Guidance on Protecting the Public: Managing Sexual Offenders and Violent Offenders 2010

This guidance is a second edition and is, therefore, not new but updates the existing guidance. It builds on the good practice and lessons learned since the publication of the earlier edition. A list of all changes made can be found on page 9.

USER INFORMATION

- To help with fast navigation, this document contains interactive links.
- Clicking on any of the items in the main list of Contents or the Contents at the start of each section will take you to the section, subsection or item listed.
- To return to the page you were previously viewing, click ALT ← (left arrow).
- To cross-reference within the document or access external web links, click on the bold text where the hand pointer appears when rolling over it.
- Log on to POLKA to access documents linked from the guidance and stored on this secure site.

OTHER USEFUL DOCUMENTS

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### Appendix 1 Abbreviations and Acronyms

### Appendix 2 References
This guidance contains information to assist policing in the United Kingdom. It is NOT PROTECTIVELY MARKED under the Government Protective Marking Scheme.

This guidance has been produced by the National Policing Improvement Agency (NPIA) on behalf of the Association of Chief Police Officers (ACPO). It will be updated according to legislative and policy changes and re-released as required.

The NPIA was established by the Police and Justice Act 2006. As part of its remit the NPIA is required to develop policing doctrine, including guidance, in consultation with ACPO, the Home Office and the Police Service. Guidance produced by the NPIA should be used by chief officers to shape police responses to ensure that the general public experience consistent levels of service. The implementation of all guidance will require operational choices to be made at local level in order to achieve the appropriate police response.

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All other enquiries relating to this publication should also be addressed to the Specialist Operations Centre at the above address.
Guidance on
PROTECTING THE
PUBLIC: MANAGING
SEXUAL OFFENDERS
AND VIOLENT
OFFENDERS

2010

Produced on behalf of the Association of Chief Police Officers
by the National Policing Improvement Agency
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Introduction

The police have a key role to play in protecting the public from those violent offenders, sexual offenders and other Potentially Dangerous Persons (PDPs) who pose a risk of serious harm. This includes protecting particular individuals, groups of people such as children or vulnerable adults, the general public and members of staff. The delivery of this high-profile area of core police business is essential in maintaining and enhancing public confidence in the work of the police and their partner agencies. The consequences of failure can be devastating for individuals, families, communities, the public as a whole, partner agencies and the Police Service.

The risks posed to the public by dangerous people (both convicted and unconvicted) can never be completely eliminated, but the public is entitled to expect the authorities to take reasonable action to keep risk to a minimum. No single agency has the capacity to provide public protection alone, and success depends on sustained and proactive participation in effective partnerships including Multi-Agency Public Protection Arrangements (MAPPA). In recent years the police have been part of a determined multiagency approach to manage dangerous people and successful partnerships have been established nationally, regionally and locally. In particular, strong partnerships have been developed with the Probation and Prison Services.

The priorities of the Police Service in carrying out their public protection responsibilities are to:

- Take reasonable action to protect the general public, particular individuals and groups from serious harm and from re-victimisation;
- Manage effectively information relating to public protection, including using it to protect the public, prevent crime and assist in investigations;
- Identify, assess and manage the risk posed by sexual offenders and violent offenders in the multi-agency environment;
- Take action against offenders so that they can be held accountable through the criminal justice system, while protecting others from serious harm;
- Adopt a multi-agency approach to protecting the public and bringing offenders to justice;
- Establish public protection as a mainstream policing activity;
- Ensure public confidence and reassurance about the Police Service role in public protection while managing public expectations;
- Ensure effective internal and external communication strategies for individual cases and corporate systems.
This guidance defines the threshold standards for the police role in public protection which are to promote good practice and provide a framework for a consistent quality of service between police forces and across partner agencies. It provides the Police Service with clear information about their role in public protection and the management of their role. It also includes information on related multi-agency structures including MAPPA and details of risk identification, risk assessment and risk management processes, the police role in offender management and public protection information management processes.

The guidance is relevant to all operational officers, all police staff involved in direct service delivery and/or public protection-related work, specialist officers involved in the management of sexual offenders and violent offenders, managers, supervisors and chief officers. Management issues are summarised at the end of each section. The guidance will also be used to scrutinise police forces by police authorities, Her Majesty’s Inspectorate of Constabulary (HMIC), the Independent Police Complaints Commission (IPCC) and others.

