

Instructions for Use

This slide deck has been developed for all police forces across England and Wales, excluding the four police forces taking part in the pilot: Sussex, Thames Valley, West Midlands and Merseyside.

You are welcome to adapt these slides and add your force logo on where you see fit and/or appropriate.

Forces not taking part in the pilot will still be able to enforce live SVROs and therefore it is important that all police forces understand the orders and their associated powers.

Non-pilot forces also have access to the national College of Policing [SVRO e-learning](#) on College Learn should you wish to view it, though note that the sections on the application process are not applicable to non-pilot forces.

Due to the additional recording requirements set out in Annex G of the revised Code A [here](#), **non-pilot forces should review whether the systems and applications they use to record stop & searches require amendments to be made to take into account the new SVRO stop & search powers.**

If you have any questions regarding the pilot, please contact your force Stop and Search lead

Serious Violence Reduction Orders (Pilot)

Guidance for Non-Pilot Forces

Contents of Training

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1. What is a Serious Violence Reduction Order (SVRO)?

SVROs are being introduced via the Police, Crime, Sentencing and Courts Act 2022, by inserting new Chapter 1A into Part 11 of the Sentencing Act 2020:

- **Why are they being introduced?** - SVROs have been introduced to help tackle persistent knife or offensive weapon carriers and to deter them from carrying (and using) knives or offensive weapons.
- **What is an SVRO?** – A civil order made in respect of an offender convicted of an offence involving a bladed article or offensive weapons. SVROs will only be available to offenders on conviction who are aged 18 or over.
- **Where and when will SVROs be piloted?** - SVROs will first be piloted in four police forces (Mersyside, Sussex, Thames Valley and West Midlands). These are the only police forces that can apply for SVROs. The pilot will last two years, **starting on 19/04/23**. This will be subject to an additional transition period of 6 months, which will allow for the enforcement of existing SVROs granted within the two year timeframe for a further 6 months after the pilot ends.
- **What does an SVRO do?** – Primarily, it provides police with the power to stop & search an individual that is subject to an SVRO, to ascertain if they have a bladed article/offensive weapon with them, without needing 'reasonable grounds of suspicion'. This power can be exercised by any force in England & Wales, including non-pilot forces.
- **How long will an SVRO last?** - For a minimum of 6 months, and a maximum of 2 years, with the court deciding the duration. If a custodial sentence is issued, the SVRO will commence on release. Applications for renewal, variation or discharge can only be made by the courts in the pilot force areas.

2. SVRO Pilot, the Role of the Pilot Forces

Pilot Forces? - SVROs can only be applied for via the 4 pilot force areas; Merseyside, Sussex, Thames Valley & West Midlands. **Non-pilot forces cannot apply for SVROs**, but can enforce them (more guidance on this in later slides).

Why are SVROs being Piloted? - They are being piloted to test their effectiveness. The pilot will be independently evaluated to understand what impact SVROs have on re-offending and 'serious violent crime' before a decision is made on whether to roll out the orders nationally.



To issue the SVRO, the court will have to be satisfied (on balance of probabilities) that either of the following conditions is met:

- **Condition A:** Bladed article/offensive weapon was used by the offender in the commission of the offence OR they had such an article/weapon with them when offence was committed.
- **Condition B;** Bladed article or offensive weapon was used by another person in the commission of the offence and the offender knew/ought to have known that this would be the case OR another person who committed the offence had a bladed article or offensive weapon with them when the offence was committed and offender knew/ought to have known that this would be the case.

3. Notification Requirements (s.342B)

Once an SVRO has been issued by the court, the offender must notify the following information to the police (in person) within three days (beginning from the day on which the order takes effect):

- Their name (or names where the offender uses more than one) on the day the notification is given
- Their home address on the day the notification is given
- Any other address where, on the day the notification is given, they regularly reside or stay

While the SVRO is active, offender must notify the police within three days of any change, if they:

- Use a name which has not been previously notified to the police
- Change their home address
- Decide to live for a period of one month or more at an address not previously notified to the police

These notifications must be provided orally to a police officer (or person authorised by officer in charge of the station) by attending **the police station in a police area where the offender lives**. This means that **a non-pilot force station will be required to accept an offender's notification if they live within that force area**. Station staff should be made aware of this.

Non-pilot force should inform the relevant pilot force that the notification requirements have or have not been adhered to by sending out a notification form (link in the Annex) to the relevant pilot force email set out on slide 14.

