



Warrants Arrest Management and Execution Policy

Policy

1. Introduction

This document explains the Force's policy for dealing with Court Issued Arrest Warrants.

2. Policy Statement

Surrey Police will execute court issued arrest warrants in accordance with the Government's A, B, C Priority Matrix.

In accordance with the Government's directive, equal priority will be given to warrants received from 'out of force' to those received from Surrey courts.

Procedure

1. Introduction

This procedure provides structured guidance on the administration, management, and execution of arrest warrants within Surrey Police, giving clear guidance on the expectations of each department and their role in the successful case progression. This procedure also covers the management and execution of out of force warrants.

2.2 Surrey Police will NOT be responsible for the execution of the following warrants:

- Non-payment of fines/compensation
- Non-payment of Child Support Maintenance
- Distress Warrants
- Warrants of arrest issued by Surrey Courts for offences recorded by the British Transport Police

2.3 There are occasions when the court will request the police to execute a warrant for an authority that has no power of arrest; Warrants may be issued for these offences.

- Warrants relating to Community Charge/Council Tax, Non-Domestic rates.
- Warrants relating to civil non-police offences e.g. Fly Tipping / Child Not Attending School

2.4 When executing these warrants the officer must comply with the instructions contained therein, e.g. any endorsement by a Justice of the Peace regarding bail must be complied with.

2.5 Section 117(3) of the Magistrates Courts Act 1980 creates a procedure allowing a police officer to execute a warrant that is backed for bail without having to take the person to a police station and create a custody record. The concept has become known as 'doorstep bail' where the person arrested is to be released on bail on entering a recognisance with or without sureties. Such warrants are issued for non-crime offences.

2.6 Monetary warrants (e.g. Requiring attendance of defendant at court or committing them into custody in default of payment of fine, etc.) are addressed to enforcement officers employed by the courts. In the case of Surrey Courts, Kent Enforcement (NCSE) 73KE are the enforcement agency.

3.Warrant Responsibilities

3.1 Surrey Police remain responsible for execution of the following warrants:

3.2 Court Issued Warrants both with or without bail: -

- To arrest a person 'in connection with an offence'
- Relating to the non-appearance of a defendant at Court
- For the protection of a party to a marriage or of a child of the family
- To arrest a witness
- Committal warrants (not for financial penalties)
- Offences covered by the Armed Forces Act 2006
- Breach of suspended sentences and Community Orders

3.3 The Warrants Officers based within Surrey Police Criminal Justice Department will act as a central point of contact for all matters relating to warrants.

3.4 There are two Warrants Officers taking responsibility for the warrants issued by all Surrey Courts as well as warrants issued by courts outside of this area where the offence was committed within Surrey, or the defendant/witness is believed to be residing in Surrey.

3.5 They will be directly line managed by The Warrants and Text Preparation Team Leader, under the supervision of the Criminal Justice Prosecutions Manager.

3.6 The issued warrant will be retained by the Court, with Surrey Police receiving an electronic notification of the warrant via the Richard 7 Program.

3.7 The Warrants Officers have responsibility for: -

- Maintain and accurately update records.
- Ensure accurate and up to date status of all warrants is recorded on Niche and PNC.
- Appropriate assessment and categorisation of each warrant and ensure timescales are met as per NPCC Guidelines
- Research to identify the location of the named subject of the warrant and task to appropriate area for execution
- When necessary and appropriate, request to the issuing Court for the withdrawal of warrants.
- Proactive case progression and review of existing warrants in line with timeliness specified within the ACPO (now National Police Chiefs' Council, NPCC) Please refer to Warrant Priority Matrix 2022.

4. Warrant category and timelines.

4.1 **Category A Warrants** - Due to the nature of the offender or offence, these Warrants should be considered a priority. Every effort should be made to execute them within 14 days of receipt.

4.2 **Category B Warrants** - These warrants relate to all other crime matters and which are recordable offences. They may also include any other warrant that relates to force objectives, targets and/or initiatives, for example, Neighborhood campaigns and serious traffic offences (though NOT those relating to death, which are covered by Cat A) and should be executed within 21 days.

4.3 **Category C Warrants** - This category is for all other warrants including minor traffic offences, non-payment of fines and non-recordable offences. They may also include warrants for non-police matters such as offences related to Trading Standards and Planning Consents etc. All such warrants should be executed within 28 days. Warrants Officers should conduct intelligence checks and research in the same manner as prescribed above for Category A and B warrants.

4.4 It is important to note that warrant grading is NOT the same as the grading imposed for Op Hunt. This grading is outlined as below. The category of Op Hunt warrants is decided by the OIC.

4.5 Cat A – Arrest within 24 hours

Offender = High Risk Offender; AND

Offence = High Harm Offence

Cat B – Arrest within 48 hours

Offender = High Risk; OR

Offence = High Harm

Cat C – Arrest within 28 days

Offender = Any other nominal

Offence = Any other offence

Please refer to Op Hunt policy

5. Execution of warrants procedure

5.1 Research should be conducted by the Warrants Officers to confirm an address for the subject. These will include Voters checks, enquiries with other government agencies, Prisoner Intelligence checks, PNC and Niche. It is the OIC / attending Officer's responsibility to ensure necessary risk assessments are considered and officer safety warnings are reviewed. In serious or complex cases, the support of the investigating department should be considered.