For chief officers, the following strategic recommendations emerge from this guidance:

- Compliance with MAPPA Guidance 2009 Version 3.0 (hereinafter referred to as current MAPPA Guidance);
- Compliance with current NPIA VISOR Standards Manual;
- Implementing a comprehensive force policy that incorporates this guidance and ensures compliance with the Human Rights Act 1998 (HRA) and other relevant legislation;
- Developing and sustaining partnerships which contribute to multi-agency public protection structures, including responsibilities in relation to MAPPA;
- Ensuring adequate and appropriate staffing for the police role in the management of sexual offenders, violent offenders and PDPs;
- Ensuring that the training needs of all staff are met.

The National Offender Management Service (NOMS) is the umbrella organisation which encompasses Her Majesty’s Prison Service (HMPS) - Public Sector Prisons, private prisons and the National Probation Service (NPS). This guidance refers separately to the Probation Service and the Prison Service according to their individual functions in the MAPPA process. As the public protection responsibilities of private and public prisons are the same, reference to the Prison Service should be read as including private and public prisons.

## Changes

Key:  
- **New** = new text  
- **Amended** = changes/additions resulting from feedback  
- **Updated** = changes resulting from changes in procedures and/or legislation

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Understanding Public Protection

This section identifies the key principles of the police role in public protection and defines related terms for the purposes of this guidance. It also details the categories of people (both with and without convictions) who are considered to pose a risk of serious harm, and addresses how to manage them. The nature of sexual offending and violent offending is also considered.

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1.1 Key Principles of the Police Role in Public Protection

For the purpose of this guidance, public protection is the policing function of reducing harm in the context of MAPPA and through the identification, assessment and management of PDPs who do not fall within MAPPA. Reference to the public includes particular individuals, groups of people such as children or vulnerable adults, offenders, the general public and members of staff.

It is the responsibility of the police, as part of the Responsible Authority (RA) to assess and manage risk in order to prevent harm where possible, reduce the likelihood of harm and mitigate the impact of any harm. See 1.2 Legal Framework for Public Protection.

The key contributing activity to reducing the risk and impact of harm is the capture, recording and timely dissemination of intelligence, when available, about an offender to the relevant agency or agencies. The importance of comprehensive and accurate intelligence in successfully and proactively identifying, assessing and managing the risk of serious harm cannot be overstated. The police have a responsibility to take action to reduce that risk through information sharing, multi-agency responses and, if necessary, by police action as a single agency.

This guidance relates to a particular category of public protection: the police role in managing those who pose a risk of serious harm and fall within MAPPA, and those who are identified as PDPs. Other areas of police business will deal with many of the same issues and effective delivery requires there to be strong links with these areas. For example, some police forces amalgamate specialist units responsible for investigating a wide range of issues relating to protection of the public including sexual offences, violence, child abuse, vulnerable adult abuse, domestic abuse, hate crime and missing persons. While this guidance does not require one particular unit within a force to incorporate this range of related issues, it does require strong working relationships and information sharing arrangements to be in place between specialist units. It is for each force to decide the structural arrangements by which this is achieved, although strategic working may benefit from police forces co-locating those carrying out public protection functions with those working in related areas, eg, specialist investigators dealing with sexual offences, child abuse, vulnerable adult abuse, domestic abuse, hate crime and missing persons. For further details see 3 Managing the Police Role in Public Protection.

The following points summarise the key principles of the police role in protecting the public which will be considered throughout this guidance.
1.1.1 Protecting the Public and Safeguarding Human Rights

The protection of the public has always been core police business. This is reinforced by the HRA and, particularly, the European Convention on Human Rights (ECHR) Articles 2 and 3. The public has a right to expect that the police and other agencies will exercise their powers to protect life (Article 2, ECHR), to protect individuals against torture or to inhuman or degrading treatment or punishment (Article 3, ECHR), and to protect their private and family life from interference (Article 8, ECHR). These rights have been reinforced by cases such as Osman v UK (2000) 29 EHRR 245 and Z v UK (2002) 34 EHRR 3. Both cases emphasise the duty of care of the police and other public authorities to protect life and to protect individuals from inhuman and degrading treatment. These rights provide powerful justification for police action, although such action must be based on the circumstances of each case which will indicate whether action is proportionate and necessary.

