



**GUIDANCE ON
SECTION 17 POLICING
AND CRIME ACT 2009:
ENGAGEMENT AND
SUPPORT ORDERS**

FOREWORD



The Government's Co-ordinated Prostitution Strategy made a clear commitment to tackle the problems associated with prostitution, and to reduce overall levels of street prostitution. We have introduced a number of measures to do that by tackling the demand for prostitution and increasing enforcement against those that pay for sex.

But we also made clear that a key part of our strategy should be a change in approach towards those who are engaged in street prostitution. We wanted to take a less punitive approach and consider ways that, while enforcing the law, help people in street prostitution to engage with services that could help them begin to change their lives and step out of prostitution.

Through the Policing and Crime Act 2009 we have followed through the commitment in the Prostitution strategy to reform the offence of loitering or soliciting for the purposes of prostitution. We have removed the outdated and stigmatising term 'common' prostitute from the Street Offences Act 1959, which signals our change in approach.

More practically, however, we are introducing **Engagement and Support Orders** which, from 1st April will be available to courts dealing with someone who has been convicted of loitering or soliciting for the purposes of prostitution, as an alternative sentencing option to a fine. The orders will require someone to attend three meetings where they will engage with services which can

help them address the underlying causes of their engagement in prostitution. Our intention is that this initial engagement will result in continued intervention leading ultimately to those persons subject to an order moving away from prostitution. We believe that the orders will have a more constructive long-term effect than a fine, which too often can act as a reason to continue in street prostitution rather than as a deterrent.

The **Engagement and Support Order** is therefore a key development towards our aim of reducing street prostitution.

In the Prostitution strategy, we made clear we wanted to challenge the view that prostitution is inevitable and here to stay. An important aspect of this is helping those in street prostitution to seek alternatives and realise that their involvement in street prostitution is

not inevitable and there is a route out.

We are aware that a number of schemes with this aim have been established around the country and we greatly value this important work. Engagement and Support Orders have been influenced by these schemes and, therefore, are not intended to replace or disrupt existing good practice but to complement it. We are grateful to those currently working to support and engage those in street prostitution who have helped us develop both the orders and this guidance to ensure they are as effective as possible.

Alan Campbell



Parliamentary Under-Secretary of State for Crime Reduction

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CONTENTS

1. Introduction and background	p. 5
2. The Engagement and Support Order process	
Stage 1: Arrest and charge	p. 7
Stage 2: Initial assessment of suitability	p. 9
Stage 3: Appearance in court	p. 13
Stage 4: Consideration of whether to issue an Order	p. 14
Stage 5: Appointment of a supervisor	p. 16
Stage 6: Court imposes an Order	p. 17
Stage 7: Making appointments	p. 18
Stage 8: Attendance at meetings	p. 19
Stage 9: Completion of the Order	p. 20
3. The supervisor and the supervisory meetings	p. 21
4. Breach	p. 25
5. Young Offenders	p. 32
Annexes:	
Annex A: Other processes including the amendment and revocation of an Engagement and Support Order	p. 33
Annex B: Frequently Asked Questions	p. 37
Annex C: Street Offences Act 1959, Section 1	p. 42
Annex D: Referral form	p. 43
Annex E: Engagement and Support Order	p. 44
Annex F: Order completion form	p. 46
Annex G: Supervisor person specification	p. 47
Annex H: Basic evidential template	p. 48
Annex I: ESO process map (separate document)	

1. INTRODUCTION AND BACKGROUND

Purpose of the Engagement and Support Order

- 1.1 The Government's Co-ordinated Prostitution Strategy (January 2006) set out a commitment to improve the availability of routes out of prostitution, in order to support one of the key objectives of the strategy; achieving an overall reduction in street prostitution.
- 1.2 Section 17 of the Policing and Crime Act amends Section 1 of the Street Offences Act 1959 and introduces a new order that is available to courts when dealing with someone convicted of loitering or soliciting for the purposes of prostitution, under that Act. These Orders are called Engagement and Support Orders.
- 1.3 The purpose of this is to help break the 'revolving door' effect whereby those found loitering or soliciting are given a fine, which can often have the unhelpful effect of providing another reason to continue in prostitution in order to pay the fine.
- 1.4 Engagement and Support Orders provide for a more constructive response within the Criminal Justice System (CJS) by offering a disposal that can help those involved in prostitution address the underlying factors that cause them to continue their involvement in street prostitution.
- 1.5 In order to complete the order, someone will need to attend three sessions with a supervisor, appointed by the court. The aim of the meetings is to engage those involved in street prostitution with vital services that can help address the issues underlying their involvement in prostitution, with the ultimate objective of helping them find a route out.

Who is this guidance for?

- 1.6 This guidance is aimed at the police, specialist support services working with individuals involved in prostitution, and Criminal Justice Integrated Team (CJIT) Managers and CJIT Drug Workers, the Crown Prosecution Service (CPS) and the courts. The guidance details the responsibilities of each agency at each stage in the process of applying for, making and supervising an Engagement and Support Order.

What geographical areas do Engagement and Support Orders cover?

- 1.7 Engagement and Support Orders are available to courts in England and Wales.

How does the Engagement and Support Order fit with existing diversionary schemes?

- 1.8 The Engagement and Support Order is not intended to replace existing diversion schemes, particularly those that work effectively outside the CJS process. It is intended to be used in circumstances in which currently individuals are being convicted of loitering or soliciting and subsequently fined.

Contact

If you need further advice on Engagement and Support Orders, please contact: Alastair Noble, Home Office, 4th Floor, Fry Building, 2 Marsham Street, London SW1P 4DF, Alastair.noble@homeoffice.gsi.gov.uk

2. THE ENGAGEMENT AND SUPPORT ORDER PROCESS

Stage 1: Arrest and Charge

- 2.1 To be eligible for an Engagement and Support Order, an individual will have to have been convicted of an offence under Section 1 of the Street Offences Act 1959 (loitering and soliciting for the purposes of prostitution).¹
- 2.2 Before proceeding to prosecute the person concerned, the police should consider whether to refer the individual to a diversionary scheme if such a scheme operates locally. The development of Engagement and Support Orders has been influenced by a number of existing schemes that operate in different parts of the country and are aimed at diverting persons in street prostitution from the CJS. It is intended that this good practice will continue.
- 2.3 When the police charge an individual with an offence under section 1 of the Street Offences Act 1959 (loitering or soliciting for the purposes of prostitution) and recommend that they are suitable for an Engagement and Support Order, they should refer the case and the recommendation form to the CPS (**Annex D**).

