



Home Office

**To: Minister for Prevention of Exploitation and Abuse**

**From:** [Name Irrelevant], Public Protection Unit, Safeguarding Directorate [DPA]  
**SCS:** Claire Gipson  
**Date:** 18 June 2015

**SEX OFFENDER MANAGEMENT: UPDATE ON IMPLEMENTATION OF THE SEXUAL HARM PREVENTION ORDER AND SEXUAL RISK ORDER**

Update on implementation of the new civil orders to prevent sexual harm and plans to actively monitor the use of sexual risk orders in particular.

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**Timing**

Routine

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**Recommendation / Summary**

That you:

- **Note** the effective implementation of the civil orders; and
  - **Agree** plans for the active monitoring of the civil orders.
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**Comments**

This submission has been cleared by Jeremy Oppenheim, Safeguarding Director.

## Consideration

### Background

1. On 8 March, two new orders to prevent sexual harm were commenced to replace existing powers in England and Wales. The new orders are the:
  - **Sexual harm prevention order (SHPO)** – which can be applied to anyone convicted or cautioned for a sexual or violent offence, replacing the sexual offences prevention order; and
  - **Sexual risk order (SRO)** – which can be applied to any individual who poses a risk of sexual harm in the UK or abroad, even if they have never been convicted. They have replaced the risk of sexual harm order. **Annex A** contains summaries of three SROs taken out by North Yorkshire Police.
2. Both powers place a range of restrictions on individuals depending on the nature of the case, such as limiting their internet use, restricting their association with vulnerable people or preventing travel abroad (replacing the foreign travel order).

### Update on implementation

3. Both SHPOs and SROs have commenced smoothly and are being used by police. The associated statutory guidance was developed via a Home Office led working group and was published to coincide with the commencement on 8 March. We have worked with legal advisers to respond to any ad hoc queries from officers relating to the new legislation or the guidance; however, there have been no significant issues. We will refresh the guidance if this is required.

### Monitoring of orders

4. We are working with the Crime and Policing Analysis Unit to monitor the use of the SHPO and SRO by forces and make an early assessment of whether the police and third sectors perceive the orders to be effective in preventing sexual harm. In particular, to explore with forces the use of SROs to disrupt and prevent the grooming of children and the sexual exploitation of girls and young women by gang members.
5. Close monitoring is necessary because we have previously responded to calls from Sarah Champion MP for the creation of a bespoke tool to tackle grooming by referring to the availability of SROs for this purpose. You may recall that during the parliamentary process for the Serious Crime Bill in the last parliamentary session, Sarah Champion MP tabled an amendment intended to place Child Abduction Warning Notices (CAWNs) on a statutory footing, raising her specific concern that courts will not interpret the 'act of a sexual nature', which must be committed by a defendant for a SRO to be issued, as including behaviour that may be considered grooming.
6. As a result of her concerns, we worked with Barnado's to ensure the statutory guidance relating to the new civil orders provides clear advice that the 'act of a sexual nature' should apply to acts undertaken as part of the grooming process and provides advice to police on making an application to prevent grooming. The Solicitor General also wrote to Sarah Champion MP on 23 February to reassure

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her that we would work with the police to monitor the use and effectiveness of SROs in protecting children from grooming.

- 7. Additionally, we are supporting the work of Tackling Crime Unit, which is pro-actively promoting the use of SROs through the Ending Gang and Youth Violence agenda.
- 8. We will provide you with an initial summary of the use of SROs in three months time, and will provide a fuller written summary of findings, along with any further recommendations towards the end of this year. This timing will allow adequate time for forces to adopt and use the orders, and allow them and partners to make their own consideration of early outcomes.

**Press Office handling advice [for the recommendation]**

- 9. No handling issues arise directly from this submission. Press office proactively briefed the Sun when the measures were first implemented ('Cops get tougher powers in perv blitz', Sun, Sunday 8 March), but there has been little media interest in the new orders since then.
- 10. There is a possibility that Sarah Champion MP will ask further questions about monitoring of the orders' effectiveness. Press office will provide further advice should this occur, and will also advise once the early assessment has been completed.

**Annexes**

A – Summaries of three SROs taken out by North Yorkshire Police.

**Copy list**

Home Secretary, Minister for Policing, Criminal Justice and Victims; Lords Minister and Minister for Criminal Information, Special Advisers, Permanent Secretary, Andrew Scurry, Mary Calam, Jeremy Oppenheim, Claire Gipson, Christian Papaleontiou, [Name Irrelevant], [Name Irrelevant] (Press Office), [Name Irrelevant] (Press Office), Press Office SMT, [Name Irrelevant], [Name Irrelevant], Rebecca Egan, [Name Irrelevant], [Name Irrelevant], [Name Irrelevant], [Name Irrelevant]

Summaries of three SROs taken out by North Yorkshire Police.

**Sensitive/Irrelevant**