



SERIOUS CRIME PREVENTION ORDERS

A practitioners guide

Detective Inspector Andy Fox

Introduction

The purpose of this guide is to provide officers and staff with some guidance to support those wishing to seek a Serious Crime Prevention Order (SCPO) against an individual or individuals.

Whilst SCPOs can also be sought against corporate bodies, this guidance focuses solely on individuals given it is against whom that most applications for SCPOs are made.

This is focused on those working in the Southwest region, but the material within it can also be considered by others.

For further support, please email CourtOrdersSWROCU@avonandsomerset.police.uk

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Background information



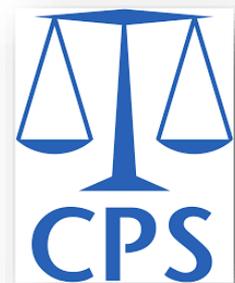
A SCPO is a stand-alone Civil Order made under **the Serious Crime Act 2007, Section 1-47** and **schedules 1 & 2 as amended by Part 3 of the Serious Crime Act 2015**.

Designed to help prevent people engaging in serious and organised crime by prohibiting and/or restricting activity

Applications are sent to the Crown Prosecution Service (CPS) who then apply to the court on behalf of the Police or other Law Enforcement agencies.

The Police cannot apply directly to the court for SCPOs (except for Terrorism cases)

The Criminal Justice Bill 2003 proposes to change this to allow for police to make direct applications to court for SCPOs.



The person **subject of the order must be 18 years or over** and who are appearing:

- In the High Court involved in Serious Crime, or
- In the Crown Court convicted of a serious offence

The Order can be for a **period of up to 5 years** from a date specified by the Court. Start dates for the date of the first “release on temporary licence” (ROTL) should be avoided.



Best practice wording for a SCPO start date is

“This Order comes into force for a period of 5 years beginning with the date upon which the subject is release from prison on Home Detention Curfew or on Conditional Release (but not release on temporary licence), whichever is later”

A **breach** of the Order could mean:

- On **summary** conviction, custodial sentence of up to 12 months or a fine, or
- On conviction on **indictment**, custodial sentence of up to 5 years or a fine or both



Unlike many other orders, a conviction for a breach allows for the SCPO to be amended if the evidence supports so it, this could be the length of the order or the conditions within it.

Legislation



The legislation (Serious Crime Act 2007 and 2015) states that the court must consider two provisions when determining whether to issue a SCPO

- The Court must have **reasonable grounds to believe** that the **order would protect the public by preventing, restricting or disrupting involvement by that person in Serious Crime** in England and Wales, and
- A requirement that there are **reasonable grounds to believe** that **there is a real risk that the person will be involved in further conduct** falling within the act (SOC) and from which the public require protection

Can you evidence to the court a view that there is such a “real risk” that they will be involved in further serious crime in the future? Article 8 Human Rights Act 1998 (Right to a Private and Family life) is a qualified, rather than absolute right, and can be lawfully interfered with for certain purposes such as to prevent crime.

When considering if a SCPO is proportionate and necessary we must have due consideration to the offenders Article 8 rights and articulate those considerations to the court to justify a SCPO being granted.

When the court is considering such an order, it is concerned with future risk. **There must be a real, or significant risk (not a bare possibility) that the Offender will commit further serious offences** (Hancox [2010] 2 Cr. App. R. (S.) 74, [2010] EWCA Crim 102 at [9]).

In *Hancox*, Hughes LJ held: ‘...it is not enough that the order may have some public benefit in preventing, restricting or disrupting involvement by the Offender in serious crime; the interference which it will create with the Offender’s freedom of action must be justified by the benefit; the provisions of the order must be commensurate with the risk’ (at [10]).

What is a Serious Offence for the purposes of applying for a SCPO?

Section 2 of the Serious Crime Act 2007 and amended by Section 47 of the Serious Crime Act 2015 and Schedule 5 of the Modern Slavery Act 2015 **defines a list of specified Serious Offences** within Schedule 1 of the act. This includes, but not limited to, drugs trafficking, slavery, firearms offences, financial crimes, bribery and corruption.

In addition to this, if an offence falls outside of those listed within Schedule 1 but, “**in the particular circumstances.... the court considers to be sufficiently serious to be as treated as serious offence**” then these offences can be used for the purpose of applying for a SCPO.

Inchoate offences such as conspiracy are included.



Serious Crime Act 2007



In the Crown Court the person **must have been convicted of a serious offence** by the Crown Court **or committed to the Crown court** following conviction of a serious offence by a Magistrates Court

A SCPO can still be made against an Offender given an absolute or conditional discharge following conviction.



In the High Court, the Judge must be satisfied **that the person has been involved in Serious Crime** (whether in England and Wales or elsewhere)

The High Court may be satisfied that a person has been involved in Serious Crime in England and Wales if:

- They have **committed** a Serious Offence in England and Wales, or
- They have **facilitated the commission by another of a serious offence** in England and Wales, or
- **Their conduct was likely to facilitate the commission by himself/herself or another** of a Serious Offence in England and Wales, whether or not such an offence was committed

SCPOs 'can only be made for the statutory purpose [under ss19(2) and (50) SCA 2007]: they are designed to be preventative rather than punitive; they must be necessary and proportionate; and they must be enforceable' (see Seale [2014] EWCA Crim 650 at [12]).

Serious Crime Prevention Orders | The Crown Prosecution Service

Applications

The issuing of a SCPO is a serious step and imposes significant conditions on an individual or corporate body. With that in mind, it should not be considered a routine application to make against all persons involved in cases determined as serious crime. As detailed within page 3 of the guide and in *Hancox 2010*, there needs to be a real risk that the individual will be involved in further serious crime and the order is necessary to the public from such serious crime being committed.

It is advised that applications for SCPOs are focused against those individuals who have had a significant and leading role in the serious crime being committed.

The sentencing guidelines are a useful point of reference when considering whether an individual is suitable for a SCPO application to be made against them, along with consideration of any previous convictions.

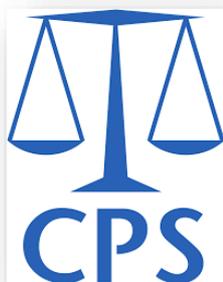
It is not a requirement that an individual has previous convictions for a SCPO to be applied for against them, but if using other information outside of previous convictions to justify the proportionality and necessity for the order, that would need to be evidenced.

Common offences – Sentencing

As per the CPS Guidance, the Government have stated that SCPOs are not intended, and would not be used as “a soft alternative to prosecution...there has been much mistaken comment about these orders being a way for law enforcement to get round troublesome prosecutions, that is not the intention” (Baroness Scotland 7 February 2007 Hansard HL col. 728)

The vast majority of SCPOs have been made following a conviction of a serious crime at either the Magistrates or Crown Court, rather than being issued following standalone applications to the High Court. Individuals should be made aware that standalone applications could be made if the evidence justified it and in cases where there is not a realistic prospect of conviction against them.

In cases where the application is made at point of conviction, it is likely that the evidence used to support an application is within the case file and should be retained should it be required for the SCPO application. Other material could be used to support an application if necessary and the CPS will lead on that aspect.



Early consultation with the CPS by the investigator to discuss the possibility of a SCPO application is vital so that there is sufficient time to consider the legality, necessity and proportionality of such an application, along with being able to draft the application and seek the authority of the Chief Crown Prosecutor (on behalf of the Director of Public Prosecutions) to make the application at court.

The application also needs to be served on the defence and the individual, who will respond accordingly and there may be a need to negotiate on the proposed conditions and term of the order.

The application should ideally be considered at point of sentence, and not merged within other proceedings, such as Proceeds of Crime Act 2002. This allows there to be a consistency of ownership of the SCPO application within the CPS and the investigation team, with a clear understanding of why the application is being made.

In the Southwest, a regional approach to SCPO applications and management has been agreed.

Investigators are encouraged to make early contact with the SWROCU to discuss potential SCPO applications.



The SWROCU will provide advice and assistance to the investigator and the assigned CPS Lawyer. This will include examples of conditions that are current and relevant to the context of the offending, along with the ongoing risk.

The SWROCU are part of a national network relating to SCPOs and will provide insights from such to inform investigators and the CPS.

What application form should I use?