¹ Following amendments to Section 1 of the Street Offences Act 1959 introduced by section 16 of the Policing and Crime Act 2009 on 1st April 2010 the offence is committed by a person *'who persistently loiters or solicits in a street or public place for the purpose of prostitution'*. Persistence is defined as conduct that takes place on two or more occasions in any three month period. This is intended to ensure that current practice is maintained and it is expected that the existing system of 'prostitutes' cautions' will be used to adduce evidence of persistence.

2.4 The CPS will review the evidence in accordance with the Code for Crown Prosecutors and make a decision on whether to continue a prosecution. Where the decision is taken to prosecute and it is considered appropriate to apply for an Engagement and Support Order, the completed form (**Annex D**) recommending that an Order be considered by the court should be attached to the CPS prosecution file.

How do Engagement and Support Orders fit in with the Drug Interventions Programme (DIP)?

2.5 Drug workers located in CJITs are based in 177 Police Custody Suites in England and Wales, where drug testing for specified Class A drug use takes place for individuals arrested for trigger or other offences (a full list of the trigger offences can be found in Schedule 6 to the Criminal Justice and Court Services Act 2000). Within these custody suites the police have the power to drug test an individual who has been arrested for loitering and soliciting for the purposes of prostitution (even though it is not a trigger offence), where an inspector has reasonable grounds for suspecting that the misuse by that person of a specified Class A drug caused or contributed to the offence and has authorised the sample to be taken.

2.6 If the drug test is positive, the police may require an individual to attend and remain at an Initial and Follow-up Assessment appointment to establish their needs. In many cases, the Initial Assessment takes place in the custody suite with the CJIT drug worker.

2.7 In areas that are not authorised to drug test, DIP expects the police and CJIT drug workers to identify drug misusing offenders proactively and to encourage them to engage voluntarily in an assessment of their drug related needs with a subsequent referral into treatment.

- 2.8 It should be noted that, if the individual is subsequently charged, convicted and made subject to an Engagement and Support Order, they will then be required to attend three meetings with a supervisor in addition to the two DIP assessments.
- 2.9 Where an assessment with a CJIT drug worker has been conducted, the drug worker should ask the individual if they are content for information relating to the assessment, and discussions that took place during the assessment, to be disclosed to the magistrates' court sentencing the individual for the offence and the nominated supervisor. This will help inform the court's decision to impose an order. If an order is imposed, it will subsequently assist the supervisor's assessment of the form the meetings conducted under the order should take, to help avoid duplicating the work done with the offender as part of DIP.

Stage 2: Initial assessment of suitability

- 2.10 If the police decide to charge an individual with an offence under section 1 of the Street Offences Act 1959 (loitering or soliciting for the purposes of prostitution) there should be a presumption that this individual is suitable for an order unless they pose a risk of harm to the supervisor (see Stage 5: Appointment of a Supervisor, page 16) or other staff that may be required to work with them under the terms of the order.
- 2.11 Where such an order is to be recommended, it is anticipated that the police will release the individual on bail to appear at court on a given day. This should be a specific day of the week, which could be decided locally e.g. one area may decide to bail those charged with loitering or soliciting to attend court on a Tuesday. This will enable the supervisor to attend court on a particular day each week, possibly in respect of more than one case. It should be noted, however, that should the defendant plead not guilty it is likely the case will be adjourned for trial.

2.12 In many areas effective partnership working between police and local specialist services working with individuals who are involved in prostitution has been established. This will facilitate the process and allow the police to contact the appropriate person within such a service in order to consider whether that person would be prepared to act as supervisor.

Information sharing in relation to an Engagement and Support Order

2.13 In many cases it is likely that an individual will already be known to a particular service. Also, if the individual has substance misuse issues, it is likely that the CJIT drug worker will have knowledge of that individual.

2.14 CJIT Teams already have established protocols for sharing information with the police which are premised on information only being shared with consent where appropriate. Specialist support services should also proactively seek consent before sharing information with the police in relation to the individual's suitability for an order and the needs that such an order would seek to address. However, there may be cases where information can be shared without the individual's consent, for example where they pose a serious risk to others.

2.15 Before contacting the potential supervisor the police should seek the individual's consent to sharing information with that person where appropriate (including information disclosed during any assessment by a CJIT drug worker). It should be noted that the fact that the person has produced a positive drugs test may be disclosed for the purpose of informing a decision about sentence or for ensuring the person receives appropriate advice and treatment (section 63B of PACE) but information obtained by a CJIT worker as a result of an initial or follow up assessment can only be disclosed with the written

consent of the person concerned (because of section 15 of the Drugs Act 2005).

Consenting to an Engagement and Support Order

2.16 It is also possible that the individual may be reluctant to consent to an order. Whilst bearing in mind that the individual has not yet been convicted, the potential supervisor should seek to present the benefits of agreeing to an order in the event of conviction. They should seek to engage the individual as much as possible at this early stage, as this is likely to ensure both the process of seeking and agreeing an Engagement and Support Order, and the order itself will be more effective.

2.17 In summary, when an individual is charged with loitering or soliciting and does not appear to present a risk of harm the following process is recommended:

- The individual is bailed to court in order to appear on a given day
- The police or where available, the CJIT drug worker should ask the individual if they are willing to be subject to an order, if convicted, and if they are content for personal information to be shared with the potential supervisor. If the individual refused to consent, the police will need to consider whether they have the power to disclose the information anyway.
- Following charge the police contact a local project or where no such project exists, a CJIT Team, in order to consider whether they would be willing to provide a supervisor.
- If the project or CJIT Team is willing to provide a supervisor, this should be communicated to the individual and to the CPS who can recommend to the court, where the individual is convicted, that the individual is made subject to an order with the designated supervisor.

Offenders residing in other areas

- 2.18 The individual may reside in a local justice area other than the one in which they are arrested. In such circumstances the case will be heard at a magistrates' court within the area in which the offence has taken place, although the court supervising the order will be one in the local justice area where the individual resides.
- 2.19 Whilst the order must specify the area in which the individual resides (or will reside during the order) this does not necessarily mean that the supervisor must be based in that area. The court may need to consider whether it would be most appropriate for the supervisor to be based in the area in which the offender was arrested, or the area in which they live.
- 2.20 This will depend on the distance between the two areas, and whether or not the individual is already engaged with services in a particular area. In such cases the guiding principle should be ensuring that any link with existing services is not broken and that the order will allow the individual to continue engaging with services in a particular area.
- 2.21 Where a CJIT worker is involved in the process, they would be the appropriate person to act as a single point of contact and liaise with the CJIT teams in the area in which the offender lives in order to establish whether that individual has a link with services there, and whether the matter should be dealt with in that area. The CJIT single point of contact (SPOC) list (which is circulated to all CJIT teams by the Home Office) now includes details of appropriate contacts in CJIT teams for the use of the supervisor when arranging Engagement and Support Orders assessments for a offender in their in area of residence.