Police considerations when managing sexual offenders, violent offenders and PDPs will include the rights of the offender or PDP, such as those under ECHR Articles 2, 3 and 8, and the right to liberty and security (Article 5, ECHR) and to a fair trial (Article 6, ECHR). It should be possible to reconcile the need for public protection with the human rights of the offender. For example, it can be beneficial in protecting the public from offenders or PDPs in the long term if they are able to live and work as part of communities without fear of vigilante attacks, and where agencies are able to keep track of them and manage the risks. The Police Service must ensure that the human rights of victims, the public and offenders are balanced and that attention to public protection responsibilities is not undermined by the human rights considerations relating to individual offenders and PDPs.

1.1.2 Investigative Approach

The investigative approach is central to every stage of managing sexual offenders, violent offenders and PDPs. This includes ensuring access to all appropriate information, for example, that held by police and other agencies, and a questioning attitude to the content of all information, particularly that provided by the offender. Any gaps in information should be questioned, for example, relating to patterns of offending. The product of criminal investigations may have vital implications for the assessment of the risk of serious harm posed by the subject of the investigation.

All police staff are responsible for collecting and recording accurate and relevant information in a timely manner. The submission of an appropriately detailed intelligence record will contribute to the overall management of risk. This will include information about modus operandi (MO), patterns of offending and other behaviour and associations of the offender. At each stage in the offender management process, police and
staff from all agencies need to be continually asking themselves, ‘Can I justify the decisions I have made based on the information available?’

1.1.3 Justifiable and Defensible Decisions

Risk of harm can only be reduced in terms of likelihood of occurrence and/or the severity of impact. It cannot be completely removed. Decisions on risk identification, assessment and management do not always prevent harm and will never be infallible, but they should always be justifiable and defensible. Officers will need to use professional judgement and discretion when making a decision, and should be prepared to do so. Generally, decisions are considered to be defensible if a reasonable person acting in the same professional capacity, at the same time and with the same available information could have made the same decision.

Decisions are usually considered justifiable and defensible if all of the following elements exist:

- All available information has been collected, recorded and thoroughly evaluated;
- Policies and procedures have been followed;
- Reliable assessment methods have been used where available;
- All reasonable steps have been taken and any information acted upon;
- Practitioners and their managers have communicated with each other and with other agencies, been effective and proactive, and have adopted an investigative approach, see 1.1.2 Investigative Approach;
- Decisions have been recorded (and subsequently carried out).

All staff should be aware of these elements and include them in any decision-making process related to public protection and the supervision of such processes.


1.1.4 Risk Identification, Risk Assessment and Risk Management

Appropriate risk identification and accurate risk assessment rely on thorough information gathering (within the police and across agencies) and the application of accredited risk assessment tools. Unless all relevant information is available to those making assessments, public protection may be compromised. This means that all staff should be familiar with the basics of risk identification so that information can be flagged and assessments kept up to date. Available statistics allow an estimation of
the percentage of each group that will cause serious harm, but the accuracy of predictions about individuals can never be certain. For further information see 1.5 Risk Identification, Assessment and Management and 4 Identifying, Assessing and Managing Risk.

The risk management structure of MAPPA (summarised in 1.5.3 Risk Management) is based on the principle that cases should be managed at the lowest level that is consistent with providing a defensible risk management plan. Resource allocation is a matter for strategic management, and the rationale and decision-making processes leading to such decisions should be written into force policy and recorded in individual cases. It is in the public interest that finite police resources are directed at preventing or minimising the most serious harm. The basis of this is a systematic process of identification, assessment, management and review of risk.

1.1.5 Multi-Agency Working

No single agency, including the police, has the capacity to deliver public protection alone, and success depends on participation in efficient partnership working including MAPPA. While this guidance focuses on the police role in public protection, multi-agency working and the important role of other agencies is a key aspect. Different agencies bring different roles, resources, perspectives and information to risk identification, assessment and management processes. The best chance of delivering and sustaining public protection is where agencies collaborate for the purpose of safeguarding the public. For further information see 2 The Police Role in MAPPA and Other Multi-Agency Structures, 8 Roles and Responsibilities of Other Agencies, current MAPPA Guidance and the National Probation Directorate (2004). Also see Home Office (2007) Review of the Protection of Children from Sex Offenders which makes a range of recommendations about the operation of MAPPA and other aspects of the assessment, management and treatment of sexual offenders.