CourtOrdersSWROCU@avonandsomerset.police.uk

In the Southwest, applicants are encouraged to use the application form illustrated. This allows for a full overview of the case; the legislative requirements being documented and evidence of justification. Justification tables are required to demonstrate exactly why the conditions are needed, and what purpose they will serve. Facts of the case and background history of the individual are required, really emphasise the risk and that doesn't have to be limited to previous convictions.

R v *****

Case Reference Number:

THIS NOTICE is to tell insert defendant's full name

Date of birth:

Address:

Having been convicted on ***** at ***** Crown Court of one or more serious offences:

Full offence details – include dates, full offence wording

AND UPON THE COURT having reasonable cause to believe that an Order under section 19 of the Serious Crime Act 2007 would protect the public by preventing, restricting or disrupting involvement by the Subject in serious crime in England and Wales

IT IS ORDERED AS FOLLOWS:

This Order comes into force for a **PERIOD OF 5 YEARS BEGINNING WITH THE DATE UPON WHICH THE SUBJECT IS RELEASED FROM PRISON** on Home Detention Curfew or on Conditional Release (but not release on temporary licence), whichever is later

1. NOTIFICATION

Any notification of information which the defendant is required to give within the terms of this Order should be made in writing to insert name and address of team/department at (Name e.g. Wiltshire Police) (or successor agency).

Any emails should be sent to insert email address for eg Wiltshire Police Team/department (or successor agency) and should be sent with the "delivery" and "read receipt" functions enabled to provide confirmation and retained to be shown to Police if requested.

Should the defendant permanently move or reside outside the Police area, details of the equivalent Law Enforcement Agency must be obtained by the Defendant at least 7 days prior to residing outside of the Police area.

Or if you chose to reside within another Police area upon this order coming into force you must immediately notify that new Police area of the details relating to this order. Any future or further changes to circumstances related to the contents of this order must be notified to their new home police area by contacting the closest police station to where you reside and informing them of the requirements of this order.

Any mention of insert name Police (e.g. Wiltshire Police) in this order will be replaced by the name of the new Police area once the defendant has moved to that new home police area.

THE TERMS OF THE ORDER the prosecutor wants the court to make are:

CP

REQUEST FOR AN APPLICATION FOR A CROWN COURT SERIOUS CRIME PREVENTION ORDER (SCPO)

OPERATION NAME	OP *****
DEFENDANT(S)	*****
COURT	***** Crown Court
STAGE OF PROCEEDINGS	Trial
SWROCU SCPO Coordinator	DI 1655 Andy Fox

FACTS

Operation ***** was an investigation into cross border Drugs trafficking, specifically Cocaine, by a ***** based organised crime group, which included in a leading role, *****

The case demonstrated Cocaine supply conspiracy at a consistent multi-Kilo level, through January 2018-December 2020, which culminated in 4 kilograms of cocaine being seized in Bristol, which ***** and ***** had been facilitating with others, and ultimately delivered to the customer ***** This investigation covered two conspiracy periods, where defendants entered the agreement at various points or appeared to leave it. Mr ***** and ***** remained consistently involved throughout the 2018-2020 period, operating as senior, or leading players in the hierarchy.

Far from being local or street level supply, this was a fully-fledged business agreement between ***** and others, including ***** brother ***** in which large quantities of cocaine would be obtained by the brothers, and then divided into multi kilo or multi ounce deals to customers, or simply brokered onto other Kilogram and above level drugs suppliers in the South West of England as was the case in November 2020 when ***** took possession of four kilograms of commodity. As relationships and the business of selling cocaine developed, ***** appeared to operate separately to his brother for a time, and ***** began to give the business, and established his own supplier, preventing the need to purchase drugs from the ***** brothers. This was via a London based Albanian Organised Crime group, with ***** and ***** at the head of this group, with a direct importation means for the drugs, and a national distribution network. ***** would later draft a contract of employment for ***** as a business development manager, again, in what the crown state is an attempt to conceal the true nature of their association.

A variety of businesses are alleged to have been used by Mr ***** in attempts to conceal his criminal gains, including his "employment" at ***** Tyres, a company owned and managed by Mr ***** It is the crown case that the salary paid legitimately to ***** Tyres, including taxation and NI contributions were paid by ***** and his associates, to ***** and given the absence of evidence in this case of genuine employment are considered to be nothing more than a vehicle for legitimising funds and enabling the obtaining of credit, mortgages, phone contracts etc.

1. Appropriate	2. Proportionate	3. Necessity
Why is there a need for the Restriction?	How will the condition set the sentencing powers the Court already has? Or How will this stop or reduce the criminal activity whilst limiting any human rights infringement?	What is the link between the restriction and serious criminality which would be prevented and/or disrupted by this restriction? What are we trying to stop?
Historically those involved in organised criminal offences use multiple handsets, SIM cards and other communication devices, including encrypted devices in order to evade detection by Law Enforcement Officers and carry out their criminal activity. The defendant has also used these types of devices to communicate and manage the activity of the OCG and those under his control. Phone work supports his connection to the other OCG members and his role within the OCG.	Other ancillary orders have been considered which do not meet the aims of the future management of the Defendant. The condition supports the Court's sentencing powers for the purpose of protecting the public from serious crime likely to be exhibited by the Defendant without this condition. The condition has been considered in accordance with the Defendant's Human Rights, relating to lawful interference and any necessary and proportionate to ensuring public protection and disrupting and/or preventing recidivism. The condition does not inhibit the individual's rehabilitation from society, it allows the individual with access to communication devices only for law abiding means.	This restriction serves to disrupt the Defendant from re-engaging in serious criminality. The Defendant has shown capabilities of committing serious crime through the use of communication devices, it is therefore considered this condition will act to disrupt and prevent the likelihood of future serious crime committed by the Defendant. It is shown that due to the widespread network of the OCG that the use of mobile phones was necessary for the control of the criminal activity.
4. Accountable	5. Outcomes	
How is this condition enforceable or how can this restriction be used for intelligence purposes?	Possible outcomes for criminal justice system and law enforcement	
The restriction empowers the Court to identify breaches capable of being proved which serves as a further preventative measure to safeguard and protect the public from the Defendant's likelihood of future offending. The Defendant will be required to notify law enforcement of access to communication devices which promotes law abiding behaviours. Alternatively, in the event of non-compliance, law enforcement will have sufficient evidence and means to intervene in order to increase protection to the public. The condition enables law enforcement to detect serious criminality throughout the duration of its term with provable links to enforce. Conditions of this order will be stored on PNC/POD and other Crime recording systems utilised by the Police.	Other successful indicators as a result of imposing this condition include the ability for it to assist law enforcement to locate the Defendant, monitor activities and enable early intervention of harmful offending behaviours. Law enforcement partners will also be able to robustly manage the Defendant's risk of harm and risk of re-offending, ensuring a collaborative approach to act swiftly/enforcement action should we detect non-compliance. Furthermore, this condition reduces opportunities for the Defendant to conduct future serious crime. The restriction enables law enforcement to rely on valuable evidence, for instance means of cell site, data tapping and phone downloads to apply intervention at an early stage thus protecting the public from greater risk of harm.	

There is nothing set out in either legislation or policy (within the Southwest) which dictates whether investigators need to secure formal internal authority from a senior officer before seeking to apply for a SCPO.

That said, it is advised that investigators raise the potential for an application with the Senior Investigating Officer so that their views can be sought and then considered, particularly around necessity and proportionality – or whether other ancillary orders may be more appropriate.

If the individual is residing, or likely to reside, in an area outside of the force area who are making the application then it is best practice to engage with the home police force for the individual prior to the application being made to establish their views on the application, the conditions being sought and whether there are any issues to consider around monitoring of the order.

This is particularly key for SWROCU staff who won't be representing a particular force during the application.

What conditions should I seek on a SCPO?