Officers should engage with the offender and clarify the effects of the SVRO, explaining the requirements and what offences may be committed if the order is breached. The police force where the change of name/address is notified is responsible for updating PNC and adding an operational information marker.

4. Non-Pilot Forces - Power to Stop & Search

While only the 4 pilot police forces may apply for SVROs, the orders can be enforced in all of England and Wales. Constables of non-pilot forces will be able to enforce those subject to SVROs in England and Wales.

Police Power to Search those with a SVRO ([s.342E, Sentencing Act 2020](#))

A constable may stop & search a person who is **subject to a SVRO**, for purpose of ascertaining if they have a bladed article/offensive weapon with them.

- No reasonable grounds of suspicion are required.
- The power can only be exercised in a public place.
- Person may be detained for the purpose of carrying out that search.
- A constable may seize and retain anything they find in the course of the search if they reasonably suspect it to be a bladed article/offensive weapon.
- If necessary, constable may use reasonable force to exercise this power.
- The above does not provide officers with a power to search vehicles

Officers **must be certain** the person has an SVRO **before** stop & search powers can be used. It is expected that individuals subject to an SVRO will be known to the police in the area where they live.

If unsure, seek to confirm the offender's identity and if they have a live SVRO before stop & search powers are used.

You may confirm this by checking PNC; pilot forces will be adding SVROs to the system.

It is unlawful for a person without a SVRO to be detained or searched under these powers (e.g. any person who is with someone who has an SVRO).

4. Non-Pilot Forces - Power to Stop & Search

Further additional requirements – must be followed when using SVRO Stop & Search powers:

[PACE Code A](#) must still be followed for SVRO searches. The Code has been revised to include a [new annex](#) that sets out additional requirements for SVRO searches. Officers must follow these:

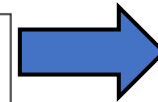
- **GOWISELY continues to apply.** The officer must additionally inform the person to be searched **that an SVRO is in force in relation them.** More on this can be found on the next slide.
- This **power does not provide grounds to search anyone else accompanying the person who has an SVRO.** A person accompanying an individual that has an SVRO should not be searched unless a constable has relevant reasonable grounds for suspicion under another relevant search power.
- The **use of these powers is discretionary.** Officers must use their **professional judgement when deciding to carry out a stop and search**, including in what circumstances and how many times an individual who is subject to an SVRO is stopped and searched. They must consider what is reasonable and proportionate to members of the public.
- Powers to stop & search must be used **fairly, responsibly, with respect for people being searched**, and **without unlawful discrimination.** They must be carried out with courtesy, consideration, and respect for person concerned.

4. Non-Pilot Forces - Power to Stop & Search

GOWISELY (Para 3.8 of PACE Code A and Annex G)

Prior to the search, a constable must tell the individual: that they are being detained for purpose of a search, provide the individual with their warrant card (if not uniformed), name and police station, the legal search power being exercised, and explanation of object of search. Additionally, officers must also inform the person to be searched of the fact that an SVRO is in force in relation to them.

G	A clear explanation of the officer's grounds for suspicion, e.g., info/intel or specific behaviour of person.
O	A clear explanation of the object and purpose of the search in terms of the article being searched for.
W	Warrant card, if not in uniform or if requested.
I	Identity of the officer(s): name and number or, in cases involving terrorism or where there is a specific risk to the officer, just warrant or collar number.
S	Station to which the officer is attached.
E	Entitlement to a copy of the search record within 3 months.
L	Legal power used.
Y	You are detained for the purposes of a search.



Since grounds for suspicion are not a requirement for the SVRO search powers, the **officer must instead inform the person of the fact that an SVRO is in force in relation to them.**

4. Non-Pilot Forces - Power to Stop & Search

Equality and Disproportionality

- While no reasonable suspicion is required, **it is still necessary to ensure that the treatment of those searched under the power is based upon that individual being subject to an SVRO, and not upon personal prejudice ([Annex G, Code A](#))**. Individuals **must not** be stopped & searched as a result of any biases or stereotypes.
- [Section 149 of the Equality Act 2010](#) indicates that **police officers have a duty to:**
 - have due regard to the need to **eliminate unlawful discrimination, harassment and victimisation**
 - advance equality of opportunity between people who share a 'relevant protected characteristic' and people who do not share it, and to **take steps to foster good relations between those persons**.
- IOPC recommendations, as set out by [their latest report on stop & search](#), should be followed:
 - Body worn video should be used during SVRO stop and search encounters where available. This is further highlighted by para 54 of the [SVRO Statutory Guidance](#).
 - Only proportionate, lawful, and necessary force is to be used during stop & search encounters.
 - Routine use of handcuffs should be avoided.

