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Dear Alex and Alex,

CRIMINAL JUSTICE BILL: GOVERNMENT AMENDMENTS FOR REPORT

We are writing to provide you with details of a first tranche of Government amendments we have tabled today for Report stage.

The substantive amendments fall into the following categories and are addressed in further detail below:

- Improving accountability in policing
- Tackling crime, exploitation and abuse
- Management of foreign national offenders
- Sentencing.

All the amendments apply to England and Wales only save where indicated.

Improving accountability in policing

Review of investigatory arrangements following the police use of force (new clauses "*Conditions for notification of Director of Public Prosecutions of investigation report*", "*Accelerated investigation procedure in respect of criminal conduct*" and "*Duty of IOPC Director General to give victims right to request review"*)

On 24 September 2023, the Home Office launched a review of investigatory arrangements which follow police use of force and police driving related incidents. This followed concerns from policing that the accountability system had lost the confidence of officers, deterring some from carrying arms or taking other actions necessary to protect the public. Since the terms of reference were published on 24 October, the review has heard from a wide range of stakeholders, including frontline officers; the Independent Office for Police Conduct (IOPC); relevant government departments and individuals and families directly impacted by police use of force. A key finding, almost universally held, was that investigations take too long. This causes distress to those involved and undermines public confidence, and therefore must be addressed urgently.

Timely justice and accountability are in the interest of both officers, who put themselves in harm's way to protect us, and the public, who trust them to use force only when reasonable, proportionate and necessary.

Based on the evidence received by the review, we are bringing forward the following three legislative changes in the Criminal Justice Bill, which together aim to improve the timeliness and fairness of investigations and the rights of victims:

1. **Amend the threshold for referrals to the Crown Prosecution Service (CPS) from investigations into the police carried out under the Police Reform Act 2002 (the 2002 Act) by the IOPC or by other appropriate authority (the chief officer of police, or the local policing body as the case may be).** The amendments to the 2002 Act will align the referral threshold with the threshold the CPS uses for charging decisions. Currently the IOPC (or, as the case may be, the appropriate authority) can refer cases to the CPS when their investigation report "indicates that a criminal offence may have been committed by a person". This sets a much lower bar for referral to the CPS than the one the CPS uses for charging decisions, and the police apply for referrals to the CPS when investigating a member of the public. New clause "*Conditions for notification of Director of Public Prosecutions of investigation report*" amends the threshold for referrals to the CPS to cases where the "report indicates that there is sufficient evidence to provide a realistic prospect of conviction of a criminal offence". The new provision also makes clear that circumstances where the IOPC or appropriate authority may decide that it is not appropriate to make a referral to the CPS include circumstances where the referral is not considered to be in the public interest.

2. **Amend the restrictions which prevent criminal proceedings to commence until a final report on an investigation by the IOPC or appropriate authority has been completed.** This will enable the IOPC or appropriate authority to refer cases to the CPS, before completing the final investigation report (provided the test for referral is considered to be met). The 2002 Act currently states that the IOPC or appropriate authority must complete their investigation and produce a final report before criminal proceedings can be brought (save in exceptional circumstances). New clause "*Accelerated investigation procedure in respect of criminal conduct*" amends these restrictions to allow the IOPC or appropriate authority to refer cases to the CPS where the referral threshold is met and for the CPS to consider whether to commence proceedings ahead of a final report being produced. This would facilitate earlier co-operation between the IOPC and the CPS, allowing the CPS to make charging decisions at an earlier stage. These changes would reduce the length of time an officer is under investigation – in some cases, proceedings could be brought more quickly; and in others, officers would benefit from earlier confirmation that they will not be charged. This is particularly relevant in respect of investigations by the IOPC or appropriate authority concerning multiple individuals, where evidence may be deemed sufficient for a referral to the CPS in respect of one individual, but other aspects of the investigation relating to other individuals may still take considerable time to conclude.

3. **Place the IOPC's Victims Right to Review (VRR) policy on a statutory footing.** The VRR is an existing IOPC scheme available to complainants if the IOPC has made an initial decision not to refer an investigation report to the CPS. This review is undertaken by an investigator who had no direct involvement in the original decision, has no conflict of interest and is of appropriate seniority. Placing this right in legislation would strengthen victims' rights and the checks and balances in the system.