- There is **no defined list of conditions**, but they do need to directly associate to the evidenced risk of the individual committing further serious crime.
- The **evidence to justify each condition must be documented** within the application.
- As the investigator is often not the individual who will be responsible for managing/monitoring the order, it is imperative that the investigator and the CPS lawyer **consider how the order can be managed/monitored when the order is live** either within the community or when they are in custody.
- **advice should be sought from offender management teams** and force SOC leads on what appropriate conditions should be sought.
- The **conditions should be able to be easily understood by the individual subject to the order, along with law enforcement**. Ask yourself, if the individual was stopped in the street, would the response officer be able to understand what the provision within the order allows them to do? If the answer is no, it is likely the wording is too complicated.
- Think about **the value of the condition towards the overall ability to manage the risk and protect the public** – for example, don't just seek for the order to require them to notify what phones they have as they use their phones to run their drugs business, always seek a condition that allows for examination of such devices to be able to truly assess the risk of that individual by understanding the communication activity.
- Is there **evidence of them using a premise to further their serious offending**, this could be storing or making commodity, it could be that evidence of their unexplained wealth in their home address – if so, seek a condition to be able to access for the purposes of managing the risk.
- **Make sure there is flexibility within the order so that it can be managed by any police force**, irrespective of where the individual resides. To do this, whenever it is written to notify a particular force, add the following (or successor agency). This prevents the need to keep going to court to change the name of the force the individual needs to make notifications of information to.
- Ensure that there are clear **details of when the order starts, how the individual will need to notify information** (email/letter/phone) and that it **includes conditions around changes of names and addresses**



The CPS created a precedent library of SCPO conditions, but it was last updated in 2018. In the following years, lots of further conditions have been secured and investigators should engage with the SWROCU to ensure the conditions sought are up to date and appropriate to manage the risk. There is nothing that states that only conditions listed within the precedent library can be applied for. **CPS SCPO Precedent Library**

In *McGrath* [2017] EWCA Crim 1945, the Court of Appeal emphasised that the terms of a SCPO ‘*must be practical, enforceable and precise... as well as being proportionate and must be restricted to those which are absolutely necessary*’ (at [12]).

Much of what the Court of Appeal said in relation to ASBOs in *Boness* [2005] EWCA Crim 2395, [2006] 1 Cr App R (S) 120 (690) applies to SCPOs (see *Hancox* at [11]). The test of proportionality, the emphasis on the order being practicable and enforceable, the test of precision and certainty and the fact that the order is preventative not punitive.

R v Seale [2014] EWCA Crim 650 found the terms of the order must be necessary and proportionate and must also relate to the specific facts of the case.

Hughes LJ cited the earlier decision of the House of Lords in a Human Rights Act case *EB(Kosovo) v Secretary of State for the Home Department* [2008] UKHL 41, [2009] 1 AC 1159 in the opinion of Lord Bingham of Cornhill at paragraph 7. Hughes LJ noted that the necessity for orders to be proportionate follows from the fact that they will almost inevitably engage Article 8 of the European Convention on Human Rights, that is the right to respect for private life. What this means is that it is not enough that the order may have some public benefit in preventing, restricting or disrupting involvement by the Offender in serious crime. The interference which it will create with his freedom of action must be justified by the benefit and the provisions of the order must be commensurate with the risk

R v Abdur Sidat (2023) states “...the court is not restricted or confined to seeking to prevent activities which the Offender has already been guilty of in the past. Since the focus of a prevention order is forward looking, to prevent future risks, it is entirely possible for there to be proportionate measures taken which are not precisely tailored to prevent exactly what the Offender has done in the past. There is also the obvious risk that if a Serious Crime Prevention Order is drawn too narrowly, by reference to exactly what the Offender has done in the past, the Offender will simply adjust his methods of working to avoid what he did in the past but carry on committing serious crimes”

What impact does a SCPO have on an offender being released into the community on a licence?

A licence primarily is to protect the public, to prevent re-offending and to secure the successful reintegration of the individual back into the community. They are not a form of punishment and licence conditions must be considered necessary and proportionate. Licence Conditions must be preventative and not punitive (Parole Board 2022). The licence is managed by His Majesty’s Prison and Probation Service, a breach of a licence could lead to it being revoked and the individual being returned to prison, but it is not a separate criminal offence. The Police can only enforce a breach of licence if a recall to prison warrant has been issued.

A SCPO is also preventative, and not punitive. It is, however, managed by Police (or other law enforcement) and a breach of a SCPO is a criminal offence for which the individual can be arrested. It provides a dynamic ability to manage the risk. Both a SCPO and a licence can be complimentary of each other, albeit they are managed by different agencies and provide different opportunities to protect the public. The SCPO must not impede upon the individual’s ability to reintegrate into the community. being subject to a licence is not a reason to not seek a SCPO.

In *R v Hall*, the fact that the relevant person named in the order would be released on licence which would last longer than the order was no reason not to make a SCPO

Management of SCPOs and dealing with breaches

Once a SCPO is issued, the Court will send a copy of the order to the relevant police force for that Court area or to the law enforcement agency (such as the National Crime Agency (NCA)) that have sought the SCPO. The SCPO will be added to the Police National Computer (PNC) and, when in place to replace PNC, it will be added to the Law Enforcement Data Service (LEDS).

For Police owned SCPOs, they also must be added to the ViSOR system at that time. This follows a decision made by the National Police Chiefs Council in 2017 following recommendations from a national inspection of Serious and Organised Crime by both the Her Majesty's Inspectorate of Constabulary (as it was known in 2017) jointly with Her Majesty's Inspectorate of Probation (as it was known in 2017) which had found that there was lack of ownership, awareness and coordination of individuals subject to SCPOs. The use of ViSOR is directed by the "ViSOR Standards" and can be referred to.



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- There is currently no national guidance or standards for the management of SCPOs across law enforcement. It is dictated by individual law enforcement policies,
- In the Southwest, once the SCPO is issued at court, the relevant southwest police force where the SCPO was issued will create the ViSOR record and update PNC/LEDS. This is a regional agreement. If the subject is in prison, the ViSOR Record is transferred to the SWROCU who will monitor the offender whilst in custody, engage with partner agencies and coordinate release planning. A Regional procedural guide refers.
- Once it is known where the individual will be residing on release, the record is transferred to that force for ongoing

- Risk management of SCPOs in the community should form part of a police forces response to SOC threats in their area given the order has only been issued due to evidence of a real risk that that individual will commit further serious crime of which the public need to be protected.
- Early engagement with the individual prior to and upon their release is recommended, to explain the SCPO and advise on next steps.
- It will also be a good opportunity to engage with other agencies involved in the management of the individual, such as the HMPPS, and align with others who may be involved in other proceedings, such as POCA.
- Subsequent management could involve an allocated Offender Manager or Lead Responsible Officer. The individual could feature in a 4P plan or other risk management document. Visits to the individual could be conducted if required, along with the use of both Neighbourhood Policing resources alongside more specialist capabilities to manage the risk.
- Each force should have a defined method of receiving and recording information relating to the SCPO from the individual subject of it.
- It could be that a more reactive approach to management is followed by a police force, the response to management should be both context and risk informed.
- Local intelligence systems should have the details of those subject of SCPOs illuminated to local officers and staff working in the areas where the individual resides, to maximise intelligence gathering and risk management opportunities.





Breaches of SCPOs

Breaches of SCPOs are criminal offences for which the individual can be arrested and prosecuted. Often breaches will result in a prosecution, and it is usually in the public interest to do so.

That said, it does remain within the gift of law enforcement to consider alternative action outside of a prosecution if such is justified within the circumstances of the breach and overall risk management. The context of the breach needs to be understood when determining the right course of action. The same breach could mean different things in different circumstances.

For example, a breach whereby an individual has simply forgotten to update the police with a new bank card as required to do so, when they have a history of compliance and are rehabilitating well in the community is unlikely to have an impact on their risk and justify a prosecution. It may be more effective to the ongoing offender management of the individual to issue a warning and education.

In other circumstances, where the breach is the same regarding the lack of notification of a bank card, but the individual is non-compliant with the order, there is intelligence that they are heavily involved in serious crime but insufficient evidence to prosecute any such offences at this time, and there is an ongoing threat posed by that individual, it is more likely to justify a prosecution as it may be the only available disruptive action available at that time. A conviction could lead to a variation of the SCPO, it could lead to a prison sentence or community order, and it could therefore add further controls to manage the risk.

It is difficult to determine, in all cases, what would be deemed a Minor breach of a SCPO and what would be deemed a significant breach but always consider the context of the breach and the impact it has on the risk posed by that individual when deciding on what action to take.



Case Files

A breach will need to be recorded in accordance with Crime Recording rules and any decision made recorded in an auditable way.

An interview under caution will be required as part of the investigation.