Stage 3: Appearance in court

- 2.22 If the individual charged with an offence under section 1 of the Street Offences Act 1959 (loitering or soliciting for the purposes of prostitution) is found guilty, or pleads guilty to that offence, the prosecutor will make the court aware of its sentencing powers, which will include representation about the suitability of an Engagement and Support Order as a sentencing option.
- 2.23 The prosecutor may cite information from the person nominated to be the supervisor, relating to the individual's suitability for an order. This could include information about the factors underlying the individual's involvement in prostitution, which could be addressed by specialist services. Commonly these will include drugs, housing, financial or mental health issues. Such issues are likely to require long-term intervention and will clearly not be resolved entirely during the course of three meetings.
- 2.24 Courts should bear this in mind but it should not necessarily dissuade them from making an order. The aim of the orders is to establish initial engagement with services, towards the long-term goal of exiting prostitution and, as such they are intended to be an initial step. If a court feels that three meetings could be useful in beginning to address the nature of someone's involvement in prostitution, then there are strong grounds for identifying suitable supervisory provision and making an order.

Stage 4: Consideration of whether to issue an Engagement and Support Order

2.25 Issues the court is likely to include:

- I. Consent of the individual
- II. Individual subject to previous Engagement and Support Order/s
- III. Individual already subject to an Engagement and Support Order

2.26 These issues are covered below.

I. Consent of the individual

2.27 The legislation allows an Engagement and Support Order to be imposed without the consent of the individual. However, it would clearly be preferable and more effective to try and ensure that the individual had consented before an order is made. If early efforts are made to engage the individual and inform the individual of the alternative outcomes and the potential benefits of an order, compared to a fine, for example, then it is more likely that, following conviction, the individual will feel engaged in the process and agree to co-operate and engage with the Engagement and Support Order process.

2.28 Where a court decides to impose an order without the consent of the individual it should only do so after careful consideration of the merits and risks of doing so, and of alternative approaches. Imposing an order against the consent of the individual may have a counter-productive effect and cause the individual to disengage from vital services, thereby undermining the aim of the order.

2.29 There may be situations, however, in which imposing an order without the consent of the offender may be appropriate. For example if the offender is under the significant influence of a partner and/or pimp

seeking to prevent the offender from engaging with services and exiting prostitution.

- 2.30 It may also be the case that an individual does not consent to an order being imposed because they perceive a fine as a preferable option, whereas a court may identify potential benefits in requiring such an individual to attend meetings. The court may feel that given an appropriately skilled supervisor, the individual will feel encouraged to comply with the terms of such an order, and begin to make a relationship with a service that can support their route out of prostitution.

II. Individual subject to previous Engagement and Support Order/s

- 2.31 The court should be made aware that due to the nature of the challenges faced by those involved in prostitution, there may be periods of engagement with services, followed by period of disengagement. This reflects the complex and challenging nature of the issues affecting those involved in prostitution and should not necessarily be taken as a sign of unwillingness to engage with services or an indication that an order would not be effective.
- 2.32 The fact that someone has completed one or more orders, or breached one or more orders previously should not necessarily dissuade the court from imposing another order. At all times the court should bear in mind the difficulties faced by those attempting to leave prostitution and the length of time that it takes those who do leave prostitution to achieve this goal.

III. Individual already subject to an Engagement and Support Order

- 2.33 If an individual is already subject to an order the court may not impose a further one unless it first revokes the existing order. It may be that the individual has been made subject to an order in another area. Therefore, it is imperative that appropriate enquiries are made to establish whether the individual is already subject to an order. The court should assure itself that the individual is not already subject to an order before imposing a further one.
- 2.34 Where a CJIT worker has been involved in the process of recommending that an order be made, this worker may be able to assist in establishing whether the individual is already subject to one already by consulting CJIT teams in other areas where it may be likely that the offender is subject to another order (for example in the area where the individual lives if this is a different area).

Stage 5: Appointment of a supervisor

- 2.35 If the court then considers an Engagement and Support Order to be appropriate, they will refer to information provided to them about the nominated/recommended supervisor. They must choose the person who appears to them to have the appropriate qualifications or experience for helping the offender to make the best use of the meetings.
- 2.36 The court may not make an order unless a suitable individual has agreed to act as a supervisor.
- 2.37 In recognition of these complexities the legislation has allowed a degree of flexibility both to the courts in determining the identity of the supervisor and the supervisor in outlining the contents of the order.

- 2.38 Identifying which organisations should be nominated for the supervisory role is a local decision that should be made by the police with the support of their partners and dedicated support projects.
- 2.39 In those areas where a dedicated support project is already working with those involved in prostitution, it is recommended that the manager of the support project should be asked to adopt the supervisor role. It is anticipated that those with the most relevant skills will already be working in specialist projects. The manager of the dedicated project may be the designated supervisor, while staff located within the project will undertake the supervisory sessions.
- 2.40 In areas where there is no existing specialist support services to perform the supervisor functions, the Drug Intervention Programme (DIP) Manager may be appointed supervisor, but the CJIT Drug Workers within their team may carry out the meetings with the individual.

Stage 6: Court imposes an Engagement and Support Order

- 2.41 The court will then appoint the supervisor and impose an Engagement and Support Order on the individual. No other penalty may be imposed.
- 2.42 The court making the order must provide copies of the order to the individual and the supervisor.

2.43 The Order must also specify the local justice area in which the individual resides or will reside while the order is in force. If the order specifies a local justice area other than the one in which the court is sitting, or the order has been made by a Crown Court (following an appeal to that court) then it must provide a copy of the order and any documents and information relating to the case that it considers likely to be of assistance to that court in the exercise of any functions in relation to the order.

Stage 7: Making appointments with the individual subject to an Engagement and Support Order

2.44 The order requires an individual to attend three meetings. The order must specify a date by which the meetings must be completed. This date must be no more than six months after the date of the order. The supervisor will decide the dates, times and place of the meetings. In some cases a period of less than six months for the completion of the order may be more appropriate, as a more concentrated period of intervention may be more beneficial and may be more likely to ensure co-operation. Even where the court fixes a period of six months, the supervisor may decide to arrange appointments to be completed at an earlier stage – **the order is completed as soon as the supervisor notifies the court that the order has been complied with.**

2.45 If an individual is considered to be suitable for an Engagement and Support Order, and where the follow up assessment for DIP has not yet taken place, the CJIT drug worker (if not acting as the supervisor) and nominated supervisor will need to liaise in order that the individual is able to attend the follow-up assessment for DIP.