As announced by the Home Secretary in a written ministerial statement on 21 March, a range of more complex legislative changes are being considered to address broader concerns about the accountability system and we will set these out for public consultation by the summer.

Non-serious complaints against Police and Crime Commissioners (new clause "*Complaints about police and crime commissioners etc*" and amendment to clause 88)

This new clause changes the responsibility for handling non-serious complaints about PCCs from Police and Crime Panels to an independent person, such as a local authority monitoring officer. The details of who would handle the complaints would be provided for in secondary legislation.

This change, which is supported by the Association of Police and Crime Commissioners, will bring the system of complaints for PCCs more in line with those for other elected representatives (for example, directly elected mayors) and address concerns that non-serious complaints about PCCs can be handled in a politically driven way. Serious complaints about PCCs where there is an indication of a criminal offence will continue to be handled by the IOPC.

In addition, the new clause provides that non-serious complaints about PCCs and Mayors with PCC functions who are no longer in office will not be considered. Again, this is in line with existing practice for other locally elected office holders.

Tackling crime, exploitation and abuse

Ban on Registered Sex Offenders changing their names where there is a risk of sexual harm (new clauses "*Sex offenders: notification of name change*" and "*Sex offenders: restriction on applying for replacement identity documents in new name*" and amendment to clause 87)

Registered Sex Offenders (RSOs) are currently required to notify the police within three days if they have changed or are using a new name that was not originally notified to the police upon initial notification. This includes aliases and names by which the offender is known online, such as on social media. Failure to notify is a criminal offence We are strengthening these requirements in response to concerns raised in Parliament (including by Mark Fletcher and Sarah Champion) and by the public about RSOs changing their names to evade the authorities and hide further offending.

The Home Office has been working with the National Police Chiefs' Council and other relevant agencies to understand the new legislative measures required to institute a ban on RSOs' name changes. That engagement has focused on how existing operational systems can be used for the police and other agencies to detect unlawful name changes, thereby creating a ban that is practically enforceable. These new clauses therefore provide as follows:

- Require a RSO to notify the police of an intended change of name at least seven days in advance.
- Confer a power on the police to issue a notice to RSOs of particular concern which prohibits them from changing or attempting to change their name on specified identity documents (such as a UK passport or driving licence) without the police's approval. Failure to then seek the necessary approval will be a criminal offence. The police will be able to refuse permission for the proposed name change where it is necessary to protect the public, or any particular member of the public, from the risk of sexual harm.

Strengthening the notification requirements for RSOs (new clauses "*Sex offenders: notification of absence from sole or main residence*", "*Child sex offenders: requirement to notify if entering premises where children present*", "*Sex offenders: method of notification*", "*Sex offenders: review of indefinite notification requirements*", "*Sex offenders: powers of entry and search*" and "*Sex offenders notification requirements: minor and consequential amendments*", new Schedule "*Sex offenders notification requirements: minor and consequential amendments*" and amendments to clause 87)

These new clauses will strengthen further the notification requirements for RSOs. The notification requirements are an important tool that the police use to manage the risk of sexual harm to the public that each RSO poses.

Some the proposed measures were recommended by an independent review on the police's management of RSOs in the community to which the Home Office committed in the cross-Government Tackling Violence Against Women and Girls Strategy in 2021. That review was led by retired Chief Constable of Derbyshire Constabulary, Mick Creedon QPM, whose report the Home Office published in April 2023.

The new clauses make the following changes:

1. Require RSOs to notify police in advance where they will be absent from their notified home address for five or more days.
2. Create a new requirement to provide advance notification of contact with children for those RSOs who have convictions of sexual offences against a child, and RSOs without child sex offence convictions where police have intelligence suggesting they may pose a risk to children.
3. Give the police the power to receive notification from RSOs virtually in specified circumstances, removing the need for an RSO to physically present at a police station.
4. Provide the police the power to review and discharge those RSOs who – due to the severity of their original sentence – are indefinitely subject to the notification requirements. If the police are satisfied the offender is low risk, this change would allow the police to discharge the offender from their notification requirements without the RSO having to apply first.
5. Lower the authorising rank from superintendent to inspector for section 96B warrant applications, which allows the police to conduct a home visit on RSOs.

