decision is made whether the prosecutor will put forward section 146 CJA 2003 to the court. Records need to be kept of those cases that raised section 146 CJA 2003, and the CPS needs to improve the quality of case preparation to ensure that disability hate crime cases are effectively prosecuted.

The review also states that all members of the judiciary who were interviewed held the view that they were only invited to consider section 146 of the CJA 2003 on a very exceptional basis. It also stated that section 146 does not appear to have been embedded within the sentencing process. In addition it was found that the quality of CPS and police information supplied to probation trusts were limited and insufficient for the preparation of a pre-sentence report and there was an over reliance on information provided by an offender.

In relation to training and leadership, the review states that there needs to be put in place an effective and comprehensive training programme for practitioners and the police, CPS and probation trusts need to regard disability hate crime as a key strategic priority.

In conclusion, the review states that a new impetus is required that focuses on:

- ◆ Improving awareness of what disability hate crime is;
- ◆ Increasing the reporting of disability hate crime;
- ◆ Embedding disability hate crime processes within the routine working practices of police, CPS and probation trust staff.

Joint Recommendations

The review recommended the following joint recommendation which is a priority and should be achieved within three months of publication of the review:

- ◆ The police, CPS and probation trusts should adopt and publish a single, clear and uncomplicated definition of a disability hate crime that is communicated effectively to the public and staff.

The review made the following recommendations that should be considered within six months of publication of the review:

- ◆ The police, CPS and probation trusts, when developing their strategic aims, should consider disability hate crime and the need for its reporting to be increased;

- ◆ The police, CPS and probation trusts should consider how their front-line staff participate in effective disability hate crime training to improve (as appropriate) investigative, prosecution and rehabilitation skills.

Recommendation for the police

The review made the following recommendation that should be considered within six months of publication of the review:

- ◆ It is in the interest of each police force to review the different methods by which information is received from the public to ensure that every opportunity is being taken to identify victims of disability hate crime.

Recommendations for the CPS

The review made the following recommendations that should be considered within three months of publication of the review:

- ◆ Regular checks should be put in place to ensure the accuracy of all CPS data relating to disability hate crime;
- ◆ Advocates should refer to section 146 of the Criminal Justice Act 2003 as part of the sentencing process (where appropriate) and the application/outcome should be recorded.

Recommendation for Probation Trusts

The review made the following recommendation that should be considered within six months of publication of the review:

- ◆ Disability hate crime must have a higher priority within the work of probation trusts. They should put in place procedures to ensure that offender managers preparing pre-sentence reports have all necessary CPS case papers available to them and ensure that plans, where relevant, always contain (a) objectives to address victim safety/victim awareness and (b) manage the risk posed by the offender to the victim or other potential victims.

As well as recommendations the review also provides examples of good practice.

The full joint review can be found at <http://www.hmic.gov.uk/publication/living-in-a-different-world-joint-review-of-disability-hate-crime/>

Home Office Publishes Practical Guidance on Human Trafficking

On 4 April 2013 the Home Office published Practical Guidance on Human Trafficking. The guidance is aimed at organisations, recruitment managers, managers, front-line workers and inspectors, and defines what human trafficking is and provides examples of indicators of human trafficking.

The guidance confirms that human trafficking can take many forms, such as forced labour, sexual exploitation and other criminal activities such as forced begging and cannabis cultivation. The guidance states that key indicators of trafficking include:

- ◆ Is the person in possession of their own passport, identification or travel documents or are these documents in the possession of someone else?
- ◆ Does the person act as if they are instructed or coached by someone else?
- ◆ Was the person recruited for one purpose and forced to engage in some other job?
- ◆ Does the person receive little or no payment for their work? Is someone else in control of their earnings?
- ◆ Does the person have freedom of movement?
- ◆ Is the person withdrawn or do they appear frightened?
- ◆ Has the person or their family been threatened with harm if they attempt to escape?

The guidance goes into detail on what certain roles within a company should do to detect and prevent trafficking. In relation to organisations for example, the guidance recommends that clear policies are put in place to prevent exploitation and human trafficking. In addition, it is recommended that a recruitment policy is in place which requires only specified reputable recruitment agencies to be used for recruitment, and that appropriate checks are conducted on all employees, recruitment agencies, suppliers and subsidiaries to ensure the company knows who is working for them.

The guidance makes specific recommendations for recruitment managers, for example following company policies in relation to recruitment, and undertaking background checks on agencies used to recruit or supply staff. It also recommends that they ensure that staff are legally able to work in the UK.

As a manager, the guidance provides examples of indicators of human trafficking which should be looked for. It also suggests that

managers raise awareness of human trafficking within the workforce, by discussing issues and providing training.

The guidance also addresses what to look for and what actions should be taken by front-line workers. It advises that if something does arise that indicates that someone is being trafficked, any suspicious activity should be reported.

Finally the guidance provides key indicators to people who inspect properties.

The full guidance can be found at
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/181550/Human_Trafficking_practical_guidance.pdf

New Law for Missing Persons gets Royal Assent

On 26 March 2013 The Presumption of Death Bill received Royal Assent in Parliament which means that a legal framework now exists for the creation of a presumption of death certificate scheme in England and Wales. The presumption of death certificate will be equivalent to a death certificate, and will assist families in dealing with the affairs of the missing person, such as stopping existing direct debits and gaining access to bank accounts.

The following sections of the Act came into force on 26 March 2013:

Section 9 (so far as it confers a power to make rules), section 15(4) and Schedule 1 (so far as they confer a power to make regulations), sections 17 to 21, section 22 and sections 23 and 24.

The remaining sections of the Act are yet to come into force, and the Ministry of Justice and the General Register Office are now commencing work on creating the necessary rules and regulations to bring the scheme into force.

Further information can be found at
<https://www.gov.uk/government/news/new-law-for-missing-persons-gets-royal-assent>

The full Act can be found at
<http://www.legislation.gov.uk/ukpga/2013/13/contents>



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