A file should be submitted to CPS before charging decision and should include:

- CM01 (MG3)
- Breach Statement
- Details of any additional offending
- Any previous warnings/correspondence in relation to the SCPO
- Evidence of the breach
- PNC Record

In cases where there are investigations into other criminality, consider whether the prosecution of the breach should proceed whilst that investigation remains ongoing or joined together with other charges later.

If convicted of breach of the Order, Section 48 of the Serious Crime Act 2015 allows an application for a new SCPO to be made, regardless of any penalty imposed, to commence from the date of conviction or, if the offender receives a further term of imprisonment



Appendix A – Examples of conditions

Example conditions/prohibitions/requirements for Serious Crime Prevention Orders

All the conditions, prohibitions and requirements documented within this guidance have been secured on Serious Crime Prevention Orders (SCPO) issued by UK courts.

Terms on a SCPO must be associated to the risk posed by the subject of the order and evidenced within the application.

Any conditions, prohibitions and requirements that require the subject to notify the police/law enforcement of information or have a need for the police/law enforcement to be named must not name a singular police force/law enforcement body.

Conditions are tailored to what the individual has done and might do again. They are designed, in the terms of the statute, to disrupt any future commission of a serious offence. It is important to make it clear to a defendant that he is being monitored in his relevant activities is a legitimate aim of a SCPO

They **must** use terminology that allows the subject to notify a new police force/law enforcement body about information set out in the SCPO if they move and are now residing in a new police force area.

For example.

*“You must notify Devon and Cornwall Police (**or successor agency**) of any communication device that you use, own, possess or control...”*

This allows for such flexibility that the SCPO can be managed, and the offender is able to comply with, wherever they live across the UK.

The risk is owned by the home police/law enforcement area, and they need to have the ability to manage the order.

Opening Information for the SCPO

R v *****

Case Reference Number:

THIS NOTICE is to tell insert defendant's full name

Date of birth:

Address:

Having been convicted on ***** at ***** Crown Court of one or more serious offences:

Full offence details – include dates, full offence wording

AND UPON THE COURT having reasonable cause to believe that an Order under section 19 of the Serious Crime Act 2007 would protect the public by preventing, restricting or disrupting involvement by the Subject in serious crime in England and Wales

IT IS ORDERED AS FOLLOWS:

This Order comes into force for a **PERIOD OF 5 YEARS BEGINNING WITH THE DATE UPON WHICH THE SUBJECT IS RELEASED FROM PRISON on Home Detention Curfew or on Conditional Release (but not release on temporary licence)**, whichever is later

1. NOTIFICATION

Any notification of information which the defendant is required to give within the terms of this Order should be made in writing to **insert name and address of team/department at (Name e.g. Wiltshire Police)** (or successor agency).

Any emails should be sent to **insert email address for eg Wiltshire Police Team/department** (or successor agency) and should be sent with the “delivery” and “read receipt” functions enabled to provide confirmation and retained to be shown to Police if requested.

Should the defendant permanently move or reside outside the Police area, details of the equivalent Law Enforcement Agency must be obtained by the Defendant at least 7 days prior to residing outside of the Police area.

Or if you chose to reside within another Police area upon this order coming into force you must immediately notify that new Police area of the details relating to this order. Any future or further changes to circumstances related to the contents of this order must be notified to their new home police area by contacting the closest police station to where you reside and informing them of the requirements of this order.

Any mention of **insert name** Police (**e.g. Wiltshire Police**) in this order will be replaced by the name of the new Police area once the defendant has moved to that new home police area.

THE TERMS OF THE ORDER the prosecutor wants the court to make are:

This is how the opening of the SCPO should be written which sets out key information around notification and start date.

Restriction and Notification of Communication Devices/the internet

Communication devices

- The offender may own, possess, or use at any one time
 - i. **one** mobile telephone handset with one SIM card and one number
 - ii. **one** computer.
 - iii. an **unlimited** landline telephone number for each premises at which he lives or works, and any such landline may be connected to any number of handsets
- Save as set out in clause *** above, the offender shall not own, possess, or use any other communication device
- For the purposes of this Order, a **communication device shall include, but is not limited to**
 - I. A mobile telephone
 - ii. A telephone landline (with or without handsets)
 - iii. A SIM CARD
 - iv. An internet telephone
 - v. A satellite telephone.
 - vii. A mobile VOIP (Voice Over Internet Protocol) device
 - viii. A two-way radio
 - ix. A computer
 - x. A fax machine
 - xi. A games console with the instant messaging facility enabled
 - xii. any other device equipped to send or receive voice, images, text or data communications
- For the purposes of this order, **a computer includes, but is not limited to**
 - i. A desktop computer
 - ii. A laptop computer
 - iii. A tablet computer; or
 - iv. A netbook
- for the purposes of this Order **the phrase “premises at which he lives or works”** includes, but is not limited to, holiday accommodation
- The Offender shall be allowed to use an electronic device that communicates automated data with a third party in the normal course of its own activity **if it is not used or modified to communicate directly with an individual.** Such items may include but are not limited to
 - I. Televisions, including those where programming is provided by satellite, cable or internet services
 - ii. GPS systems.
 - iii. Domestic appliances connected to the internet
- Any communication device that the Offender owns, uses, possesses or controls must:
 - (i) **Not be encrypted.**
 - (ii) **Not run messaging applications which remain encrypted** once received or automatically deleted (self-destruct) a message once read.
 - (iii) **Not run software which is designed to prevent data from being retrieved** from the communication device; and
 - (iv) If capable of accessing applications including websites, **must also be capable of retaining and displaying the history** of the usage.

- Any communication device which the Offender owns must be registered with the service provider in the Offender's full name as recorded in this Order or as changed by deed poll and notified to ****insert named police force**** (or successor agency) in accordance with the terms of this Order
- The Offender shall notify ****insert named police force**** (or successor agency) in writing within 24 hours of obtaining, possessing, using or controlling any communication device or any account under which such a device is operated, stating (where applicable) the:
 - (i) Make, model, serial number and colour of the device.
 - (ii) The name of the network service provider.
 - (iii) Details of where, when and from whom the device was acquired.
 - (iv) Telephone number, SIM card number and IMEI number of the device.
 - (v) Landline telephone number and place of installation.
 - (vi) Internet service provider and account details, including any email addresses.
 - (vii) VOIP service provider and account details.
 - (viii) Name of any instant messaging and/or social networking provider used, together with the usernames and passwords for those accounts.
 - (ix) Details of any domestic or international telephone routing service or telephone card service.
 - (x) Details of any other service provider as may be applicable to the device;
 - (xi) Any PIN code or locking password applied to the device.
 - (xiii). Details of any cloud storage accounts, together with username and password for those accounts.
 - (xiv). If a computer is a portable device, details of address(es) at which it is charged and/or synchronized.
- If using a communications device not owned by the Offender, details of the owner of the device, including:
 - a) the full name
 - b) the address and
 - c) why the Offender is using this communication device
- On the date of this Order coming into force, the Offender shall ****notify insert named police force**** (or successor agency) in writing of any communication device(s) he owns, possesses, uses or controls, including in that notice the details set out in paragraph 2.7 of this Order.
- The Offender must dispose of all communication devices, other than those permitted by paragraph **, within 7 days of this Order coming into force.
- Any changes to the information required to be notified to the police pursuant to paragraph ** must be reported to police within 24 hours of the change taking place.
- The Offender **shall not lend or otherwise permit any other person to use** a communication device that he may own, possess or control in accordance with paragraph
- The Offender shall **make available for examination on request** by any officer(s) from ****insert named police force**** (or successor agency), **any communication devices** (mobile phone or computer) notified. The Offender must provide the details of any password, PIN or other security provision in place to the officers so the device (Including all applications) can be examined and if required, the removal of the mobile phone or communication device to a location where it can be examined, including the copying of the mobile phone for subsequent examination.

- The production requirements in paragraph **, will be such, that if the mobile phone is removed for inspection and/or examination, the mobile phone shall be returned to the Offender within 24 hours, save that the mobile phone need not be returned if examination reveals reasonable grounds for suspecting the commission of criminal offences and/or a breach of this Order.