Putting the Child Sex Offender Disclosure Scheme ("Sarah's law", named after Sarah Payne) on a statutory footing (new clause "*Guidance about disclosure of information by police for purpose of preventing sex offending*")

Sarah's law has operated across police forces in England and Wales since 2011. It enables a member of the public to ask the police to check whether a person who has contact with a named child or children has convictions for child sexual offences. Putting the guidance on a statutory footing will drive greater use and consistent application of the scheme across all police forces. It will be open to the Secretary of State to issue statutory guidance to the police regarding their disclosure of information to prevent sexual offending affecting other groups of individuals.

Mandatory reporting of child sexual abuse (new clauses: "*Duty to report child sex offences*", "*Reasons to suspect child sex offence may have been committed*", "*Exception for certain consensual sexual activity among children*", "*Exception relating to commission of offences under section 14 of the Sexual Offences Act 2003 by a child in certain circumstances*", "*Exception in respect of certain disclosures by children*", "*Offence of preventing or deterring a person from complying with duty to report child sex offences"*, "*Duty to report child sex offences: modifications for constables*" and "Duty to report child sex offences: *power to amend*", new Schedule "*Duty to report child sex offences: child sex offences and further relevant activities*" and amendment to clause 86)

These new clauses introduce a legal duty for those undertaking regulated activity in England relating to children (such as teachers and healthcare professionals), or certain other similar activities that involve children, to report to the police or children's social care if they are made aware that a child is being sexually abused. By introducing this duty, the Government is delivering a key recommendation of the Independent Inquiry into Child Sexual Abuse and will ensure that authorities never again turn a blind eye to this devastating crime. The duty is subject to certain exceptions including in respect of certain consensual sexual activity among children and certain disclosures by children.

The aim of the new duty is to safeguard children, not criminalise professionals or volunteers who make a mistake. But it is right that regulators and the Disclosure and Barring Service consider whether those who cannot or will not comply with the duty are fit to have responsibility for children's safety. Such failures may not be deliberate or ill-intentioned, but they put our children at risk. If an individual is unable to fulfil their statutory obligations, even with training and support in place, then the welfare of the children in their care must be our priority. In addition, anyone who seeks to cover up abuse by preventing or deterring a reporter from carrying out their duty, in circumstances where they know that the reporter has become subject to a duty to make a report in a particular case, will be committing an offence and face up to seven years' imprisonment. It is in maintaining this focus on the needs of children above all else, that we honour the core conclusion running through all the Inquiry's reports and recommendations.

These amendments apply to England only.

Statutory aggravating factor for manslaughter in the context of sexual conduct (new clause "*Manslaughter: sexual conduct aggravating factor"*)

There has been growing public concern about high profile killings of women in the context of consensual, or allegedly consensual, sadomasochistic acts of violence during sex. The Government has already acted on this issue. In the Domestic Abuse Act 2021, we clarified the law by restating, in statute, that a person is unable to consent to the infliction of harm that results in actual bodily harm or other more serious injury or, by extension, to their own death, for the purposes of obtaining sexual gratification. This means that a defendant is unable to rely on a victim's consent to the infliction of such harm as part of any so-called 'rough sex gone wrong' defence.

This measure goes further, addressing public concerns about the length of sentences in some cases of manslaughter where death occurs in the context of so-called 'rough sex'. It is intended to recognise in sentencing the seriousness of killings which occur in the context of so-called 'rough sex', characterised by abusive, degrading and dangerous sexual conduct. It also responds to one of the recommendations made by Clare Wade KC in the Domestic Homicide Sentencing Review. In the review, Clare Wade KC argued that the narrative of 'rough sex gone wrong' needs to be reconsidered in the light of coercive control. She found that violence during sex, whether said to be consensual or not, should not be seen as distinct from the gendered violence and control which occurs elsewhere between intimate partners.

This measure creates a statutory aggravating factor for manslaughter involving sexual conduct. An aggravating factor makes an offence more serious, and a statutory aggravating factor is one which the court is required to consider when determining the sentence. The factor will apply both to involuntary and voluntary manslaughter.

Making sexually explicit deepfake images (new clause "*Creating purported sexual image of an adult"*)

We are seeing an exponential rise in the use of 'nudifying' applications and platforms that allow users to create realistic sexually explicit and nude deepfake images of another person without their knowledge or consent. These images present a real risk to the individual depicted in the image, as once the false image exists there is a risk that it might be seen or shared. Victims report feeling embarrassed, violated and unsafe.