5.2 When an address for the subject has been identified Category A warrants should be **allocated** to the appropriate Unit via Niche tasking. This will be retained on their queue until executed/withdrawn. If the warrant remains unexecuted and no communication has been received, the Warrants Officer will contact the team via Niche Tasking for an update.

5.3 Where it is established that the subject is living or is located out of the force area, the relevant force will be contacted and a "Request to Execute Warrant form" will be completed and sent to appropriate Force via e-mail. The Warrants Officers maintain an up-to-date list of email addresses for each Warrants Team in every UK police force. All warrants will be monitored and reviewed by Warrants Officers in the same manner as if the defendant lived within Surrey.

5.4 If the warrant has not been executed, then a Warrants Officer will decide as to whether the task should remain with the appropriate Unit for further enquiries/arrest attempts or should be returned to the Warrants Team for additional enquiries to be conducted.

5.5 Category A warrants that have expired their 14-day time limit will be retained by the appropriate unit. Any older Category A warrants where new addresses are located will be tasked back to the relevant team.

5.6 All unexecuted warrants will be retained on the Warrants Team workload for full reviews every 12 months.

5.7 If the warrant is executed it remains the responsibility of the arresting Officer dealing to update PNC via MSS and to update Niche. The detain report or a tasking will inform the Warrants Officers.

6. Out of Force Warrants

6.1 Warrants issued by another Police Force, should be sent to the Warrants Team where the warrant will be documented and entered within Niche and recorded for monitoring purposes.

6.2 The warrant will be allocated and maintained as described above for Category A / B and C warrants. However, the warrant will be returned unexecuted if the wanted person is not located. If the requesting Force requires a reference number, the Niche Occurrence Number shall be provided.

6.3 Arrest on warrant requests received by other departments such as Contact Centre or Data Bureau must (unless urgent) be forwarded to the Warrants Team or the Niche task box. The Warrants officers will then deal with the matter in accordance with this procedure. In urgent cases details must be forwarded to the Force Control Room for appropriate deployment.

6.4 Warrants issued in England and Wales may be executed by police officers in Scotland and Northern Ireland and vice-versa (S.136 Criminal Justice & Public Order Act 1994).

7. Backing of Warrants from Isle of Man and Channel Islands

7.1 Section 13 of the Indictable Offences Act 1848 facilitates the execution of warrants issued in England and Wales for Indictable Offences in the Isle of Man and the Channel Islands (i.e. Guernsey, Jersey, Alderney and Sark) and vice-versa. The Schedule to this Act sets out the endorsement to be used.

8. Power of Entry

8.1 In order to execute a warrant issued' in connection with, or arising out of criminal proceedings', or a committal warrant (sect. 76, Magistrates' Courts Act 1980), a constable may enter and search any premises when they has reasonable grounds for believing the person sought is on the premises. (Section 17, Police and Criminal Evidence Act 1984).

8.2 The search may only be to the extent required and is restricted to the parts of the premises where the officer reasonably believes the person may be. Reasonable force may be used when necessary (Section 117, Police and Criminal Evidence Act 1984).

8.3 Any such search must be conducted in accordance with the provisions of PACE Code B.

9. Requirement to be in possession of warrant.

9.1 In England and Wales any person to whom the warrant is addressed or any constable acting in their police area may execute it. The arresting officer **does not** have to have the warrant in their possession at the time of its execution, but it must, if requested by the arrested person, be shown to them as soon as practicable (Section 125D of the Magistrates Court act 1980).

10. Risk Assessments

10.1 Each warrant should be reviewed on a case-by-case basis, considering checks completed on PNC and Niche, ensuring the relevant status of the defendant is identified and communicated to the attending Officer. It is the attending Officers responsibility to ensure the appropriate checks are made before attending the defendant's address.

11. Identification of MAPP/ HHPU / PPO/ OCG subjects

11.1 The Surrey Police Warrants Officers will make the appropriate checks on Niche to ensure that any HHPU / MAPP/ PPO/ OCG subjects are correctly identified, and the relevant team made aware of any warrants issued that may relate to a subject prior to tasking.

11.2 The appropriate team will then decide how the warrant will be progressed and if any intelligence is captured relating to a subject a 3 x 5 x 2 intelligence report is submitted.

12. Review of Warrants

12.1 As per NPCC Guidance, warrants managed by the Warrants Team should be reviewed on a regular basis:

- a. Initial lifespan i.e. Category A 14 days, Category B 21 days, Category C 28 days. The Warrants Officer will regularly review the status of the warrant and ensuring enquiries are expeditiously progressed.
- b. Following the initial lifespan, if the warrant fails to be executed it will be returned to the Warrants Teams workload where it will be reviewed.

Team Criminal Justice