1.1.6 Focus on Victims

The key outcomes of effective public protection working are the prevention of serious harm and the reduction of re-victimisation and risk for future potential victims. Victims can play a positive role in the public protection process. In some cases it will only be the victim who knows the real level of risk posed by an offender or PDP. The Police Service, Probation Service, the Crown Prosecution Service (CPS) and other agencies have a number of responsibilities towards victims. For further information see 4.5 Victims and Potential Victims and 8 Roles and Responsibilities of Other Agencies. The MAPPA process and the police activities which this guidance covers are a continuation

### 1.1.7 Offenders’ Responsibility for their Own Behaviour

All offenders are responsible for their own behaviour and can make a critical contribution towards changing their offending behaviour and taking responsibility for not reoffending. Current MAPPA Guidance encourages agencies in MAPPA to work with the offender to reinforce their capacity to control themselves and manage their own risk. This could involve, for example, using a combination of agency responses to help the offender to identify triggers that increase their likelihood of offending, and teaching tactics to avoid risky situations. Not all offenders will be responsive to this approach and they should be assessed and judged on an individual basis, taking into account all available information.

In employing such an approach there are implications for the welfare of staff, and police officers working directly with offenders, and their supervising officers should be aware of this. Given the complexities for all agencies of encouraging offenders to take responsibility for their behaviour, officers involved in the process of offender management require specialist training and supervision, see **3.5 Staff Training**.

### 1.1.8 Recognising Diversity and Responding Appropriately

As in all areas of police business, the domestic equality legislation and HRA require that all diversity issues are met with appropriate responses. For example, some offenders whose first language is not English or who have hearing problems may need translation or interpretation services. Recognition of, and responses to, diversity issues should be evidenced on case files.

When managing sexual offenders, violent offenders and PDPs, all decisions made should be based on accurate information. For example, an offender with a physical disability does not automatically present a lower risk than a person without such disabilities. Similarly, risk levels are not automatically lower because an individual is either relatively young or old. Also, the presence of a particular mental illness does not automatically increase the risk posed by an individual, as each case should be assessed on its merits. It is irrelevant in terms of the offence committed that an offender’s country of origin has different laws about consent to sexual intercourse or the age of consent. The police have duties under diversity and equality legislation, but the fear of being accused of discrimination such as racism should not divert officers from noting and acting on signs of risk to the public.
1.2 Legal Framework for Public Protection

The Criminal Justice Act 2003 (CJA) sections 325-327 requires the Police, Probation and Prison Services to work jointly as the RA in each area of England and Wales. This is for the purposes of establishing and reviewing arrangements for the assessment and management of violent and sexual offenders, and ‘other persons’ who, by reason of offences committed by them (wherever committed), are considered by the RA to be persons who may cause serious harm to the public. These arrangements are commonly referred to as MAPPA. The CJA also requires a range of other agencies to cooperate with the RA in the delivery of the assessment and management of risk, to the extent that it is compatible with their statutory duties. These agencies are listed in 2.1.3 Agencies that have a Duty to Cooperate. For further details about MAPPA see current MAPPA Guidance and 2 The Police Role in MAPPA and Other Multi-Agency Structures.

As part of the CJA sentencing provisions, crown courts and magistrates’ courts now have powers to impose a range of public protection sentences or additional provisions. These will strengthen the constraints placed on offenders following their release from custody if they present a continuing risk of serious harm. Sentencing powers include:

- Indeterminate and life sentences with release by the Parole Board;
- Extended sentences for public protection;
- Extended periods of licence supervision;
- Sexual Offences Prevention Orders (SOPOs);
- Notification requirements for sexual offenders, see 7.9 Court Orders and Sentences Available for Public Protection.

And more recently:


All public authorities, including the police, have duties under HRA and ECHR to protect the rights of members of the public to life (Article 2) and to freedom from torture or inhuman or degrading treatment or punishment (Article 3). Linked to these is the duty, under section 17 of the Crime and Disorder Act 1998, for the Police Service in England and Wales to exercise its functions in such a way as to do all that it reasonably can to prevent crime and disorder in its area. The police also have a duty under section 11 of the Children Act 2004 to discharge their functions having regard to the need to safeguard and promote the welfare of children.
1.3 Definitions of Key Terms

Key terms as used in the context of this guidance have the following definitions.

