

Civil Orders and their usage

Managing risk through standalone applications

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NOTIFICATION ORDERS

- Sec 97 SOA 2003
- Three points to prove:-
 - Relevant conviction outside the UK
 - After 1st September 1997
 - Time on the register has not already expired
- Sec 97(5) Magistrates **MUST** grant the application



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Common delays

- Unwilling to do anything without an MO (many forces believe they cannot pursue a NO without)
- Repeat requests for the documents from CPC then allocated staff
- Held up at legal services (sometimes for months – no updates provided)
- Being told address checks were tasked, not receiving updates, chasing an update, being told address checks have been tasked...
- Forces saying that it should be another's responsibility



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Sexual Risk Orders

- Increasing use pre-charge for managing risk during protracted criminal investigations
- Use of interim orders alongside 'release under investigation' or at expiry of investigative bail
- Interim SROs discharged at point of conviction and replaced with SHPOs with similar conditions
- In event of non-conviction full SRO is sought



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Sexual Risk Orders

Benefits

- Effective conditions to reduce risk with meaningful sanctions
- Notification 'lite' requirements
- Judicial oversight of process
- Can be progressed to full orders even if criminal investigation cannot proceed



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Sexual Risk Orders

Challenges

- Early disclosure of prosecution case at interim hearing
- Cost of obtaining order
- Management of cases on ViSOR (volume)



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Violent Offender Orders

- Sec 101 Criminal Justice and Immigration Act 2008
- Limited qualifying offences
- Tailored prohibitions relevant to risk
- But only to disrupt activity against a;
- Person, Place or Event



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Questions..?

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