- 2.46 While the order must specify the local justice area in which the offender resides or will reside while the order is in force, this does not mean that the supervisor must reside in this area or that the meetings should be conducted in this area. It may be that the individual has already established links with a particular service from another area, or require a particular service which is provided near where they live but across the boundary in another justice area.
- 2.47 Where there is a significant distance between where the individual has been convicted and where they reside, the meetings required by the order should be conducted in the area where the individual lives. Where a CJIT worker is involved in the process, they would be the appropriate person to act as a single point of contact and liaise with the CJIT teams in the area in which the offender lives in order to establish whether that individual has a link with services there, and whether the matter should be dealt with in that area. The CJIT SPOC list now provides contact details in respect of these arrangements.

Stage 8: Attendance at meetings

- 2.48 It is recommended that the first appointment takes the form of an initial needs assessment which will then identify the issues to be addressed by the two subsequent meetings. This meeting does not need to be conducted by the supervisor, but could be conducted by an appropriate person within the service managed by the supervisor. The supervisor maintains responsibility and oversight for the process at all times, however.
- 2.49 As with the process of engaging an individual before the order is imposed, it is important that the individual subject to the order is involved as much as is appropriate in identifying what intervention may be suitable to help them leave prostitution. This is more likely to secure the co-operation of the individual with the order and should, thereby help it to be more effective.

- 2.50 In some cases individuals may be reluctant to address certain important issues. This should not necessarily prevent the supervisor from seeking to persuade the individual to address these issues through the order and emphasising the importance of doing so. It is important that the order is seen as effective and credible, in order to ensure that courts are persuaded of the merits of imposing them.

Stage 9: Completion of the Order

- 2.51 When the three designated meetings have been attended, the order has been completed and the supervisor must notify the court (see **Annex F** for a template form).
- 2.52 Unless the order has been revoked at an earlier point (for example because the individual has subsequently been made subject to another order), the order ceases to be in force at the end of the day on which the supervisor notifies the court that an order has been complied with or, if earlier, at the end of the day on the date specified in the order.

3. THE SUPERVISOR AND THE SUPERVISORY MEETINGS

3.1 The supervisor will ideally be someone with expertise in working with those involved in prostitution and with an understanding of the complex needs and issues often faced by those in prostitution. Many staff working in dedicated projects supporting individuals involved in prostitution, or CJIT drug workers, will already possess these skills.

Skills and experience

3.2 The legislation defining the role of the supervisor is necessarily broad about the specific skills and experience required to perform the role. The legislation dictates that the supervisor should have the appropriate qualifications or experience for helping the individual subject to an order make the best use of the meetings to address the causes of their offending and find ways to stop it. This is necessarily broad as the decision about who provides the supervisor role may be determined by a number of variable factors including the existence of specialist support services for individuals involved in prostitution and the needs of the individual.

3.3 **Annex G** includes an example of a person specification for a supervisor. This is not definitive but could be used as guide for courts in appointing supervisors, for a particular order, and by services in nominating staff who may act in the supervisor role.

What organisations will host the supervisor?

3.4 Flexibility around the location of the supervisor increases the potential availability of the order. However, there are benefits from utilising an existing dedicated support project. The location of a supervisor within such a project could help increase the likelihood that they will remain in contact with the individual after the order has been completed.

- 3.5 Most areas with a significant street prostitution population will already have at least one dedicated project, and a diversion scheme delivered within an existing support agency with a proven history of supporting this client group. Such a scheme will benefit from having specialist knowledge and have an established client base with existing support networks. In many cases individuals becoming subject to an order will already be known to or engaged with these services.
- 3.6 Therefore, in areas where there is a dedicated support project already working with those involved in prostitution, it is recommended that the supervisor role is performed by someone based in the project. It is anticipated that those with the most relevant skills will already be working in specialist projects.
- 3.7 However, where there is not such a service locally, they could also be based in other organisations, such as a women's resource centre or within the local CJIT Team. If the appointed supervisor is within a CJIT Team, it is recommended that the DIP Manager would co-ordinate the three sessions but another individual within the Team would be able to run the meetings.
- 3.8 If the court decides that the organisations recommended to them are unsuitable to carry out the supervisory role, they may nominate another organisation. However, they should refer to this guidance to ensure that the organisation has the appropriate level of expertise and knowledge to perform this role.

Functions of the supervisory meetings

- 3.9 As detailed in the process section above, the key functions of the supervisory sessions are to: arrange a needs assessments to identify the individual's support needs and the most appropriate services that can assist them; based on the needs assessment ensure direct, ongoing support and onward referrals as appropriate.

Needs assessment

3.10 The needs assessment should identify any co-existent problems and support needs associated with the offending of the individual subject to an order, and consider any risk of harm caused to others, for example the children of substance users. This information will then determine the most appropriate services required to support the individual. The support needs will be largely determined by the circumstances of the individual subject to an order, however as a guide, the needs assessment could cover their:

- Drug and alcohol misuse (if any)
- Physical and psychological health and well being
- Offending (including any involvement in criminal activities not directly related to prostitution)
- Housing, employment and relationships
- Financial issues (including benefits/debts)

3.11 The meetings should be used to encourage and motivate clients to actively participate in the sessions and take up onward referrals. If the supervisor and individuals subject to an order agree, it might be helpful if a longer term action plan between the supervisor and the individual subject to an order is developed. However, both should be mindful that the individual subject to the order is only required to commit to three sessions and should not be compelled to attend any further sessions without their consent.

Informing the court about non-compliance with the Engagement and Support Order

- 3.12 The supervisor must inform the court where the order has not been complied with without reasonable excuse or notify the court when the order has been completed.

4. BREACH

- 4.1 It is not expected that three meetings will address all the causes of someone's involvement in prostitution or be enough in isolation to help someone to cease their engagement in prostitution. The orders are intended to be a first step and the nature of the meetings should recognise this.
- 4.2 A number of orders may need to be completed and other interventions may be necessary before someone begins to reduce their involvement in street prostitution or leaves altogether. This long-term aim should be borne in mind by courts and by the supervisor and help inform the contents of the meetings to be completed.
- 4.3 This should also be taken account of when considering initiating or dealing with breach proceedings and when dealing with someone who has completed orders previously and subsequently committed further offences of loitering or soliciting for the purposes of prostitution.

What constitutes a breach?