1.3.1 Risk of Serious Harm


…a risk which is life-threatening and/or traumatic, and from which recovery, whether physical or psychological, can be expected to be difficult or impossible.

Risk of serious harm is the likelihood of this event happening and is a dynamic concept which should be kept under review. Where the term risk is used in this guidance to refer to a risk of reoffending, that is stated, see 1.3.5 Reoffending.

There are other definitions of serious harm which may be relevant in the management of sexual offenders and violent offenders. For example, sections 224 to 236 of the CJA set out the new regime of public protection (or preventive) sentences for dangerous offenders. Dangerous offenders are defined in the Act as offenders convicted of serious and specified sexual or violent offences who pose ‘a significant risk to members of the public of serious harm’. Significant risk means a risk which is more than minimal. Serious harm is defined according to section 224(3) of the CJA as ‘death or serious personal injury whether physical or psychological’. The significant risk of serious harm test is used by the court to decide whether an offender should be given a public protection sentence (or a life sentence). The test is also used by the Parole Board to decide whether an offender can be released on parole. It is, therefore, a key test in the assessment and management of offenders. For further information see 7.9.8 Public Protection Sentences.

1.3.2 Imminence of Serious Harm

Imminence of serious harm describes an event that is more likely than not to happen imminently, the impact of which would be serious, see 1.3.1 Risk of Serious Harm. The concept of imminence is important as it distinguishes a very high-risk offender from a high-risk offender according to OASys definitions, see 4.3.4 Offender Assessment System. It will also be relevant when prioritising resources and making decisions about risk management options. Identifying imminence of harm is primarily a professional judgement that is strongly influenced...
by understanding the triggers for offending, evidence of serious harm and accurate information about an offender’s current circumstances.

1.3.3 Offender

The term offender is used to refer to an individual with a conviction or caution for a criminal offence and who falls within one of the three MAPPA Categories. For further information see 1.4 Categories of Individuals Who Pose a Risk of Serious Harm.

1.3.4 Potentially Dangerous Person

For the purposes of this guidance, the definition of a PDP applies as follows:

A PDP is a person who is not eligible for management under MAPPA but whose behaviour gives reasonable grounds for believing that there is a present likelihood of them committing an offence or offences that will cause serious harm.

A present likelihood reflects imminence, and that the potential event is more likely than not to happen.

For further details about PDPs see 1.4.4 Potentially Dangerous Persons Who Fall Outside the MAPPA Categories, 4.1.2 Identifying Potentially Dangerous Persons and 5 Identifying and Managing Potentially Dangerous Persons.

1.3.5 Reoffending

This is the perpetration of another illegal act by an individual, whether that act has been the subject of criminal investigation, prosecution, sanction or not. People who are responsible for causing serious harm often take measures to prevent the victim reporting the offence or pursuing the matter through the Criminal Justice System. There is, therefore, an important distinction between reoffending and reconviction. Individuals with one or no convictions may have committed many serious offences.

1.3.6 Reconviction

Reconviction means a subsequent conviction for an illegal act regardless of the type of offence.
1.3.7 Sexual Offences

The term sexual offences includes all those listed in Schedule 3 of the Sexual Offences Act 2003 (SOA) and Part 2 of Schedule 15 of the CJA (see Appendix 3). This includes offences that involve no physical contact between the offender and victim, eg, those involving child abuse images. For further information about Part 1 of the SOA, see Criminal Justice System (2004) Guidance on Part 1 of the Sexual Offences Act 2003.


1.3.8 Violent Offences

The term violent offences refers to all such offences which do not fall within the category of sexual offences (see 1.3.7 Sexual Offences) and which are contained in the list of specified violent offences in Part 1 of Schedule 15 of the CJA (see Appendix 3).

1.3.9 Child Abuse

Child abuse encompasses all circumstances of ill-treatment of children (defined as any person under the age of 18 years) by strangers, family members and other people known to the child. It includes physical abuse, sexual abuse, emotional abuse and neglect. HM Government (2010) Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children sets out definitions and gives examples of the four broad categories of child abuse. ACPO (2009) Guidance on Investigating Child Abuse and Safeguarding Children provides details of the actions to take when investigating child abuse or responding to concern for a child. For further information on the investigation of images of child abuse on the internet, see ACPO (2005) Practice Advice on Investigating Indecent Images of Children on the Internet.