Vital for the purposes of effective management of the order to secure a condition that allows for inspection of devices

Internet Access

- The Offender is **prohibited from using any device capable of accessing the internet unless:**
 - i. it has the **capacity to retain and display the history of internet use;** and
 - ii. he **makes the device available on request for examination and removal if required, by a police officer.**
- The Offender is **prohibited from deleting** any search history, messages, web addresses and usernames unless authorized by and in the presence of a police officer or designated member of police staff.
- The Offender **shall notify a nominated** Police Offender Manager within *insert named police force* (or successor agency) in **writing within 24 hours upon obtaining an Internet Service Provider (ISP)** and notify in writing any intended change to an ISP. This ISP must be UK based
- The Offender is **prohibited from using any available means to conceal, change or disguise the IP address or originating IP address of the communication device of computer.** For example, Virtual Private Networks (VPN's) or Proxy Servers.
- The Offender is **prohibited from using any randomized chat-based platform** that allows the user to connect with unknown persons. Unless prior consent is obtained from the police.
- The Offender is prohibited from using the video sharing platform Odysee

Prohibition on the use of the dark web

- The Offender **shall not access or use any website on the covert internet.** This includes but is not limited to encrypted non-generic secure online services, typically 'The Onion Router' (TOR).

Prohibition on the Use of Public Communication Facilities

- The Offender **may not use public communication facilities** provided by any telephone kiosk, internet café or library **other than for the purposes of contacting the emergency services by way of 999 calls or any commercial provider of emergency roadside assistance**

Notification on the Ownership and Use of any motor vehicle

- On the date of the coming into force of this order, the **Offender shall notify *insert named police force*** (or its successor agency) **in writing of any private motor vehicle which he owns, possesses, or drives.** Any such notice shall include in respect of each vehicle the following information:
 - i. the vehicle's registration number.
 - ii. the vehicle's make, model and colour.
 - iii. the identity of the insurer and the number of the insurance policy permitting the Offender to use the vehicle or someone permitted by the Offender to use the vehicle, together with a copy of the insurance certificate.
 - iv. the name and address of the person from he bought the vehicle or who permitted the Offender to possess, or uses the vehicle; and
 - v. the time he intends to own, possess, or use the vehicle for.

- The **Offender shall notify *insert named police force*** (or its successor agency) **within 24 hours of any changes in his ownership, possession, or use (drives) of vehicles** during the course of the order, and he shall include in any such notice the following information:
 - i. the vehicle's registration number.
 - ii. the vehicle's make, model and colour.
 - iii. except where the Offender has sold the vehicle, the identity of the insurer and the number of the insurance policy permitting the Offender or someone permitted by the Offender to use the vehicle, together with a copy of the insurance certificate.
 - iv. either
 - v. the name and address of the person he acquired the vehicle from or who permitted the Offender to possess, or use the vehicle, or
 - vi. the name and address of the person he sold or otherwise disposed of the vehicle to or who he permitted to possess or use the vehicle.
 - vii. except where the Offender has sold the vehicle, the time he intends to own, possess, or use the vehicle for or the time he intends to allow possession or use by another of the vehicle for.

- The **Offender may not drive any vehicle that he is not the owner or registered keeper of**, unless prior to driving the vehicle he provides to the *insert named police force* (or its successor agency) in writing
 - i. the vehicle's registration number.
 - ii. the vehicle's make, model and colour.
 - iii. the name and contact details of the vehicle's owner.
 - iv. the identity of the insurer providing the insurance policy permitting the Offender to use the vehicle.

- Subject to the clause below, the **Offender shall not hire a vehicle of any kind or otherwise use, or possess a hire vehicle.**

- The **Offender may hire a vehicle for his personal use provided that**
 - i. the vehicle is hired in his full name as recorded in this Order (or, in the event of a change of name by deed poll, as notified to *insert name police force* (or its successor agency) in accordance with the terms of this Order); and

ii. he has given *insert named police force* (or its successor agency) 7 days advance notice in writing of his intention to hire the vehicle and that such notice shall include:

- a. the name and address of the hire company.
- b. the date on which he intends to take possession of the vehicle.
- c. the time he intends to hire the vehicle for.

iii. within 24 hours of any commencement of vehicle hire the Offender shall notify *insert named police force* (or its successor agency) in writing details of:

- a. the vehicle's registration number.
- b. the vehicle's make, model and colour.
- c. the identity of the insurer and the number of the insurance policy permitting the Offender to use the vehicle, together with a copy of the insurance certificate.

- Except when test driving a vehicle with a view to its purchase, the **Offender may not rely on motor trader insurance** when using a vehicle.
- The Offender **shall not modify, adapt or permit another to modify or adapt any vehicle** owned or used by him during the terms of this Order. **This includes any hides or compartments**, beyond the standard specification of the vehicle.
- Use of public transport as in defined in the below clause is excluded from the terms of this Order
- For the purpose of this Order public transport means the system of vehicles used by the public and is taken to include:
 - i. Buses & coaches except those on private hire.
 - ii. Hackney carriages (Taxis) when being used for hire.
 - iii. Licensed Mini Cabs when pre-booked.
 - iv. Private Hire Vehicles including motorcycles when pre-booked.

Notification of, and access to, premises both within and outside the UK

- On the date of the coming into force of this Order, the Offender shall **notify** the *insert named police force* (or its successor agency) of the **full postal addresses and any postal codes of all premises**, including business premises, which **he may own, possess the keys to, occupy** (whether as a tenant or not), specifying in that notice which of the premises is his home address.
- During the operation of this Order, the Offender shall **notify** the *insert named police force* (or its successor agency) **in writing immediately of the full postal addresses** and any postal codes **of any premises, including business premises, which he may acquire, possess the keys to, occupy** (whether as a tenant or not) or control, specifying in that notice which of the premises is his home address.
- For the purposes of this Order premises includes, but is not limited to, dwellings, commercial units, mobile units, caravans, hotels, garages, outbuildings, allotments, garden buildings and sheds.
- The Offender **must give Police access to any premises owned, occupied or controlled by him**, at any reasonable time for the purpose of carrying out such an examination to ensure compliance with this order
- The access to premises as detailed in paragraph *** shall be limited to not more than once in every 3 months
- The offender must surrender to the *insert named police force* (or successor agency) any item which contravenes the restrictions imposed by this order

Vital for the purposes of effective management of the order to secure a condition that allows for access to premises

Notification of Residence

- The Offender must notify the *insert named police force* (or successor agency) of his full current residential address. In the event the Offender is due to move addresses he must notify *insert named police force* (or successor agency) 7 days in advance of moving providing:
 - i. date of move to new address;
 - ii. full address of new residence;
 - iii. intended period taken to move

Notification of finances (including virtual and restriction on cash/coin)

Restriction and notification of Bank Accounts

- The Offender shall **notify** *insert named police force* (or successor agency) in accordance with the terms of this Order of **all bank accounts that he holds**, and any such account or accounts shall be in the Offenders' full name as recorded in this Order or as changed by deed poll.
- Any account or accounts held by the Offender above shall be held at a bank or building society within England and Wales that operates under a licence issued by the Financial Conduct Authority or its successor as regulator.
- The Offender **must not use any other person's current, savings or credit card accounts for his own purposes**, or hold, have an interest in or control any monies held in such accounts in the name of third parties.
- Within 7 days of this order coming into force and within 21 days **of any replacement account or accounts being opened** by the **Offender must send written notice to the *insert named police force*** (or successor agency) in accordance with the terms of this Order setting out details of:
 - i. the financial institution.
 - ii. the account name and type.
 - iii. the branch location.
 - iv. the account number.
 - v. the sort code; and
 - vi. the opening or current balance

Notification of finances and assets

- Within 21 days of the start of this order the **Offender shall submit a report of their finances and assets** to *insert named police force* (or successor agency). Each report shall include:
 - i. A schedule of any current salary or other form of income or monies received including interest received, detailing its source and amount, (whether in the United Kingdom or overseas), identifying the amount paid, by whom it is paid and the account or accounts into which such sums are paid. The report shall include copies of all payslips for the relevant period. Where the income derives from self-employment or a Partnership, a copy of the relevant business accounts shall be provided
 - ii. A copy of all bank statements for the preceding 6 months for all accounts held by the Offender
 - iii. list of all assets and investments held by Offender - including land, buildings, shareholdings with number of shares, bonds, valuable goods and vehicles - worth £5,000 or more. This includes the name of companies such are held with, and account numbers were applicable.
 - iv. statement of truth, signed and dated by the Offender, namely "I certify that the information provided in this report is accurate and complete"
- Thereafter, within 21 days of the end of each succeeding period of 12 months, make further reports to *insert named police force* (or successor agency). The report shall be in writing and submitted to *insert named police force* (or successor agency)