- 4.4 The Schedule to the Street Offences Act 1959 (inserted by the Policing and Crime Act 2009) sets out the process for dealing with someone who has breached the Order.
- 4.5 It states that a breach has occurred if an individual has failed without reasonable excuse to attend any of the three meetings at the time and place determined by the supervisor.

The role of the supervisor

- 4.6 If the supervisor is of the opinion that a breach has occurred they must report this to the court in order to initiate breach proceedings. Paragraph 2(1) of the Schedule states:

If the supervisor is of the opinion that the individual has failed without reasonable excuse to comply with the order, the supervisor must cause an information to be laid before a justice of the peace in respect of the failure.

- 4.7 Many of those individuals subject to an order will have drug or mental health issues, often creating unstable, chaotic lives. At the same time, it is important to consider that the meetings are required by an order of the court as part of the sentence for a criminal offence, and the supervisor has a responsibility to the court. As such, it is necessary to ensure that the orders are enforced appropriately and consistently, and that there is a sanction given in response to a failure to comply.

Ensuring compliance

- 4.8 The supervisor's role is to help the individual to comply with the requirements of the Engagement and Support Order. The supervisor must take all reasonable steps to ensure that the individual attends their appointments, for example through proactive outreach work; ensuring that the time of the meeting is appropriate (e.g if the individual has children, ensuring the meeting is not when they will be picking their children up or dropping them off at school etc). Efforts to ensure attendance should be documented.
- 4.9 If the supervisor has taken all reasonable steps to ensure attendance yet the individual still fails to attend a meeting without a reasonable excuse, the supervisor is obliged by the legislation to report this to the court (see **Annex H** for template form). It will then be for the court to decide whether to initiate breach proceedings, although the supervisor will continue to have a role in outlining the nature of the breach to the court, and this will inform how the court responds to the breach.

The role of the court in breach proceedings

- 4.10 If a supervisor reports to the court that, in their opinion, an individual has failed to comply with the order, then a Justice of the Peace must first consider whether on the basis of the information provided it appears that the individual has failed to comply.
- 4.11 If it appears that there has been a failure, the Justice of the Peace may issue a summons requiring the individual to appear at court. It is notable that the legislation does not oblige the court to issue a summons and, therefore, provides some discretion to the Justice of the Peace. The Justice of the Peace will want to give careful consideration to the circumstances of the apparent failure to comply before taking the step of issuing a summons.
- 4.12 If the Justice of the Peace decides to issue a summons, this summons must direct the individual to attend a magistrates' court (or where the offender is under 18, a youth court), acting in the local justice area specified in the order or, if different, the area in which the individual appears to reside.
- 4.13 Following the summons, the individual will be expected to appear before the court on the date and time specified where the breach of the order will be considered. The supervisor will be expected to submit a report to the court, outlining the circumstances of the failure to comply and where necessary explaining why the excuse provided was not considered reasonable.
- 4.14 If the court concludes that a breach of the order has occurred it must revoke the original order. It is then able to deal with the individual as though the individual had just been convicted for the original offence. This presents the court with two options for dealing with a breach:

- impose a new order
- impose an alternative penalty, for example a fine

4.15 In considering how to deal with a breach the court is required by paragraph 4(3) of the Schedule to the 1959 Act to take into account the extent to which the individual has complied with the order. This means that if the offender had nearly completed the order the court may not impose as heavy a penalty as it might have done if the offender had not complied with any part of the order. It may also help determine whether it is appropriate for another order to be imposed.

4.16 For example, if the individual has shown a general willingness to comply, attended one or two of the meetings and there is evidence of engagement during these meetings then the court may consider that progress has been made and that there is value in imposing another order. As with the decision to impose an order in the first instance, the views of the individual will be relevant. If an individual is willing to complete another order this is likely to be the best option. However, even when an individual shows some unwillingness to do so, the merits of another order should be considered carefully.

4.17 It is acknowledged that many orders may be necessary in order to achieve the aim of helping someone leave prostitution or even reduce their involvement in prostitution. As such, a breach of an order, on the first occasion or subsequent occasions should not necessarily be an indication that the individual is unwilling to comply or that the order is not effective, and should not necessarily dissuade a court from imposing an order in response to a breach.

4.18 The aim of the order is to provide a more constructive approach than a fine, and where it has been considered that an order may be effective in the original hearing, a fine should only be imposed as a last resort, when it is considered that an order is clearly not achieving the intended

results. The number of orders previously completed by an individual will be relevant to such considerations although the court will also wish to consider the progress that has been made and the level of engagement that has been sustained as a result of the order. Where a number of orders have been imposed and it is clear that they have not been effective in achieving progress towards the goal of helping someone leave prostitution, and then it may well be appropriate to impose a fine or conditional discharge.

Failure to answer a summons in breach proceedings

4.19 If a court issues a summons following breach of an order and the individual fails to answer that summons, then the magistrates' court may issue a warrant for the arrest of the individual.

4.20 If such a warrant is issued, it must require the individual to be brought before a magistrates court (or, for an under 18, a youth court) acting in the local justice area specified in the order, or the area in which the individual now appears to live.

Enforcing an Engagement and Support Order if an individual fails to appear before a court for breach proceedings

4.21 If an offender fails to appear at court in compliance with a summons after breaching an order, the magistrates' courts may issue a warrant for the arrest of the offender.

4.22 A warrant having been issued the police will need to arrest the individual concerned in order to enforce the order and bring the individual before the court specified in the warrant. In some cases it may not be possible to bring the individual before the appropriate court. In such cases, the police are obliged to bring the individual before any magistrates' court or (if the offender is under 18, any youth court) as soon as practicable and, in any event, within 72 hours of the arrest.

4.23 As with other aspects of this order it should be borne in mind that those subject to the orders may be vulnerable and that, as the orders are intended to provide a less punitive approach, arrest and custody may not be necessary in all circumstances to enforce the order. A warrant should only be issued if absolutely necessary to enforce the order.

Appearance before an alternative court

4.24 It may not be possible to bring an individual who has been detained in police custody before the court specified in the warrant. However, paragraph 9(2) of the Schedule to the 1959 Act allows the individual to be brought before an alternative court.

4.25 This ensures that the individual's case can be dealt with as soon as is practicable and means that it is not necessary to detain an individual solely because it is not possible to bring them before a specific court, if there is a viable alternative court available.

4.26 Where an individual is brought before an alternative court, the court may direct that the individual is released forthwith or remand the individual to appear before the court specified in the warrant.

Adjournment

4.27 The court may adjourn a hearing and, where it does so, it may:

- release the individual
- remand the individual

4.28 Where the individual is remanded the court must fix the time and place at which the hearing is to be resumed and the time and place at which the individual is required to appear or be brought before the court.