The package of intimate image offences introduced by the Online Safety Act 2023 and the Criminal Justice Bill does not include an offence relating to the making of deepfake images (though does address the sharing of such images). We have now decided to introduce, separate from the intimate images offences, an offence of creating a purported sexual image of an adult, given the growing concern about this behaviour even where the image is never shared.

This new clause would make it an offence to create a purported sexual image of an adult (aged 18 or over), without their consent and for the purpose of sexual gratification, or with intent to cause alarm, distress or humiliation. The offence would be limited to images of adults, because offences already exist in relation to

such images of children. The new offence would be a summary-only, non-imprisonable offence with a maximum penalty of an unlimited fine.

Sexual activity with a corpse (new clause "*Sexual Activity relating to a corpse"* and amendment to clause 88)

The Government supports the new clause, tabled by Greg Clark, which replaces the existing offence of sexual penetration of a corpse (section 70 of the Sexual Offences Act 2003) with a broader offence of sexual activity with a corpse. This will criminalise, for the first time, non-penetrative sexual touching.

In addition, this new clause increases the statutory maximum penalty for sexual penetration of a corpse from two years' imprisonment to seven years.

These changes are being made in light of the truly abhorrent offending of David Fuller who was convicted and sentenced in 2022 for the murders of two young women, but also for penetrating the bodies of more than 100 female corpses over the course of his employment as an electrician at the Kent and Sussex Hospital in Tunbridge Wells. The Government has reviewed the law in this area carefully and agrees that the current statutory maximum penalty for penetration of a corpse does not adequately reflect the harm caused and that it should be increased from two to seven years' imprisonment. The Government also agrees that the criminal law should be expanded to include non-penetrative sexual touching of a corpse.

We are grateful to Greg Clark and Tracey Crouch for their tireless and constructive work with the Government on this issue.

Management of foreign national offenders

Conditional caution for Foreign National Offenders (new clause "Ca*utions given to persons having limited leave to enter or remain in UK*" and amendments to clause 88)

Section 22 of the Criminal Justice Act 2003 includes provision for foreign nationals to be offered a type of conditional caution which secures their departure from the UK and prevents their re-entry (the replacement diversionary caution, as provided for in Part 6 of the Police, Crime, Sentencing and Courts Act 2002, includes similar provision). Currently this type of conditional caution may only be given to a foreign national offender who does not have leave to enter or remain in the UK; this new clause extends eligibility to foreign national offenders with limited leave. This will ensure we make the best use of our prisons and protect the public by removing foreign national offenders at the earliest opportunity.

Sentencing

Unduly Lenient Sentencing scheme (ULS) (new clause "*Reviews of sentencing: time limits*" and amendments to clauses 87 and 88)

The ULS scheme gives the Attorney General the power to apply for leave to refer a sentence which appears unduly lenient to the Court of Appeal. On review, the Court of Appeal may quash the sentence and impose a different sentence. There is currently a strict time limit of 28 days from the date of sentence for the Attorney General to apply to the Court of Appeal for leave to refer a case. The Attorney General's Office (AGO) is wholly reliant on the CPS to provide the relevant case papers and often seeks the advice of Treasury Counsel, both of which take time. Completing these steps in time can lead to advice needing to be given and decisions having to be taken at very high speed.

These practical issues have been exacerbated in recent years, as the number of requests received by the AGO, including those received closer to the 28-day time limit, to review a sentence, leading to insufficient time for proper consideration of such requests.

This new clause ensures that following a request, the Attorney General will have at least 14 days to consider a sentence once a request to review the case is received, regardless of when the application is received in the 28-day window. For the avoidance of doubt, the 28-day time limit will remain unchanged for applicants and the CPS to make their request to the AGO.

Powers to compel attendance at sentencing hearing (amendments to clause 28)

As you will know, the Bill already includes measures in response to public concerns in cases such as that of Lucy Letby, where offenders have refused to attend their sentencing hearing. The Bill provides for a new court order requiring an offender to attend their sentencing hearing and clarifies that force can be used where necessary, reasonable, and proportionate. Any offender who refuses to attend will face an additional custodial sentence of up to 24 months.

The measure as currently set out in the Bill applies to all offenders convicted of an offence which carries a maximum penalty of life imprisonment. There have been calls to extend the scope of this measure and following concerns raised about the narrow range of offences this measure currently covers, these amendments extend it to include all offences subject to a maximum penalty of 14 years or more. This includes most sexual assault and drug offences, and terrorist and racially aggravated offences and will ensure that offences causing the greatest harm to victims are covered by the provision.