Restriction on Virtual Currency

- The Offender **must not have, use, or be a signatory to a virtual currency account or any other system or trading platform/exchange** that uses or processes virtual currency
- A virtual currency is a type of unregulated, digital money, which is issued and usually controlled by its developers, and used and accepted among the members of a specific virtual community. For the purpose of this Order, virtual currency includes, but is not limited to, Bitcoin, Ethereum, USDT, USDC, Solana, XRP, BNB and other cryptocurrencies, or their equivalent or successor

Alternative option:

- Upon the coming into force of this Order the Offender **must send written notice to *insert named police force (or successor agency)* setting out details of all virtual assets legally or beneficially owned wholly or in part by him and held in a Virtual Asset Service Provider**, including cryptocurrency exchanges. The written notice will set out:
 - i. The name and details of the Virtual Asset Service Provider
 - ii. The name the account is registered under
 - iii. The account number or other identifying reference number of the account
 - iv. Details of all virtual assets held in the account.
- The **Offender must then close any accounts that are held with Virtual Asset Service Providers not based in England and Wales and withdraw from any joint accounts or assets on which he is named or has an interest**. This is to be done within 14 days of this order coming into force. Written Notice must be given to *insert named police force (or successor agency)*, within the same 14-day period, regarding where virtual assets from any closed accounts have subsequently been placed or where any changes to individuals named on accounts are made.

Alternative option:

- Upon the coming into **force of this order the offender must send written notice to *insert named police force (or successor agency)* setting out details of all virtual assets**, including any form of crypto asset, that are legally or beneficially owned wholly or in part by him, and are held privately in any form of software or hardware wallet. The written notice will set out:
 - I. The name of the type of software or hardware wallet.
 - II. The physical location where this software or hardware wallet is routinely kept.
 - iii. Details of any device that the wallet is linked to, if it is a software wallet.
 - iv. Any PIN codes or other information required to access the software or hardware wallets.
 - v. Details of what virtual assets are stored on the software or hardware wallet.
- The **offender shall notify *insert named police force (or successor agency)* in writing within 24 hours when they purchase or set up any new private wallet capable of storing virtual assets** including cryptocurrency. The written notice will set out:
 - i. The name of the type of software or hardware wallet.
 - ii. The physical location where this software or hardware wallet is routinely kept.
 - iii. Details of any device that the wallet is linked to, if it is a software wallet.
 - iv. Any PIN codes or other information required to access the software or hardware wallets.
 - v. Details of what virtual assets are stored on the software or hardware wallet.

Restriction on possession of cash and coin

- The Offender **shall not possess cash in any currency to a combined value in excess of £1,000** unless he has a specific purpose for possessing it and has given 7 days prior notice to *insert named police force* (or successor agency):
 - i. The amount of cash and currency to be possessed
 - ii. The date(s) and time(s) he intends to take possession of it,
 - iii. The source of the funds
 - iv. The purpose of possessing the cash
- For the purposes of this Order and any proceedings in connection with it “cash” includes bank notes and coins in any currency, postal orders, travellers cheques, bearer shares and bearer bonds.
- The sterling value of foreign currency is to be calculated by reference to the exchange rate as reported by the Financial Times on any day that the Offender possesses the foreign currency.

Restriction and notification of money transfers

- The Offender may use banking facilities provided by a bank or building society within England and Wales that operates under a licence issued by the Financial Conduct Authority or its successor as regulator to affect a credit transfer to a destination overseas or to receive a credit transfer from overseas.
- Subject to clause ***, the Offender may not himself or through a third party effect a credit transfer to a destination overseas or otherwise transmit money or cash overseas.
- Subject to clause ***, the Offender may not himself or through a third party receive the benefit of a credit transfer from a destination overseas or otherwise receive money or cash from overseas.
- 7 days in advance of a credit transfer in accordance with clause ***, the Offender shall notify *insert named police force* (or successor agency) in writing of his intention to make or receive the credit transfer and to include in that notice:
 - i. the name of the bank or building society making the credit transfer;
 - ii. the branch from which the transfer is to be made;
 - iii. the name and number of the account from which the transfer is to be made;
 - iv. the name of the financial institution overseas to which the credit transfer is to be made;
 - v. the branch to which the transfer is to be made;
 - vi. the name and number of the account to which the transfer is to be made;
 - vii. the full name and address of the intended final recipient of the transfer;
 - viii. the amount to be transferred;
 - ix. the purpose of the intended transfer.

Businesses - Notification of business interests/restrictions

Notification of business interests

- On the date of the coming into force of this Order, the Offender **shall notify *insert named police force (or successor agency)*, in writing of any business interests he has** (whether as a director, shareholder, employee or otherwise and whether receiving an income or not). Any such notice shall include in respect of each business the following information:
 - i. the name and address of the business in which the Offender has the interest.
 - ii. the nature of the business.
 - iii. the Offender's role within the business; and
 - iv. the Offender's income or proposed income from the business.
 - v. the name, address, occupation of all existing clients within [14 days] of the signatory of a client care letter, or equivalent
- During the operation of this Order, **should the Offender acquire any business interests (whether as a director, shareholder, employee or otherwise and whether receiving an income or not), he shall notify *insert named police force (or successor agency)*, in writing within [24 hours] of acquiring that interest.** Any such notice shall include, in respect of each business, the following information:
 - i. the name and address of the business in which the Offender has the interest.
 - ii. the nature of the business.
 - iii. the Offender's role within the business; and
 - iv. the Offender's income or proposed income from the business.
 - v. the name, address, occupation of all existing clients within [14 days] of the signatory of a client care letter, or equivalent
- The Offender **shall hold all his business interests in his full name as recorded in this Order** (or, in the event of a change of name by deed poll, as notified to *insert named police force (or successor agency)*, in accordance with the terms of this Order)

Prohibition on the possession and trade in chemicals used as cutting agents, and legal highs with illegal drugs

- The **Offender shall not possess any chemicals susceptible for use as a cutting agent with illegal drugs.** This includes being involved in importation, exportation, broker, purchase or sale of such chemicals; and in conjunction with others, not to arrange, facilitate, counsel or attempt to do any of the above. Such substances including but are not restricted to the following: Boric Acid, Benzocaine, Lidocaine and/or Lignocaine, Phenacetin, Procaine, Paracetamol (powder), Mannitol and Caffeine (powder).
- The Offender shall not own, possess or use, for commercial purposes, any chemicals, which can be added to controlled drugs in order to make it appear as if the amount of controlled drugs is larger than it in fact is (cutting agents), including but not limited to boric acid, benzocaine, lidocaine, lignocaine, phenacetin, procaine, paracetamol powder, bicarbonate soda, mannitol and caffeine powder; or

- i. are not a licensed medicinal product or a controlled drug, but have been manufactured or intended for use or consumption in the recreational drugs market (Novel Psychoactive Substances), including but not limited to substances which are frequently sold and misrepresented as 'research chemicals', 'party pills', 'herbal highs', 'plant food' and 'bath salts'.
 - ii. are restricted under the Home Office Drug licensing schedules, these are: Ephedrine, Ergometrine, Ergotamine, Lysergic Acid, BMK, Pseudoephedrine, N-acetylanthranilic Acid, PMK, Isosafrole, Safrole, Piperonal, Norephedrine, Acetic Anhydride, Potassium Permanganate, Phenylacetic Acid, Anthranilic Acid, Piperidine, Acetone, Ethyl Ether, MEK, Toluene, Sulphuric Acid, Hydrochloric Acid.
 - iii. are capable of being used in the production of the above listed chemicals and drugs, including but not limited to Alpha-phenylacetonitrile (APAAN), Methylamine, Ethylamine, Formamide, Methanol, Red Phosphorus, and any domestic chemicals in high concentrations and in volumes which are not commensurate with their intended household application.
- The **Offender shall not import, export, transport or broker the sale or transfer of or otherwise be knowingly concerned in the trade** in or supply of cutting agents or Novel Psychoactive Substances, nor shall he assist, advise or in any way procure others to become involved in that trade or supply (whether on their behalf or on behalf of others).