- 4.29 Where the court adjourns the hearing but does not remand the individual it may fix the time and place at which the hearing is to be resumed. If it does not do so, it must not resume the hearing unless it is satisfied that the individual and, where appropriate, the supervisor have had adequate notice of the time and place for the resumed hearing.
- 4.30 The powers of a magistrates' court under these provisions may be exercised by a single justice of the peace, notwithstanding anything in the Magistrates' Courts Act 1980.
- 4.31 The powers provided by paragraph 11 of Schedule 1 to the Street Offences Act 1959, which relate to adjournments, apply in place of section 10 of the Magistrates Court Act 1980 in relation to any hearings in any proceedings under that Schedule.

5. YOUNG OFFENDERS

- 5.1 The legislation allows the orders requiring attendance at meetings to be applied to those under 18 convicted of loitering or soliciting for the purposes of prostitution.
- 5.2 However, it is unlikely that youth courts will ever have to deal with an individual under 18 convicted of such an offence in light of the guidance issued by the Department of Children, Schools and Families. It states that:

‘The criminal law is rarely an effective or appropriate response to children and young people under the age of 18 found loitering or soliciting for the purposes of prostitution and that the responsibility for the sexual exploitation of children or young people lies with the abuser: either the offender who pays for sex, in some way, or the offender who grooms the child and/or organises the exploitation².

- 5.3 If a child does appear before the court charged with loitering or soliciting for the purposes of prostitution and presents complex issues underlying their involvement in street prostitution, then very serious consideration should be given to whether the individual can be diverted away from a criminal justice disposal.

² DCSF (June 2009) Safeguarding Children from Sexual Exploitation

ANNEX A: OTHER PROCESSES

A1. This section covers the steps that need to be undertaken if changes need to be made to the Engagement and Support Order:

1. Amendment of an Order – substitution of the Local Justice Area
2. Amendment of an Order – replacing the supervisor
3. Revocation of the Order

1. Amendment of order – substitution of the local justice area

A2. Where the individual either moves or is about to move to a justice area not specified in the order, either the individual or the supervisor may apply to the court for the order to be amended so that the order is carried out in the area to which the individual has moved.

A3. If the application is made by the supervisor the court must amend the order. If the application is made by the individual, the court is not obliged to amend the order but may do so if it feels that this is appropriate. For example it may wish to verify that the individual subject to the order has moved to the area to which they claim to have moved.

A4. An order may not be amended, either to substitute the supervisor or the local justice area, while an appeal against the order is pending.

2. Amendment of an order - replacing the supervisor

A5. The Schedule to the 1959 Act provides for the order to be amended if it is necessary for the supervisor to be changed.

A6. Where the supervisor is unable to continue acting in that capacity, a constable, the supervisor or the individual may apply to the relevant magistrates' court (or youth court where the individual is under 18) to amend the order by specifying a different individual to act as supervisor. If

the supervisor or a police constable makes the application, the court must issue a summons to require the individual to appear at court. If the individual fails to appear, the court may issue a warrant for the arrest of the individual.

A7. The relevant magistrate's court (or youth court) is a magistrates' court (or youth court) in the local justice area specified in the order or, if different, the area in which the individual resides.

A8. If the court is satisfied that the supervisor is unable to continue acting as the supervisor it has two options for how to proceed:

- specify another supervisor
- if no such person is available, revoke the order

A9. It is important that any other supervisor identified is suitable as defined in section 1A(3) of the Street Offences Act 1959 (as amended by the Policing and Crime Act 2009) (see above and **Annex G**). As such the court must consider the same issues as outlined on page 9 in respect of appointing a supervisor.

A10. It is hoped that, where possible, a service that has provided the initial supervisor, will be able to co-operate in providing an alternative supervisor or, where this is not possible identify another potential supervisor.

A11. However, in some cases it may not be possible to find an alternative supervisor in order to continue the order. In such cases the court must revoke the order.

A12. Having revoked the order in these circumstances the court may deal with the individual in any way in which it could deal with the individual if the individual had just been convicted, apart from imposing another

order. This means that it can impose a fine or a discharge. Under paragraph 6(2) of the Schedule to the 1959 Act, in considering which penalty to impose the court must take into account the extent to which the individual has complied with the order. If, for example, the individual has attended one or two out of the three meetings before the supervisor has become unable to continue, the court may consider that a further penalty is not necessary.

A13. Where a court does decide that a further penalty is necessary, the individual may appeal to the Crown Court against the sentence.

3. Revocation of an Engagement and Support Order and notification

A14. Where a court revokes or amends an order for any reason, the designated officer of the court must:

- provide copies of the revoking or amending order to the individual and the supervisor, and
- in the case of an amending order which substitutes a new local justice area, provide a copy of the amending order to a magistrates' court acting for that area.

A15. Where the order is amended to specify a new local justice area, the designated officer must also provide to the court specified in the amended order any documents and information relating to the case as it considers likely to be of assistance to the court.

A16. If the court that revokes or amends the order is a magistrates' court acting in a local justice area other than the area specified in the order, the designated officer must provide a copy of the revoking or amending

order to a magistrates' court acting in the local justice area specified in the order.

Rehabilitation periods under the Rehabilitation of Offenders Act 1974

A17. Section 18 of the Policing and Crime Act 2009 amends section 5 of the Rehabilitation of Offenders Act 1974. It sets out the rehabilitation periods for those convicted of loitering or soliciting for the purposes of prostitution and sentenced to an Engagement and Support Order.

A18. In such cases the rehabilitation period will be six months from the date of conviction in respect of which the order was made. This is intended to accord with the length of the order. After this time the conviction will be spent, subject to the terms of the Rehabilitation of Offenders Act 1974.

A19. Where an offender is dealt with again for the offence for which the order was made, the rehabilitation period for the original sentence has ended and the rehabilitation for the new sentence ends later than that for the original order (e.g. because the offender has now been fined), the longer rehabilitation period applies.

ANNEX B: FREQUENTLY ASKED QUESTIONS

What is the relevant legislation?

Section 1 and 1A of, and the Schedule to, the Street Offences Act 1959. This has been amended by sections 16 and 17 of, and Schedule 1 to, the Policing and Crime Act 2009. Section 5 and 6 of the Rehabilitation of Offenders Act 1974, as amended by section 18 of the 2009 Act, is also relevant to rehabilitation periods for the offence.

In what circumstances can an order apply?

It can be imposed as a sentence on someone who has been convicted of the offence of loitering or soliciting for the purposes of prostitution contrary to section 1 of the 1959 Act.

What does an order do?