1.3.10 Hate Crime

Hate crime is defined by the Home Office and ACPO as:

Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate.

1.3.11 Domestic Abuse

The shared ACPO, Crown Prosecution Service (CPS) and government definition of domestic abuse is:

Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults, aged 18 and over, who are or have been intimate partners or family members, regardless of gender and sexuality. (Family members are defined as mother, father, son, daughter, brother, sister and grandparents, whether directly related, in-laws or step-family.)

ACPO (2008) Guidance on Investigating Domestic Abuse provides details of the procedures officers suspecting or investigating domestic abuse should follow. Reference should also be made to HM Government (2009) Together We Can End Violence Against Women and Girls: A Strategy which incorporates the perpetrator-focused review ACPO (2009) The Review of Violence Against Woman and Girl by Serial Perpetrators. This publication makes a number of recommendations about improving the way serial perpetrators are managed.

1.3.12 Vulnerable Adult Abuse


1.3.13 Missing Persons

1.4 Categories of Individuals Who Pose a Risk of Serious Harm

The following categories of people are considered to pose a risk of serious harm and fall within the remit of this guidance. The generic term offender is used to include those covered by the MAPPA process. Specific reference to PDPs is made when particular issues apply. For more details about identifying PDPs, see 5 Identifying and Managing Potentially Dangerous Persons.

The three MAPPA categories of offender are dealt with under three management levels (1 to 3). For example, a Category 1 offender may be managed at level 2, see 1.5.3 Risk Management.

For more detailed guidance on offenders who fall within the MAPPA process (or the MAPPA Categories), see current MAPPA Guidance.

1.4.1 Registered Sexual Offenders (Category 1 MAPPA)

Under section 327(2) of the CJA, a person falls within MAPPA if they are subject to the notification requirements of Part 2 of the SOA. Sections 80 and 81 of the SOA require that certain offenders be subject to notification requirements and list the categories of persons subject to these requirements. These persons are commonly referred to as registered sexual offenders (RSOs) or registrable sexual offenders. The relevant offences are listed in Schedule 3 of the SOA. Individuals may also be subject to notification requirements as a result of a Sexual Offences Prevention Order (SOPO) (see 7.9.10 Sexual Offences Prevention Order), Notification Order (NO) (see 7.9.7 Notification Order) or breach of a Risk of Sexual Harm Order (RSHO) (see 7.9.9 Risk of Sexual Harm Order). Notification requirements are described in more detail in 7.3 Notification Requirements for Registered Offenders.

Periods of notification depend on the sentence and the length of any conditional discharge, but many offenders will be subject to notification requirements for life. In the case of R v Wiles [2004] 2 Cr App Rep (S) 467, the court held that any period of extended sentence should now be included when assessing whether or not a sentence threshold in Schedule 3 of the Act has been met (and, therefore, whether the notification requirements apply to an offender). Provision for extended sentences can now be found in section 227 of the CJA.

If the offender is not required to notify for life, and following the end of the notification period there is considered to be an ongoing risk of serious harm, offenders may continue to be subject to notification requirements under this category through a SOPO. For further details about SOPOs, see 7.9.10 Sexual Offences Prevention Order. If a SOPO is not possible, an offender could be categorised as a Category 3 offender, see 1.4.3 Other Dangerous Offenders (Category 3 MAPPA).
The police role in the notification requirements process means that the identification of offenders within Category 1 is the primary responsibility of the police, although some such offenders will be subject to statutory supervision by the Probation Service or Youth Offending Team (YOT). An offender is no longer a Category 1 offender when their period of notification has come to an end.

1.4.2 Violent Offenders and Other Sexual Offenders (Category 2 MAPPA)

Category 2 (violent offenders and other sexual offenders) cover distinct sets of offences. While these offences do not automatically attract a requirement to notify with the police, the majority of offenders will be under the statutory supervision of the Probation Service. The relevant probation area or YOT, will, therefore, often have primary responsibility for identifying Category 2 offenders. In some cases Hospital Orders and Guardianship Orders will involve statutory community supervision which means that mental health services or adult and children’s social care services may be the lead agency.