Restriction on importing and exporting

- Subject to clause *** below, the **Offender shall not import or arrange to import or otherwise be concerned in the importation of any goods into the United Kingdom.**
- Subject to clause *** below, the Offender shall not export or arrange to export or otherwise be concerned in the exportation of any goods from any country into any other country.
- The Offender may import or arrange to import or otherwise be concerned in the importation of goods into the United Kingdom provided:
 - i. the imported goods are intended solely for his own use;
 - ii. the imported goods are dispatched directly to him in his own name and at his home address; and
 - iii. he has given *insert named police force* (or successor agency) 7 days advanced notice of his intention to import or arrange to import or be concerned in an importation of goods in accordance with this clause.
- The Offender may export or arrange to export or otherwise be concerned in the exportation of goods into the United Kingdom provided:
 - i. the exported goods are the Offender's (or family) personal property.
 - ii. the exported goods are dispatched directly by him; and
 - iii. he has given the *insert name police force* (or successor agency) 7 days advance notice of his intention to export or arrange to export or be concerned in an exportation of goods in accordance with this clause.

Restriction on Involvement with Companies

- Unless notification is provided to insert named police force (or successor agency) within 14 days the **offender shall not:**
 - i. Be an officer of a company or in any way, whether directly or indirectly, be concerned or take part in the promotion, formation or management of a company
 - ii. Act as an insolvency practitioner or a receiver
 - iii. purport to be, represent himself as, or in anyway hold himself to be a director or secretary of any company
 - iv. cause or permit a third party to act as a director or officer of a company on his behalf.

Restriction on Travel and Travel Documents

- In alignment with any conditional release licence travel restrictions, the **offender must not travel or attempt to travel overseas for the duration of this order, save as may be required by a deportation or removal order**. Where this order is in force for any period after any conditional release travel restrictions have ceased, the Offender must notify the *insert named police force* (or successor agency) of all intended travel by him outside of the United Kingdom by sending written notice to arrive at least (24 hours) in advance of the intended departure and providing:
 - i. A full itinerary (including their accommodation details and arrangements);
 - ii. Proof of payment for any tickets or accommodation.
 - iii. Details of the ports, airports or land borders of departure and arrival (including any flight numbers)
 - iv. For what purpose he intends to travel; and
 - v. The duration of the stay.
- In the **event of any change or variation to his travel plans** as notified to *insert named police force* (or successor agency) under clause **** above, the **Offender must send written details of such change or variation** to the *insert named police force* (or successor agency) within (24 hours) of the change or variation becoming known to him.
- **At least 7 days before applying to any State for a passport or other identification document permitting international travel the Offender shall notify *insert named police force*** (or successor agency) in writing or by email of the application and provide *insert named police force* (or successor agency) with a copy of the application.
- The Offender **shall notify *insert named police force* (or successor agency) in writing within 14 days if he acquires any passport or national identity card**, whether issued by the United Kingdom authorities or by any other State and shall provide the *insert named police force* (or successor agency) with a copy of the document.

Restriction and Notification of online accounts and identity/virtual marketplaces

- The Offender shall notify *insert named police force* (or successor agency) if the Offender has moved, of all usernames, identities or avatars he uses in any online forum, social network, messaging service or other online medium used to communicate stating (where applicable) the:
 - i. The username.
 - ii. The name of the site or service used.
 - iii. The web address of the site.
- The Offender may not have, use or control more than one personal email account at any one time. Where the Offender has a business interest, they must not have more than one business email account in connection with that business interest and it must be registered in the business interest name. Any business interest email account can be in addition to any personal email account detailed in (*enter clause*)
- The Offender may not have, use or control more than one personal email account at any one time. Where the Offender has a business interest, they must not have more than one business email account in connection with that business interest and it must be registered in the business interest name. Any business interest email account can be in addition to any personal email account detailed in (*enter clause*)
- Any email account the Offender has, uses or controls must be registered with the service provider in the Offenders full name as recorded in this Order or as changed by deed poll and notified to *insert named police force* (or successor agency) in accordance with the terms of this Order
- Any email address associated with the Offender's email account must include the Offender's full name as recorded in this Order or as changed by deed poll and notified to *insert named police force* (or successor agency) in accordance with the terms of this order
- The Offender shall notify *insert named police force* (or successor agency) in writing immediately upon obtaining, using or controlling any email account in accordance with clause ****, **** or **** above stating (where applicable):
 - i. The name of the email account provider
 - ii. The Offenders email address; and
 - iii. Any usernames and passwords associated with the email account
- On the date of this Order coming into force, the Offender shall notify *insert named police force* (or successor agency) in writing of any email account he has, uses or controls, including in that notice the details set out in paragraph 12.5 of the Order

Prohibition on the use of selling products online and on virtual marketplaces

- The Offender is prohibited from selling products online and/or using virtual marketplaces for selling products online whether directly or indirectly via a third party.
- A virtual marketplace is a place where anyone can buy goods, or list their items for sale, whether they are a private individual or trade seller. For the purpose of this Order, a virtual marketplace includes, but is not limited to, e-Bay, Gumtree and Amazon.

Restriction on items/property/equipment/documents/behaviour

Restriction on Possession of Firearms and Associated Items

- The Offender **shall not purchase, acquire or otherwise have in their possession, or exercise control over**, any
 - I. Firearm
 - II. ii. de-activated or imitation firearm
 - III. component part or accessory of a firearm
 - IV. ammunition or component parts of any ammunition, including blank firing ammunition
- The Offender **shall not import, export, transport or broker the sale or transfer of**, or otherwise be knowingly concerned in the trade in or supply of, component parts of ammunition; nor shall he assist, advise or in any way procure others to become involved in that trade or supply.
- For the purposes of this Order and any proceedings in connection with it, “component parts” of ammunition include shell casings, gunpowder, primers and bullets cartridge cases, shooters powders, percussion caps and bullet heads
- Upon request, between the hours of 09:00-17:00, the **Offender shall grant access to any premises** (which includes motor vehicles) owned, rented, occupied or controlled by him, to a representative of *insert named police force* (or successor agency) for the purpose of examination to ensure compliance with this Order

Notification of safety deposit boxes, safe deposit boxes, self-storage units and mailboxes

- On the date this order comes into force, the Offender **shall notify** *insert named police force* (or successor agency), in writing, of any **safety deposit boxes, safe deposit boxes, self-storage units or mailboxes** which he may rent, possess the keys to or use, specifying in the notice the following information:
 - I. Where the box or storage is located
 - II. The name and number in which the storage unit is held
 - III. The method of payment used to rent the box or storage unit and
 - IV. The contact details provided to the company from whom the box or storage unit is rented.
- During the operation of this order, the Offender shall notify *insert named police force* (or successor agency) in writing immediately of any safety deposit boxes, safe deposit boxes, self-storage units or mailboxes which he may rent, possess the keys to or use, specifying the details as outlined in clause *** above
- Any new safety deposit boxes, safe deposit boxes, self-storage units or mailboxes must be registered in the offender’s name as specified in this order.

Restriction on Hydroponics Equipment

- The Offender shall **not supply, use, possess or otherwise have under his control any form of hydroponics** apparatus or equipment, including (but not limited to) the following:
 - I. Metal halide lights, high pressure sodium lights, and mercury vapour lights of 400W or greater
 - II. Indoor hydro irrigation systems
 - III. Hydroponic nutrients
 - IV. Carbon dioxide canisters or cylinders (other than UK approved, and kite marked fire extinguishers) and carbon dispersion systems.

Prohibition on the Possession of Official Documentation

- The Offender shall **not be in possession or control of any official identity documentation belonging to a third party**, apart from that which belongs to family members, and/or any person residing at the same address as the Offender.
- The Defendant must not be in possession of any material and/or equipment that could be used in the support or production of official identity documents
- For the purposes of this order, ‘official identity documentation’ can include but is not limited to:
 - i. Visa (s)
 - II. passport (s)
 - III. vignette (s) or.
 - IV. any other documentation which may be used to facilitate foreign travel and confirm identity.

