

# Policing and Crime Act 2017

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The Policing and Crime Bill has now completed all its stages in both Houses of Parliament and received Royal Assent, where the Monarch gives her formal agreement, on Tuesday 31 January. The Bill is now an Act.

According to the Home Office, the Policing and Crime Act 2017 "further reforms policing and enables important changes to the governance of fire and rescue services. The changes will build capability, improve efficiency, increase public confidence and further enhance local accountability."

Its main provisions:

- Place a duty on police, fire and ambulance services to work together and enable Police and Crime Commissioners to take on responsibility for fire and rescue services where a local case is made
- Reform the police complaints and disciplinary systems
- Further support the independence of HM Inspectorate of Constabulary and ensure it is able to undertake end-to-end inspections of the police
- Give chief officers the flexibility to confer a wider range of powers on police staff and volunteers while, for the first time, specifying a core list of powers that may only be exercised by warranted police officers
- Extend the core purpose of The Police Federation for England and Wales to cover the public interest and making it subject to the Freedom of Information Act 2000
- Provide for a presumption in favour of releasing a suspect without bail, with bail only being imposed when it is both necessary and proportionate, and meets specific criteria
- Stop the detention in police cells of children and young people under 18 who are experiencing a mental health crisis, and restrict the circumstances when adults can be taken to police stations, by reforming police powers under sections 135 and 136 of the Mental Health Act 1983
- Amend the Police and Criminal Evidence Act 1984, including to ensure that 17-year-olds who are detained in police custody are treated as children for all purposes, and to increase the use of video link technology
- Amend the Firearms Acts
- Ensure that relevant offences in the Sexual Offences Act 2003 cover the live streaming of images of child sex abuse
- Increase the maximum sentence from 5 to 10 years' imprisonment for those convicted of the most serious cases of stalking and harassment
- Confer an automatic pardon on deceased individuals convicted of certain consensual gay sexual offences which would not be offences today and on those persons still living who have had the conviction disregarded under the provisions of the Protection of Freedoms Act 2012
- Removes references in statute to the Association of Chief Police Officers and replaces them with references to the National Police Chiefs' Council. For example, in respect of provisions requiring the Home Secretary to consult specified persons before making regulations about certain policing matters

Policing and Crime Act 2017 in full:

<http://www.legislation.gov.uk/ukpga/2017/3/contents/enacted>

The Act will come into force in stages. The College of Policing has published briefing materials to support forces in England and Wales preparing for changes to the law around pre-charge bail:

[http://www.college.police.uk/News/College-news/Pages/FAQ\\_document\\_on\\_change\\_to\\_pre-charge\\_bail.aspx](http://www.college.police.uk/News/College-news/Pages/FAQ_document_on_change_to_pre-charge_bail.aspx)

Who's saying what?

Home Secretary - Amber Rudd

"This Act is another major milestone in our far-reaching police reforms over recent years.

"The measures in the Act give greater protections for the vulnerable, ensure the police have the necessary powers to keep our communities safe, and overhaul the police complaints and disciplinary systems to increase accountability and improve police integrity.

"We have also sought to ensure forces have the right people and skills to cope with the changing nature of crime, improve efficiency and effectiveness of our emergency services through greater collaboration and end the injustice of individuals spending extended periods on pre-charge bail.

"I look forward to continuing to work with the police and stakeholders as the measures in the Act are implemented."

Policing and the Fire Service Minister - Brandon Lewis:

"Police reform is working and crimes traditionally measured by the survey have fallen by a third since 2010 to a record low.

"I am delighted this Act has now received Royal Assent and, in close collaboration with police and fire stakeholders, we will work hard to implement the Act's provisions to further improve the effectiveness and accountability of our emergency services."

Chief Executive of the Mental Health Network - Sean Duggan

"This Act is an encouraging step forward because it gives police more powers to provide dignified, high quality support in the initial stages of a person's mental health crisis. Early access to a health professional and a more suitable environment than a jail cell is an important factor in a person's recovery.

"While the Act is undoubtedly strong, huge pressures on both mental health and policing will make it challenging to fully implement. Staffing levels in mental health are extremely hard pushed because promised Government funding is slow to reach the frontline.

"Good mental health requires the police, the NHS, schools and housing services to work better together. It's vital we embrace these opportunities and make it happen."

BASC Director of Firearms - Bill Harriman:

"We welcome the firearms sections of the Act. In particular we are pleased to see common sense prevail over expanding ammunition, which will no longer be classed as prohibited. BASC has been campaigning for this since 1997. This provision is entirely sensible since the use of expanding ammunition is mandated (on ethical grounds) for hunting deer in all UK jurisdictions.

"The decision to create a legal definition for what constitutes an "antique firearm" will import much needed clarity and certainty into the Firearms Act 1968. BASC will continue to work with the Home Office to protect the interest of collectors as the details of the interpretative rules are finalised.

"The definition of 'lethality' provides similar certainty. The 1 joule level has been an informal threshold for many years and this merely enshrines that into law. It will not affect sporting air weapon users.

Useful links

All Parliament documents

<http://services.parliament.uk/bills/2015-16/policingandcrime/documents.html>

All Home Office documents

<https://www.gov.uk/government/collections/policing-and-crime-bill>