We do not expect this increase in the scope of the measure to lead to a significantly increased impact on courts and prisons. An offender's failure to attend their sentencing hearing remains rare but these measures serve to reinforce the expectation that offenders should attend, not least to ensure that justice is seen to be done by victims and the wider public. They are also important in recognising the impact that non-attendance has on victims and their families in compounding their trauma, particularly for the most serious offences.

It will remain for judges to decide whether to order an offender to attend court and for custody officers to decide whether reasonable force is justified. The use of force must be lawful in accordance with the common law and the ECHR, in particular Articles 3 and 8.

Terrorism sentencing in Northern Ireland (new clause "*Length of terrorism sentence with fixed licence period: Northern Ireland*")

This provision ensures that terrorist offenders convicted in Northern Ireland and sentenced to a 'terrorism sentence' will only be able to receive a sentence of a length commensurate with their original offending, in line with the same arrangements in England and Wales. This change follows a decision by the Court of Criminal Appeal in Northern Ireland (*R v Perry*) and will ensure consistency in terrorism sentencing.

This provision applies to Northern Ireland only.

Details of further amendments are contained in Annex A.

We attach supplementary delegated powers and ECHR memorandums in respect of these amendments.

We are copying this letter to Alison Thewlis (SNP spokesperson for Home Affairs), Chris Stephens (SNP spokesperson for Justice and Immigration), Alistair Carmichael (Liberal Democrat spokesperson for Home Affairs and Justice), Gavin Robinson (DUP spokesperson for Home Affairs), Dame Diana Johnson (Chair, Home Affairs Committee), Sir Robert Neill (Chair, Justice Committee), Joanna Cherry (Chair, Joint Committee on Human Rights), Mark Fletcher, Sarah Champion, Greg Clark and Dame Tracey Crouch. We are placing a copy of this letter and attachments in the House library.

Yours sincerely

Laura Farris MP
Minister for Vicitms and Safeguarding

Rt Hon Chris Philp MP
Minister of State for Crime, Policing and Fire

Annex A – Other Report stage amendments

Extending clause 13 (Administering etc harmful substances (including by spiking)) to Northern Ireland (amendments to clauses 13 and 88)

Clause 13 replaces sections 23 to 25 of the Offences Against the Persons Act 1861. It modernises the language of two existing offences (sections 23 and 24) which are used to prosecute incidents of "spiking", and the associated procedural provision at section 25, without changing the scope of the offences themselves. It also makes the offences triable either way. Following discussions with the Minister of Justice in Northern Ireland, these amendments will extend the provision to Northern Ireland.

Stolen good on premises: entry, search and seizure without warrant (amendment to clause 24)

This drafting amendment simply replaces a reference to a "police officer" with a reference to a "constable" to ensure consistency of language across the Bill.

Child sex offences: grooming aggravating factor (amendment to clause 30)

This technical amendment ensures that service courts are also obliged to consider this aggravating factor when sentencing for specified child sexual offences.

Articles used in serious crime (amendment to clauses 40 and 87)

The Bill includes offences to criminalise the possession, importation, making, modifying, supplying or offering to supply specific articles for use in serious crime (such as templates to 3D-print firearms components and pill presses), and the possession, importation, making, modifying, supplying or offering to supply an electronic device (such as a signal jammer) for use in theft of a vehicle or theft of anything in a vehicle. In Committee we amended the Bill to add these new offences to the list of criminal lifestyle offences in the Proceeds of Crime Act 2002 as it applies to England and Wales and Northern Ireland. Following consultation with the Scottish Government, we are now bringing forward a like amendment to the Proceeds of Crime Act in respect of Scotland.

Suspension of internet protocol addresses and internet domain names (amendment to Schedule 3)

Schedule 3 makes provision for IP address suspension orders and domain name suspension orders. Applications for such orders must be made by an "appropriate officer" of a law enforcement or regulatory agency specified in the Schedule (see paragraph 12), including the Gambling Commission. An application must be authorised (or made by) a "senior officer". In the case of the Gambling Commission, a senior officer is defined as a member of staff of the Commission of at least the grade of executive director. On further consideration, we have concluded that the appropriate grade is that of director; this is in line with the definition of a senior officer in the case of the Financial Conduct Authority. The amendment to paragraph 12 makes this change.

