

Central orders team for serious crime prevention orders

Obtaining, monitoring and proactive enforcement of serious crime prevention orders (SCPOs) for the management of offenders post release from prison

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Key details

Stage of practice	Untested
Purpose	Reoffending
Topic	Criminal justice Offender management Serious organised crime
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Region	London
Partners	Police Criminal justice (includes prisons, probation services)
Stage of implementation	The practice is implemented.

Key details

Start date	June 2023
Scale of initiative	Local
Target group	Adults Communities Offenders

Aim

The aim of the Central Orders Team (COT) is to demonstrate the investigative opportunities linked to the enforcement of SCPOs and the benefits of having a dedicated team for SCPOs.

Intended outcome

This initiative intends to protect the public by preventing, restricting, or disrupting offenders from committing further serious crime in England and Wales.

Description

Serious Crime Prevention Orders (SCPO)

In England and Wales serious crime prevention orders (SCPOs) are granted upon conviction of a serious offence where there are reasonable grounds to believe that an order would protect the public by preventing an offender's involvement in further serious crime.

The order becomes active upon release from prison and imposes conditions upon the offender. Each condition must be individually justified and there must be a provable link between any condition and the serious criminality which would be prevented or disrupted. The conditions require the offender to provide information to the police and require a police offender manager to be assigned.

SCPOs are reserved for top tier offenders convicted of a serious offence as defined by Schedule 1, Part 1 Serious Crime Act 2007, which includes drug trafficking, people trafficking, firearms offences, armed robbery, money laundering, fraud.

SCPOs are obtained upon conviction and become 'live' on the release of the subject from prison. The orders last for five years and impose various conditions upon the offender.

Examples of these conditions are:

- financial, property or business dealings
- working arrangements
- with whom a person associates or communicates and the means used to do so
- the premises they are allowed to use and for what purpose
- the use of any item and
- travel both within the UK and abroad

Breaching conditions of an SCPO are a criminal offence subject to a maximum penalty of five years imprisonment. Monitoring of compliance with SCPOs is the responsibility of law enforcement and the monitoring of individuals' compliance with the terms of their order will vary in accordance with the different restrictions imposed.

The Central Orders team (COT)

The Central Orders team (COT) is comprised of a reactive team and a proactive team. The team sits within MPS Specialist Crime portfolio and is a permanent post created following an internal review into lifetime offender management.

The reactive team consists of one detective sergeant, six police constables and three researchers. The proactive team has one detective sergeant and ten police constables.

The reactive team work in close partnership with internal police colleagues to identify individuals suitable for an SCPO.

- An individual's selection is based upon the seriousness of their offending and their conviction for that offending.

COT contact case officers to draft SCPOs and support them throughout the court process to sentencing.

- The number of SCPOs in draft at any one time is dependent upon the courts' ability to progress cases.
- There are currently over 200 SCPOs drafted and awaiting a court outcome.

Each officer within the COT is an offender manager and assigned a cohort of offenders to manage by their Detective Sergeant.

- When an offender is nearing prison release, COT work in partnership with the National Probation Service to ensure that licence conditions mirror SCPO conditions (known as 'enhanced licence').
- The aim is to give consistency around the management of the offender. Breaches of licence conditions will also be a breach of an SCPO resulting in a criminal investigation. Custodial sentences are more likely to be imposed under these circumstances.

On the day of their release from prison, the offender is visited by their offender manager (police officer). The purpose of this visit is to go through the terms of their SCPO (if the order is complex, the offender manager also give them a copy of the order) and ensure that the offender understands the terms. The meeting and their agreement to the terms of the order are recorded on body worn video.

The offender manager and the offender maintain regular contact, which is overseen by case management discussions between detective sergeant and police constables.

- The frequency of contact is decided upon following a discussion between the offender manager and Detective Sergeant and is dependent upon the terms of the order, risk rating of the offender and current intelligence.
- SCPO terms often involve the offender making notifications or requests to police, which are sent to the COT email address.
- Researchers' complete intel profiles, weekly intel checks on all SCPO nominals and maintain Violent and Sex Offender Register (VISOR) records for the offenders.

If there is evidence that an offender has breached their SCPO or intelligence suggests they are breaching, the proactive team will review the breach, intelligence, information from partners and risk to help inform a decision on the most appropriate level of enforcement.

Enforcement opportunities can take the form of:

- police interview and caution – for a simple breach of an SCPO condition where there is no intelligence of a return to criminality
- request to HM Prison and Probation Service to recall the offender for a breach of licence conditions – where there have been one or more breaches of an SCPO on more than one occasion
- proactive operations – where Intelligence supports a return to serious crime and the SCPO provides an opportunity to disrupt organised crime

The COT normally work office hours. As the nature of COT work is pre-planned, they rarely incur overtime. Proactive operations can involve varying shifts, extended tours and staff incurring overtime.

Overall impact

The context of what constitutes good performance is tied in with who and why an SCPO is granted as well as if a disruption takes place. However, if an offender does not reoffend due to being well managed by their offender manager, that also constitutes good performance.

Performance has historically been measured in terms of SCPOs granted (from 48 SCPO holders in the community in 2019, rising every year to 110 in 2022) and how these orders translate into disruptions. In 2021, there were 38 disruptions recorded. In 2022, 67 disruptions were recorded and 32 SCPOs were granted.

It is impossible to quantify the number of criminal offences that have been prevented by using SCPOs. Effective management of an SCPO helps prevent an offender's return to serious organised crime, but it is unachievable to know how many individual offences they would have committed without the order.

The cost benefits of the enforcement of SCPOs

An Organised Crime Group has often been in existence for a significant period before being discovered. The ensuing investigation will typically involve a specialist investigation team.

During the evidence gathering and executive action phase they in turn may require the support of surveillance teams, firearms teams, search trained officers and others. Post arrest case building will often require complex forensic strategies, early advice from CPS and man hunts.

Cases will then progress through the criminal justice system culminating in trials that can last weeks. This can easily see investigations that last in excess of 12 months.

In contrast, a breach of an SCPO may trigger a prison recall requiring no trial and minimal evidence gathering. In cases that do progress to charge, the evidence required to prove a breach can be minimal. For example, a common SCPO condition will direct that an offender has to inform the police of their mobile phone number. An active offender will use an alternative phone and if found in possession, phone analysis will often quickly undermine any defence. This type of breach will see an outcome at Magistrates court, often at first hearing to try and avoid a further custodial sentence. This disruption to the offender's lifestyle will have an impact.

Minor breaches also have the potential to identify at an early stage a return to serious offending and can be used as a basis to launch longer term investigations.

Learning

Transferring SCPOs between forces

The team experienced issues when dealing with SCPO subjects who moved force locations. The MPS is fortunate to have a dedicated team to manage SCPO nominals. Not every force area has this and there was not a standard operating procedure to manage this. The Home Office lead on lifetime offender management (LOM) and following representations by the MPS and other forces decided to set up a national working party to address this issue. The working party comprised of police officers from across several forces and subsequently led to a standardised handover.

Amending Orders

SCPOs must be future proofed to avoid challenges by the nominal who can seek to exploit these. It is possible to amend SCPO conditions, but this is time consuming and only achievable through the courts which have significant backlogs dealing with trials.

Mirroring SCPO/Licence conditions

Some subjects concluded that notifying their probation officer satisfied the requirements of their SCPO. In some cases, this may have been innocently assumed but in others there was a clear attempt to avoid updating the police offender manager. Video recording the initial post release meeting between police and offender overcame this and set out clear expectations.

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