Prohibition on the possession of money counting machines or apparatus

- The Offender shall not own, possess, or have use of a machine or apparatus where the primary or ancillary function is the counting or sorting of cash, coins or currencies

Prohibition on unsolicited calls

- The Offender **shall not make unsolicited visits or calls to private dwellings either in person or by instructing a third party to do so** unless the private dwelling belongs to a family member or person who would consider the offender a friend
- The Offender must not **possess any application or software which allows the offender to configure fake caller ID information.**

Prohibition on advertising any financial service

- The Offender cannot advertise either personally or through a third party, any financial service
- For the purpose of this Order:

Advertising will be taken to include, but not limited to:

- I. publication in any newspaper, magazine, newsletter, or other printed material
- II. poster or shop window placed information
- III. use of any internet website
- IV. use any social media or bulletin board service
- V. use of electronic messaging service

Financial Service includes but not limited to:

- I. offer or supply of any credit
- II. purchase or any product or service on behalf of another
- III. payment of any debt on behalf of another

Restriction on the Use of Taxis and Minicabs

- The Offender shall not use a minicab or taxi service for the transfer of goods, packages or documents of any description, unless the Offender is present for the duration of the transfer to accompany the item(s)
- The Offender shall not instruct any third party to use a minicab or taxi service for the transfer of goods packages or documents of any description, unless the third party, who shall not be the driver of the vehicle, is present for the duration of the transfer to accompany the item(s)

Prohibition on the use of aliases and holding of personal data

- The offender shall only use his full name as recorded on his birth certificate or by name change by virtue of deed poll when working or dealing with third parties. This does not preclude the use of nicknames between family and friends.
- The offender is prohibited from possessing personal information relating to a third party without their prior consent. For the purposes of this order “personal information” includes but is not limited to name, address, contact information, information held by public or private institutions.

Non-Association clause

- the Offender shall **not, whether directly or indirectly, contact, communicate with or otherwise associate** with the following named individuals:
 - *insert name of person*
 - *insert name of person*
 - *insert name of person*
- The Offender shall in **no circumstances associate** (other than that for court proceedings), in person or by any other means, with the following named individual:
 - *insert name of person*
 - *insert name of person*
 - *insert name of person*

Vital for the purposes of disrupting serious and organised crime

Final Clause – notification of changes

Notification of Changes Related to the Order

- The Defendant must send written notice informing *insert named police force* (or successor agency) of any changes related to this Order within 7 days. Such changes include:
 - i. any change of any of his names
 - ii. any change of his home address.
 - iii. his acquisition of a temporary address; and
 - iv. any change of his temporary address or his ceasing to have one.
- In the case of a change of a name or address or the acquisition of a temporary address, the Defendant must specify the new name or address.
- The Defendants name *insert name, date of birth and current address*
- Should the Defendant require an amendment of this recorded information, he shall comply with clause *** by sending notification of such amendments to *insert named police force* (or successor agency), prior to the date of this Order coming into force.
- In this Order, the phrase ‘provided in writing to insert named police force (or successor agency), shall be taken to include:
 - i. a letter sent by first class post (with proof of posting) or recorded delivery (in which case the information will be treated as having been provided at the time the letter is posted or handed to a representative of the Royal Mail) to *insert written address for named police force* (or successor agency) or at any other address notified to the Defendant by *insert named police force* (or successor agency), . Upon request by a *insert named police force* officer the Defendant must produce within 7 days the recorded delivery proof of postage relating to that notice;
 - ii. an email sent to the email address for *insert named police force* (or successor agency), *****@.police.uk (or to any other address provided to the Defendant by *insert named police force* (or successor agency), for the purpose of providing information). Any emails sent to the *insert named police force* *****@.police.uk should be sent with the “delivery” and “read receipt” functions enabled to provide confirmation. Upon request by *insert named police force* (or successor agency), officer the Defendant must produce within 7 days copies of the email, delivery receipt and read receipt.
 - iii. any other electronic means that the Defendant is informed by *insert named police force* (or successor agency), is acceptable for the purpose of providing information.
- If *insert defendants name* moves to a new police force area outside of *insert named police force* Police area, he is required to notify that new home police force of such and continue to notify that new home police force area of information as is set out in this order. This will be the same for every time he moves, and all mention of *insert named police force* will then be replaced by the name of the new home police area where *insert defendants name* resides. Should any contact details for Police Forces change, *insert defendants name* will be updated in writing by the relevant police force who is managing this order with the details of the new contact details *insert defendants name* will be required to use to make notifications.
- Any application by the Offender to vary or discharge this Order must be served, in accordance with the rules of court, on the Head of (Division), Crown Prosecution Service (insert postal address)

Clause required for every SCPO



Appendix B – Introductory Letter



[insert name of team/organisation]

Address:
[insert]

Email: [insert]

Date: [insert]

Our ref: [insert]

[insert offender name]
[insert offender address]

Dear [insert name]

On [insert Date] you were issued with a Serious Crime Prevention Order under Section 19 of the Serious Crime Act 2007. The order activated on [insert date] and will remain in force for a period of [insert years/months] – until [insert date].

Please see the attached copy of the order for the full restrictions/conditions and familiarise yourself with these. As stated in the order you must send notifications of information relating to the order to [insert police force/team as per order].

The order states that you must notify [insert police force on SCPO] but as you have now moved to [insert new police force area] it has been agreed

Such notifications can be made by using the following methods:

- 1) A letter sent by first class post (with proof of posting) or recorded deliver (in which case the information will be treated as having been provided at the time the letter is posted or handed to a representative of the Royal Mail) to [insert full address for written notifications to be sent] or any other address notified by [insert team/organisation name].

Upon request by [insert team/organisation name] you must produce, within 7 days, the proof of recorded delivery relating to that notice. Or,

- 2) By sending an email to [insert email address for the force which will receive the notifications]. The email should be sent with the "delivery and read" receipt functions enabled to provided confirmation.

Upon request by [insert team/organisation name] you must produce, within 7 days, the proof of recorded delivery relating to that notice. Or,

- 3) By any other electronic means that the offender is informed by [insert team/organisation name]

Should you move away from the [inset force area] and need to notify to a new area, [insert force area listed on SCPO] and [insert new force area] will advise you if you need to then change the way you notify from points 1-3 above. It is your responsibility to ensure we are updated with all information requested. If the police have no record of you registering the required details with them, this may constitute a breach of the order for which you could be prosecuted.

Yours sincerely,

Please sign and date across this line to acknowledge receipt of this letter and return to the address detailed above



Appendix C – Warning Letter



[insert name of team/organisation]

Address:
[insert]

Email: [insert]

Date: [insert]

Our ref: [insert]

WARNING LETTER

[insert offender name]
[insert offender address]

Dear [insert name]

You are being issued with a warning letter for failure to comply with the conditions of your Serious Crime Prevention Order. It is your responsibility to ensure that we have the most up-to-date information.

We have been advised by His Majesty's Prison Service that a DVD player/hard drive has been confiscated from you.

You are required to notify electronic storage as part of your SCPO conditions.

You have not declared any electronic storage to us.

As advised during your SCPO education visit on (date) you can write to us with any updates or changes at the address at the top of this letter (via recorded delivery) or you can email any changes/updates to us at **CourtOrdersSWROCU@avonandsomerset.police.uk** (please keep the delivery and read receipts for your sent email).

If the police have no record of you registering the required details with them, this may constitute a breach of the order for which you could be prosecuted.

Failure to comply could lead to you being arrested and charged with a breach of the Serious Crime Prevention Order and could lead to you being imprisoned for up to a further 5 years

I am attaching a further copy of your SCPO. Please familiarise yourself the full restrictions/conditions and ensure you have advised us of all necessary information.

This Warning Letter will be retained on Police records.

Do not hesitate to get in touch for further guidance if required.

Yours sincerely,

Please sign and date across this line to acknowledge receipt of this letter and return to the address detailed above



Appendix D – Useful Contacts



These are current email addresses which are used by the forces in the Southwest to receive information about SCPOs. Always check with the force that will receive the SCPO that the email addresses remain in use.

Avon and Somerset Police

INTELLIGENCEFORCEGATEWAY@avonandsomerset.police.uk

Devon and Cornwall Police

SCPOOrders@devonandcornwall.pnn.police.uk

Dorset Police

socit@dorset.pnn.police.uk

Gloucestershire Constabulary

FIB.gloucestershire@gloucestershire.police.uk

Wiltshire Police

FIB@Wiltshire.police.uk

Southwest Regional Organised Crime Unit

CourtOrdersSWROCU@avonandsomerset.police.uk

swrocugateway@avonandsomerset.police.uk

National Crime Agency

SCPO.Gateway@nca.gov.uk