

Appendix A: New powers given to SOCA under the *Serious Organised Crime and Police Act 2005*¹

1 Queen's Evidence

Prosecutors will now be able to strike deals with suspects within a statutory footing, offering either immunity from prosecution or reduction in sentence in return for co-operation. This will provide a strong incentive for those further down the 'food chain' to give evidence against the most powerful heads of organised criminal networks.

It is hoped this will lead to the arrest and imprisonment of more senior figures which in turn will help to make the UK a more difficult place to do business. But it will also help to breed uncertainty inside criminal organisations, whilst maintaining the essential checks and balances to prevent potential miscarriages of justice

2 Financial reporting orders

Under the old rules, criminals could continue with their businesses either in prison or once they got out because their finances were not transparent.

On conviction, a court can now decide to place an order on a criminal. This means they are obliged to report on their financial affairs including specified documents with each report. This allows the authorities to check the criminal has no illicit sources of income. Including false or misleading information is an offence resulting in imprisonment of up to a year or a fine or both. These orders can last up to 20 years.

3 Disclosure notices

Before SOCA, those suspected of organised crime were entitled to remain silent, making it tricky to get sufficient evidence for cases, particularly in complex cases.

The Prosecutor will be able to authorise police or SOCA to serve a notice on a suspect that requires them to answer questions, provide information and produce documents. If they can't produce the documents required, they may be obliged to say where they are. If a suspect fails to comply, they can be imprisoned for up to a year or fined or both. In effect this limits the right to silence - although information obtained in this way cannot be used in evidence in a criminal prosecution against the person who gives it.

¹ <http://www.number10.gov.uk/output/Page9273.asp>

4 Law enforcement officers with multiple powers

Operations used to complex and time-consuming because many different categories of officer were needed - for example, police officers could not deport people.

Once officers are trained, they will now have a full set of powers. This will allow SOCA to deploy teams that will be far more flexible, and speed up the time to deal with suspects.