

## CLAS CIRCULAR 2022/05 (11 APRIL 2022)

### Disclaimer

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It would be very helpful if members could let us know of anything that appears to indicate developments of policy or practice on the part of Government or other matters of general concern that should be pursued.

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## FAITH & SOCIETY

### Administering the last rites at crime scenes: police guidance

For information

Following the assassination of Sir David Amess on 15 October 2021, considerable concern was expressed that a Roman Catholic priest, Father Jeffrey Woolnough, had been refused permission to pass through a police cordon to administer the sacrament of the anointing of the sick to Sir David Amess as he lay dying.

In the aftermath of Sir David's murder, a joint group convened by Dame Cressida Dick and Cardinal Vincent Nichols met to consider the issue of pastoral care of crime victims; and the College of Policing has subsequently updated its guidelines on [Managing investigations](#). The relevant section of the guidelines, [Requests for third party access to a scene to attend a victim](#) updated on 17 March 2022, is as follows:

'Immediately after an incident involving death or serious injury, a third party (not a member of the emergency services) may make a request to access the scene to attend the victim. This may include, for example, a priest, of the victim's faith or religion asking to administer Last Rites or other religious needs, or a family member wanting to comfort a loved one. While these requests are likely to be rare, they can be extremely important for the victim and their family...

Such requests are likely to be relevant where the victim is known, by the third party, to still be at the scene. This would not include planned crime scene visits for family members supported by a [family liaison](#) officer. A priest, for example, who might make such a request, will be familiar with ministry to the dying.

The decision to admit third party access to a scene is an operational decision and should be made by the senior investigating officer (SIO), or an incident commander where an SIO has yet to be appointed. Where an SIO or incident commander is not available requests should be referred to a supervisor for support.

When considering such requests, decision-makers should apply the [National Decision Model](#), and the principles set out in the [College of Policing \(2014\) Code of Ethics](#). They should also consider articles 2 and 9 of the [European Convention on Human Rights \(ECHR\)](#), and whether the purpose of the request can be accommodated without the third party entering the scene, for example, standing at the edge of the scene, close to the victim.

The decision-maker must balance medical and investigative priorities and requirements, with empathy for the victim, their family and any religious needs. The following should also be considered:

- the immediate priority to save life, administer first aid and move the victim to hospital for further treatment. These actions will be time-critical and subject to the judgement of medical personnel.
- health and safety in and around the crime scene, including whether personal protective equipment would be required.
- the need to secure and preserve the crime scene and the material within it (consult with the crime scene manager).
- the complexity of the incident, the potential risk to the integrity of the investigation and the suspect's right to a fair trial ([Article 6 of the ECHR](#)).
- the rights and needs (including religious rights and needs) of the victim and their family (notwithstanding the status of family members in the investigation).
- the potential effect of granting, or not granting, access to a family member.
- the status of the family member(s) in the context of the wider incident, for example, whether a family member may also be a suspect.

Where the victim has suffered significant trauma, the family should be briefed so they can make an informed decision about seeing their loved one.

Every incident will be unique, and all decision making should be recorded with supporting rationale.'

Archbishop John Wilson of Southwark, who represented the Roman Catholic Church in the joint group, said in a statement on 31 March that he was pleased that a common position could be found, adding that 'At a critical time, such spiritual and/or family support can make all the difference for those for whom it is important'.

[Source: College of Policing, 17 March]

### **Divorce, Dissolution and Separation Act 2020**

**For information**

The [Divorce, Dissolution and Separation Act 2020](#), which applies to England and Wales, came into force on 6 April. There is a press release on the Act from the Ministry of Justice, [here](#). The Act:

- Replaces the current requirement to evidence either a conduct or separation 'fact' with the provision of a statement of irretrievable breakdown of the marriage (for the first time, couples can opt to make this a joint statement).
- Removes the possibility of disputing the decision to divorce, as a statement will be conclusive evidence that the marriage has irretrievably broken down, except on limited technical grounds.
- Introduces a new minimum period of 20 weeks from the start of proceedings to a conditional order of divorce being made, allowing greater opportunity for couples to agree practical arrangements for the future where reconciliation is not possible and divorce is inevitable.
- Simplifies the language of divorce to make it more understandable. This includes replacing the terms 'decree nisi', 'decree absolute' and 'petitioner', with 'conditional order', 'final order' and 'applicant'.

[Source: Ministry of Justice, 6 April]

## ODDS & ENDS

### Coronavirus (COVID-19) – Advice for workplaces

**For information and possibly for action**

The Health and Safety Executive has [published](#) advice for workplaces with regard to COVID-19. The advice notes that COVID-19 will remain a public health issue, and guidance for workplaces is being replaced with [public health advice](#).

HSE no longer requires every business to consider COVID-19 in ITS risk assessment or to have specific measures in place. There is a requirement to protect those who will [come into contact with the virus](#) due to their work activity. There is also advice for [people who may be at higher risk](#), such as those who are immunosuppressed.

There is currently a specific public health requirement for a risk assessment and reasonable measures in [Wales](#) but this is not regulated by HSE. You can check the latest position and timescales for the nation you are working in:

- [England](#)
- [Scotland](#)
- [Wales](#)

[Source: HSE, 31 March]

### Queen's Speech 2022

**For information**

The House of Commons Library has [published](#) a briefing on the upcoming Queen's Speech 2022. The briefing identifies issues and bills that may appear in the Speech on 10 May 2022 or require legislation in the forthcoming parliamentary session.

[Source: House of Commons Library, 8 April]

## PROPERTY & PLANNING

### Registering a venue for civil marriage and civil partnership

For information

HM Passport Office has [updated](#) its guidance on registering a venue for civil marriage and civil partnership. The guidance, which applies to England and Wales, explains the process for approving premises as venues for civil marriages and partnerships.

[Source: HM Passport Office, 8 April]