An offender is no longer a Category 2 offender at the point that their supervision by the Probation Service ends. Final review of risk of a Category 2 offender can, however, result in them being assessed as a Category 3 offender, see 1.4.3 Other Dangerous Offenders (Category 3 MAPPA).

If a Category 2 Violent Offender meets the specified criteria, a Violent Offender Order (VOO) may be sought at the conclusion of their probation supervision. See 7.9.11 Violent Offender Order.

Violent Offenders

For specific offenders who fall within this category see section 327(2)-(5) of the CJA. Part 1 of Schedule 15 of the CJA provides a list of specified violent offences, see Appendix 3.

Other Sexual Offenders

Specific offenders who are not Category 1 offenders fall within this category, see section 327(2)-(5) of the CJA. Part 2 of Schedule 15 of the CJA provides a list of specified sexual offences, see Appendix 3.
1.4.3 Other Dangerous Offenders (Category 3 MAPPA)

Section 325(2)(b) of the CJA identifies a third category within MAPPA described as:

Other persons who, by reason of offences committed by them (wherever committed), are considered by the RA to be persons who may cause serious harm to the public.

Firstly, the RA must establish that a person has a conviction (or caution) for a criminal offence which indicates that the person is capable of causing serious harm to the public.

**Note:** This person will not necessarily have been a previous subject of the MAPPA process. Secondly, the RA must reasonably consider that the offender may cause serious harm to the public. This guidance refers to this category as ‘other dangerous offenders’ to distinguish them from PDPs, see 1.4.4 Potentially Dangerous Persons Who Fall Outside the MAPPA Categories.

The identification of offenders within this category is the responsibility of the agency that first deals with the offender. A Category 3 level 1 offender does not exist, and a person ceases to be a Category 3 offender when it has been agreed through the chair at a MAPPA meeting that management within MAPPA is not required at that time.

1.4.4 Potentially Dangerous Persons Who Fall Outside the MAPPA Categories

There will be occasions when individuals fall outside the criteria for inclusion under MAPPA (as they have neither been convicted of, nor cautioned for, a relevant offence, nor do they meet the criteria for management as a Category 3 offender) but they still pose a risk of harm, i.e., they are a PDP.

It is important to distinguish between offenders who fall within MAPPA and those who fall outside MAPPA but who may fall within the definition of a PDP. Unlike offenders who fall within MAPPA there is no statutory multi-agency framework which governs the management of PDPs.

See 1.3.4 Potentially Dangerous Person, 4.1.2 Identifying a Potentially Dangerous Person and 5 Identifying and Managing Potentially Dangerous Persons.
1.4.5 ‘Risk to Children’ Offenders

The term ‘Schedule 1’ offender has been used in the past to describe anyone convicted of an offence against a child under Schedule 1 of the Children and Young Persons Act 1933. Now the term ‘risk to children’ is generally used for those persons who have been identified as posing an ongoing risk to children. The conclusion that an individual poses a risk to children should be based on all available information, including that provided by relevant agencies such as assessments of risk made by the Probation Service, Police Service and health professionals - whether individually or via MAPPA. For further information about identifying, assessing and managing risk see 4 Identifying, Assessing and Managing Risk and 7 The Police Role in Offender Management.

When an offender who is a risk to children is identified as a MAPPA offender or PDP, the police role in their management is the responsibility of the force Public Protection Unit (PPU). The Child Abuse Investigation Unit (CAIU) should be involved as appropriate.

1.4.6 Prolific and Other Priority Offenders

Prolific and other priority offenders (PPOs) are offenders who commit a disproportionate number of acquisitive crimes compared with the general offending population. Recent research undertaken on the PPO scheme by the Home Office suggests that PPOs commit many different offences and often engage in a diverse and varied range of criminal activity. There is some evidence that a small proportion of such offenders have previous convictions for violent or sexual offences and this may indicate a risk of serious harm. Where this is the case, this risk should be managed by the force PPU in accordance with this guidance and current MAPPA Guidance. Any specialist department in the force with responsibility for PPOs should be involved as appropriate.

For more information on the management of PPOs see http://www.crimereduction.gov.uk/ppominisite01.htm

1.4.7 Terrorist Offenders

For the purposes of this guidance, terrorist offenders fall into three groups:

- Terrorist offenders who fall into Category 2 MAPPA (specified violent offender). These offenders will have received a sentence of twelve months or more for a terrorist offence that is included in Part 1 Schedule 15 CJA 2003, see Appendix 3.