5. Recording a Stop & Search

Searches under SVRO search powers must be recorded as normal in line with [PACE Code A](#). For stop & searches under SVRO powers as per Annex G, the record of the search must include:

- Note on self-defined ethnicity and, if different, the ethnicity as perceived by the officer making the search
- Date, time and place the person was searched
- Object of the search in terms of article/articles for which there is such a power
- Identity of the officer carrying out the search (unless enquiries are linked to terrorism or where officer reasonably believes recording name may endanger them, in which case a warrant or identification number can be given)
- **The fact that search was carried out under SVRO powers**
- **The fact that an SVRO is in force (including date the SVRO was made/took effect and court that made it)**
- **Whether any items were found and whether anything was seized**

Each force will have their own application/system of recording stop & searches. It would be appropriate for the above additional requirements to be reflected on that particular forces application/system that officers use.

Where a stop & search under the new SVRO powers is conducted, officers will have to inform the pilot force of this. This will be done by completing a survey to inform the pilot force of the search.

The link to the survey will be contained within an MISC Operation Information (OI) Report on the relevant PNC Nominal Record. This link will need to be copy/pasted into a browser by the officer and the relevant online survey form will have to be completed.

6. Non-Pilot Forces – Breach of SVRO

Breach of a SVRO can amount to an offence ([S.342G](#)). This **offence can be progressed by any police force in England & Wales, including non-pilot forces**. If the person has been arrested for a substantive offence (e.g. possession of bladed article) but has also breached their SVRO, they can be further arrested for that breach offence.

The person subject to an SVRO will be in breach of it and will commit an offence (triable either-way) if they:

- fail, without reasonable excuse, to do anything they are required to do by the order (e.g. failing to notify police station of name/address within 3 days)
- fail, without reasonable excuse, to do anything they are prohibited from doing by the order
- knowingly notify the police with false information in purported compliance with the order
- tell a constable that they are not subject to an order (when they are) or intentionally obstruct a constable in the exercise of the stop and search power under s.342E

The officer will be able to find any relevant conditions on the SVRO via PNC. On summary convictions, penalty is imprisonment for a maximum of six months or a fine (unlimited amount) or both. On indictment, penalty is imprisonment for a maximum of two years or a fine (unlimited amount) or both.

Non-pilot force should inform the relevant pilot force of the disposal taken for the breach offence via email: Thames Valley (SVRO@thamesvalley.pnn.police.uk), Merseyside (SVRO@merseyside.police.uk), Sussex (SVRO@sussex.police.uk), West Midlands (wmpsvros@westmidlands.police.uk). Pilot force will decide whether SVRO should be varied and, if so, whether breach offence will need to be heard in a pilot court.

Pilot Force Emails and Information Sharing

The below emails should be used by non-pilot forces to inform a pilot force (where the SVRO was issued) that:

- the SVRO notification requirements have or have not been adhered to (as per slide 6)
- a breach of an SVRO offence is being progressed and the details of the disposal (as per slide 12)
- where SVRO stop & search has been completed of and relevant survey has been submitted (as per slide 11)

- ❖ **Thames Valley:** SVRO@thamesvalley.pnn.police.uk
- ❖ **Merseyside:** SVRO@merseyside.police.uk
- ❖ **Sussex:** SVRO@sussex.police.uk
- ❖ **West Midlands:** wmpsvros@westmidlands.police.uk

Annex of Further Guidance and Statutory Codes

- Notification Form (to send to relevant pilot force if offender notifies your police station):



Microsoft Word
Document

- College of Policing [SVRO e-learning](#)
- [Revised Code of Practice A – Annex G](#)
- [Statutory Guidance on Serious Violence Reduction Orders \(Draft Version\)](#)
- [Section 165 & 166 of the Police, Crime, Sentencing and Courts Act 2022](#)
- [\(Serious Violence Reduction Orders: Retention and Disposal of Seized Items\) Regulations 2022](#)



7. Review Your Understanding

Please complete the knowledge check questions [here](#) to help test your understanding in relation to the guidance on Serious Violence Reduction Orders. It is not mandatory to complete, but is encouraged so you can self-evaluate your understanding of the SVRO pilot.