It requires someone convicted of loitering or soliciting to attend three meetings within the period specified in the order which can be no more than six months.

Who determines the contents of the meetings?

The meetings are determined by the supervisor. The supervisor is appointed by the court.

What is the purpose of the order?

The legislation states that the purpose of the order is to assist the individual, through attendance at three meetings, to:

- address the causes of the conduct constituting the offence, and
- find ways to cease engaging in such conduct in the future.

In other words its purpose is to help people leave street prostitution by helping them address issues related to the underlying causes of their involvement in street prostitution.

Who will the supervisors be?

The legislation does not specify that they should be located in a particular service or agency. The intention is that the court can use anyone they consider to be appropriate and capable of carrying out this role. This guidance sets out the requirements and skills which it is expected that a supervisor will have.

Who is responsible for reporting a breach?

The supervisor is responsible for notifying the court when a breach has occurred. If the supervisor is of the opinion that the individual has failed, without reasonable excuse to comply with the order, the supervisor must notify the court.

What is a reasonable excuse?

This is left to the discretion of the supervisor, taking into account the circumstances of the particular individual.

What is the penalty for a breach?

Where the court is satisfied that someone has breached an order they must revoke the order and re-sentence for the original offence, which may involve imposing another order, a fine or a conditional discharge.

What happens when orders are running simultaneously?

Orders cannot run simultaneously. If an individual is already subject to an order when convicted of a further offence of loitering or soliciting for the purposes of prostitution the court must revoke the existing order before imposing a new one.

Where do the orders take place (where the individual lives or where the offence was committed?)

The local justice area in which the offender resides or will reside while the order is in force should be specified in the order (section 1A(4)(b) of the Street Offences Act 1959) but this does not mean that the supervisor must reside in this area or that the meetings should be conducted in this area. It may be that the individual has already established links with a particular service from another area, or require a particular service which is provided near where they live but across the boundary in another justice area.

Where there is a significant distance between where the individual has been convicted and where they reside, the meetings required by the order should be conducted in the area where the individual lives.

What happens if the individual is arrested in one area and resides in another?

The arresting police force should liaise with the force in the area in which the individual resides. The force in the area where the individual resides may have contacts with local services and will be able to establish whether an appropriate supervisor can be found in their area. This will enable the arresting force to inform the court in its area as to the availability of a supervisor in the individual's area of residence and assist the court in arranging for a supervisor to be appointed in the area in which the individual resides.

If a court imposes an order which specifies the name of another local justice area (i.e. an area outside the one in which the court is sitting) it must provide to a magistrates court in that local justice area a copy of the order and any documents and information relating to the case that it considers likely to be of assistance to that court in the exercise of any functions in relation to the order.

What will happen if an individual moves?

The court has the power (on application by the supervisor or the individual) to amend the Order to refer to a new local justice area and, if necessary , to change the supervisor.

Will three meetings be enough to help someone leave prostitution?

It is not expected that one order will help someone leave prostitution. The requirements of the order are relatively light, reflecting the low level nature of the offence, but they will nevertheless provide an opportunity for services to engage with the individual to assess how best to address the issues that underpin their involvement in street prostitution. We hope the meetings will be used as an opportunity to build a foundation to enable the individual to continue to access support and advice to exit prostitution.

What will happen if the supervisor is unable to continue?

If the supervisor named on the order is unable to continue (if, for example, they change jobs, or the individual moves out of the area) they will be able to apply to the court for an amendment to the order to specify a different individual to act as supervisor. If no replacement supervisor can be found, then the court will revoke the order and may re-sentence for the original offence. If it does re-sentence, the court is required to take into account the extent of the individual's compliance with the order to that date.

What about young people who are convicted of loitering and soliciting- does the order apply to them?

The order could be imposed on anyone above the criminal age of responsibility. However, in accordance with guidance issued by the Department of Children, Schools and Families under 18s should rarely be prosecuted for this offence.

Will these orders replace existing diversion schemes that have been established locally?

No. Where existing diversion schemes have been established and where local partnerships between the police and local services are providing an effective response to those committing this offence then the introduction of the orders should not be seen as a reason to abandon current practice.

Why not make a community sentence available?

Loitering or soliciting for the purposes of prostitution is, rightly, a low level offence. The current maximum sentence for the offence is a fine. Community orders have more onerous requirements as they are intended for more serious offences. Therefore, allowing community orders to be imposed for this offence would effectively be raising the maximum penalty for this offence. The Engagement and Support Order provides the courts with a rehabilitative option for dealing with this particular low-level offence with an appropriately specific low-level penalty.

ANNEX C: SECTION 1 STREET OFFENCES ACT 1959

1 Loitering or soliciting for purposes of prostitution

(1) It shall be an offence for a person (whether male or female) persistently to loiter or solicit in a street or public place for the purpose of prostitution.

(2) A person guilty of an offence under this section shall be liable on summary conviction to a fine of an amount not exceeding level 2 on the standard scale, or, for an offence committed after a previous conviction, to a fine of an amount not exceeding level 3 on that scale.

(2A) The court may deal with a person convicted of an offence under this section by making an order requiring the offender to attend three meetings with the person for the time being specified in the order ("the supervisor") or with such other person as the supervisor may direct.

(2B) The purpose of an order under subsection (2A) is to assist the offender, through attendance at those meetings, to-

- (a) address the causes of the conduct constituting the offence, and
- (b) find ways to cease engaging in such conduct in the future.

(2C) Where the court is dealing with an offender who is already subject to an order under subsection (2A), the court may not make a further order under that subsection unless it first revokes the existing order.

(2D) If the court makes an order under subsection (2A) it may not impose any other penalty in respect of the offence.

(3) A constable may arrest without warrant anyone he finds in a street or public place and suspects, with reasonable cause, to be committing an offence under this section.

(4) For the purposes of this section-

(a) conduct is persistent if it takes place on two or more occasions in any period of three months;

(b) any reference to a person loitering or soliciting for the purposes of prostitution is a reference to a person loitering or soliciting for the purposes of offering services as a prostitute;

(c) "street" includes any bridge, road, lane, footway, subway, square, court, alley or passage, whether a thoroughfare or not, which is for the time being open to the public; and the doorways and entrances of premises abutting on a street (as hereinbefore defined), and any ground adjoining and open to a street, shall be treated as forming part of the street.

Annex D:

SECTION 1, STREET OFFENCES ACT 1959

ENGAGEMENT AND SUPPORT ORDER REFERRAL FORM

To be attached to the prosecution file

Arrest/Custody ref. no.:----- Charge details

Name..... Address

DOB

Tel: Post Code

I..... [name and rank of authorising officer] of[name of police force] recommend that [name of person charged] is considered for an Engagement and Support Order if convicted for an offence under Section 1 of the Street Offences Act 1959 (loitering or soliciting).