Confiscation of the proceeds of crime (amendments to Schedule 5)

To ensure the confiscation provisions included in the Bill work as intended, some further amendments to the reforms to the confiscation regime in England and Wales are required. In particular, the amendments will address the following issues:

- The provisions as introduced allow the provisional discharge of confiscation orders where there is no realistic prospect of recovering the rest of the confiscation order debt, despite the reasonable efforts of law enforcement agencies. The amendments clarify that the revocation of a provisional discharge of an order means that the order is no longer treated as satisfied and the proceedings as no longer concluded. Additionally, the amendments clarify that interest will not accrue during the period of discharge.
- Currently the enforcement of orders is dealt with exclusively in magistrates' courts. To strengthen the enforcement of orders, the confiscation reforms will provide flexibility for a confiscation order to be transferred between a magistrates' court and the Crown Court. The Bill contains a delegated power for the Secretary of State to afford the Crown Court powers corresponding to those of magistrates' courts. That is being expanded to address any related procedural issues, with the core provisions still on the face of the Bill.
- Clarity is required on existing provisions in the Bill where the value of a criminally obtained asset is sold for a lower amount than its original valuation. The amendments ensure that the provisions work effectively.
- Section 75 of the Proceeds of Crime Act 2002 defines when a defendant has a criminal lifestyle and is therefore liable for more of their assets to be subject to confiscation. The amendments will increase flexibility on the application of criminal lifestyle cases by lowering the number of relevant offences that are considered to be "in the course of criminal activity" from three to two and including offences from which the defendant *intended* to benefit.
- Amendments to new section 9A (hidden assets) of the Proceeds of Crime Act clarify the effect of where the amount of a confiscation order is varied.
- New Part 11 of Schedule 5 makes various consequential amendments and transitional and saving provisions, including to determine which of the provisions in the Bill will apply to existing confiscation orders.

Suspended Accounts Scheme (amendments to Schedule 6)

Clause 41 of and Schedule 6 to the Bill provides for the Suspended Accounts Scheme which will enable monies suspended by financial institutions such as banks on suspicion of criminality to be used to fund projects to tackle economic crime.

These amendments to Schedule 6 do two things. First, they further clarify the nature of the funds being transferred by financial institutions to the Scheme to avoid any implication that the amounts transferred represent a benefit from criminal conduct and therefore would not be criminal property under the money laundering offences in Part 7 of the Proceeds of Crime Act 2002.

Second, these amendments build in greater flexibility as to how financial institutions are to be compensated for claims in respect of transferred funds. The amendments do not change our commitment to ensuring that innocent customers can recover the monies held in suspended accounts. Paragraph 5(1) of Schedule 6 requires that regulations providing for the Scheme must make certain provisions, including provision for the scheme administrator to compensate transferring financial institutions. Following the ongoing engagement with the financial sector about these provisions, we have concluded that there should be a power, rather than a duty, to make provision of this kind. The final details will be set out in the regulations providing for the Scheme which will be subject to debate and approval by both Houses.

Serious Crime Prevention Orders (amendments to clause 44)

Clause 44 sets out a prescribed set of notification requirements for all those individuals subject to a Serious Crime Prevention Order in England and Wales and Northern Ireland, and for this information to be provided to the police within three days of the Order coming into force. There is a separate set of requirements for bodies corporate. Knowingly providing false information, failing to provide this information without good reason, or failing to update notified information constitutes a criminal offence. On occasion it will be more appropriate for notified information to be provided directly to a law enforcement agency other than the police. In the case of High Court SCPOs, it is likely to be the agency that applied to the Court for the order in question (the relevant applicant authority) – in England and Wales, this includes the NCA, the Serious Fraud Office, HMRC, the Ministry of Defence Police, and British Transport Police. However, particularly for Crown Court orders where the application process is led by the CPS it will be necessary for a law enforcement agency to be notified. These amendments set out that each Order must contain as part of its terms the authority to whom notifications must be made. This authority will be responsible for monitoring and enforcing the order. It remains for the court to decide how notifications must be made on a case-by-case basis. Where notifications are made in person, it may be necessary to take photographs or fingerprints of the individual in order to confirm their identity: the amendments clarify that this power can only be exercised by a constable. Finally, the amendments provide for individuals and bodies that may be subject to multiple SCPOs, in order to provide clarity on what notifications they must provide.