Engagement and Support Orders are an alternative penalty to a fine for people convicted of loitering or soliciting. Instead of a fine, this order will require the person involved in prostitution to attend three meetings with a named supervisor who will help the individual address the reasons for their involvement in prostitution with the aim of helping them find a route out of prostitution.

If the police decide to charge an individual with an offence under section 1 of the Street Offences Act 1959 (loitering or soliciting for the purposes of prostitution), Home Office guidance states that 'there should be a presumption that this individual is suitable for an order unless they pose a risk of harm to the supervisor'.

Checklist:

- This person has been charged with an offence under Section 1 of the Street Offences Act 1959
- A named supervisor has agreed to perform the role of the supervisor to the person named on this referral form which involves meeting with the person on three separate occasions and fulfil the reporting requirements of the order

Details of person authorising this referral	
Signed:	Date:
Name Printed:	Time:
Job Title:	
Contact details:	
Details of the recommended supervisor	
Signed:	Date:
Name Printed:	Time:
Job Title:	
Contact details:	

ANNEX E:

ENGAGEMENT AND SUPPORT ORDER (Section 1, Street Offences Act 1959)

.....Magistrates' Court

[Code]

Date:

Defendant:

Address:

.....

On the complaint of:

Complainant:

Address:

.....

Under the supervision of:

Supervisor:

Address:

.....

Date of first meeting:

Time of first meeting:

Location of first meeting:

.....

Date by which the meetings required by the order must take place:

Local Justice Area in which the defendant resides or will reside while the order is in force:

.....

It is ordered that the defendant must comply with the requirements of the Engagement and Support Order and attend this meeting and two subsequent meetings with the person for the time being specified in the order ("the supervisor") or with such other person as the supervisor may direct.

Justice of the Peace

[Justices' Clerk]

NOTE:

It the defendant has failed without reasonable excuse to attend any of the three meetings at the time and place determined by the supervisor the Justice of the Peace may issue a summons requiring the defendant to appear at court. If the court concludes that a breach of the order has occurred it must revoke the original order. The court may then deal with the defendant for the original offence through either the imposition of a new order or an alternative penalty, for example a fine.

ANNEX F: SECTION 1 STREET OFFENCES ACT 2009 – ENGAGEMENT AND SUPPORT ORDER
SUPERVISOR CONFIRMATION OF COMPLETION OF ORDER REQUIREMENTS
 To be supplied to the court on completion of the Order

Date of issue:..... **Arrest/Custody ref. no.:**-----

Name..... **Address**

DOB

Tel: **Post Code**

was required to attend three meetings with a designated supervisor and remain for the duration of it, in accordance with Section 1 Street Offences Act 1959.

The three meetings were to take place at the following place and at the stated date and time:

Place (e.g. name of project/organisation/CJIT):

.....

Address:.....

.....

.....

1st meeting date: **1st meeting time:**

2nd meeting date: **2nd meeting time:**

3rd meeting date: **3rd meeting time:**

The supervisory sessions were overseen by (name of supervisor):

.....

This is to confirm that the person named above attended/remained at three meetings:

attended and remained for the duration of three meetings

did **not** attend, or did not remain, for the duration of three meetings

If individual failed to attend / remain for the duration, please provide details including any contact from/with the individual, any reason for failure to attend / remain

Details of person making this report	
Signed:	Date:
Name Printed:	Time:
Job Title:	
Contact details:	

ANNEX G: Guide person specification for the supervisory role

We recommend that the Supervisor (or direct reportees of the supervisor) should be able to:

Support provision

- Identify and engage with individuals in a court setting
- Carry out initial needs assessments with individuals subject to an ESO
- Provide direct support to individuals subject to an ESO to help them address their complex needs
- Liaise with a wide range of agencies to ensure individual subject to an ESO is referred on to other services i.e. housing, finances / benefits, mental/physical health, education / training / employment

Engagement with other agencies

- Liaise with CJS representatives e.g. police and the courts
- Submitting reports and pro formas to the court in relation to the outcome of the ESO (i.e. successful completion or breach).

Other

- The supervisor, or their staff, should have an understanding of, and ability to apply, Equal Opportunities and a positive approach to working with Diversity.

Annex H: Basic Evidential Template

ENGAGEMENT AND SUPPORT ORDERS (STREET OFFENCES ACT 1959)

EVIDENTIAL STATEMENT OF FAILURE TO ATTEND AND REMAIN FOR AN ENGAGEMENT AND SUPPORT ORDER MEETING.

This statement is made by (name) on (date)..... and is true to the best of my knowledge and belief and I know that if it were tendered in evidence, I would be liable to prosecution if I willfully stated in it anything which I knew to be false or did not believe to be true, pursuant to section 9 CJA 1967.

Signed.....

Statement must have section 9 CJA 1967 declaration and be signed and dated accordingly.

On (insert date).....

Name (insert name of individual subject to ESO)

has not attended one, or more, of the three specified meetings (in accordance with section Schedule 1 of the Street Offences Act 1959) and has not provided a reasonable excuse.

On (insert date)....., before the conclusion of the Engagement and Support Order s/he was informed orally and given notice in writing by the supervisor that an appointment date and time had been fixed for an ESO meeting to take place at the following location at the stated date and time:

Date (insert date, including day, date, month and year).....

Time (insert time).....

Location. (insert location of assessment including name of agency and full address)

.....
.....
.....
.....

A copy of this written notice is exhibited as

Complete this box if appropriate i.e. if appointment was re-arranged. The box may be expanded to show any number of re-arrangements. For each it will be necessary to confirm that written notice was given of the change. If the appointment was not re-arranged this box may be deleted.

On (insert date) Date.

S/he was given a further notice in writing by the supervisor of a change to the appointment time/place and that the ESO meeting was now due to take place at the following location at the stated date and time:

Date (insert date, including day, date, month and year).....

Time (insert time).....

Location.

.....
.....
.....

A copy of this further written notice is exhibited as

I can confirm that I was at the stated location on the given time and date and that

Name (insert name of person subject to ESO)

failed to attend the ESO meeting / failed to remain for the duration of the ESO meeting (*delete as appropriate*) and has not provided a reasonable excuse.

FREETEXT: the statement given in this section may elaborate on the individual facts of the case, including any contact made with the individual, any reason for failure to attend and remain, whether the supervisor made clear that the ESO meeting was to complete before the individual left, whether the individual was violent or disruptive.

Signed.....

Contact Details