- Offenders who may fall into Category 3 MAPPA (other dangerous offenders). These offenders will have been convicted of a terrorist offence that indicates they are capable of causing serious harm, and require MAPPA management at level 2 or 3.
1.4.8 Registered Violent Offenders

For the purposes of this guidance, a registered violent offender (RVO) is a person who is subject to a VOO. See 7.9.11 Violent Offender Order.

An RVO may be a MAPPA Category 3 offender or a non-MAPPA offender. It is unlikely that they would remain a Category 3 until the expiry of the order, which lasts two to five years. This is because Category 3 offenders can only be managed at levels 2 and 3 meaning that active multi-agency management is required.

An RVO will not ordinarily be a Category 2 offender because a VOO cannot come into force while an offender is subject to a custodial sentence, licence, hospital order or supervision order. In exceptional circumstances, it is possible that an RVO will be reconvicted of an offence which makes them eligible for management under MAPPA Category 2.

There are three key stages in considering risk for the purposes of public protection. These are risk identification, risk assessment and risk management and are discussed in more depth in 4 Identifying, Assessing and Managing Risk.

Risk identification, assessment and management cannot eliminate risk or predict with certainty the occurrence of particular behaviour. Possible risks, however, can and should be identified and the risk of serious harm kept to a minimum.
There are three risk assessment tools commonly used by the Police, Probation and Prison Services. See 4.3 Risk Assessment Tools, 4.3.3 Risk Matrix 2000, 4.3.4 Offender Assessment System and 4.3.5 Asset for further details.

1.5.1 Risk Identification

Risk identification occurs when risk factors and their context are identified, so that risk assessment and management are based on full and accurate information. Front line staff will often become aware of MAPPA subjects when they undertake routine intelligence checks, frequently for unconnected matters.

The identification of those persons who pose a risk of serious harm is the first step in establishing the specific risk factors which apply to those individuals. Thorough gathering of information should be followed by complete analysis to identify harm and risk factors. It is also a dynamic and continuing process, as are the processes of risk assessment and risk management. Risk identification is the responsibility of all staff and requires information from a range of sources.

Forces need to be mindful, however, that front line staff who do not routinely come across MAPPA subjects will not be familiar with the identification of risk factors. It is essential that systems and processes are in place to ensure that when staff come across a MAPPA offender or a PDP, they create an intelligence record and route it through the correct channels to the right people, where the risk identification process can commence. This is particularly important where a recall to prison may need activating.

NOMS staff are required to enter Category 2 level 2 and 3 offenders on ViSOR and it is the responsibility of the PPU to provide all police staff with guidance on what they need to do when they come across such a marker.

Note: There is currently no requirement for NOMS to enter Category 2 level 1 offenders on ViSOR within the existing NOMS ViSOR model. This is currently being considered by the Responsible Authority National Steering Group (RANSG) to explore how police forces can be aware of such offenders when they encounter them.

1.5.2 Risk Assessment

Risk assessment is the process of establishing the following:

- Likelihood of a behaviour or event occurring;
- Frequency with which it may occur;
• Whom it will or may affect;
• Extent to which that behaviour will cause harm.

Risk assessment sometimes involves each offender being categorised at a particular time as presenting a distinct level of risk (e.g., low, medium, high, very high). It also identifies the specific nature of the risk posed. Risk assessment is not, however, a precise science and relies on the correct use of both actuarial tools and professional judgement throughout. The process of assessing risk is dynamic and risk levels can increase or decrease depending on the situation.

1.5.3 Risk Management

Risk management involves the use of various strategies by the police, other agencies and the offender or PDP themselves to reduce the risk posed by an offender. There are three levels of risk management described in detail in current MAPPA Guidance and Probation Circular 39/2005 MAPPA Consultation Paper.

Level 1: Ordinary Agency Management

This level is used when the risks posed by the offender can be managed by the agency responsible for the supervision, or case management, of the offender. Other agencies may still be involved, but it is not considered necessary to use active multi-agency management to facilitate this.

Level 2: Active Multi-Agency Management
(referred to as Level 2 Multi-Agency Public Protection Meetings)

This level should be used where the active involvement of more than one agency is required but where either the level of risk or the complexity of managing it is not so great as to require referral to level 3. Level 2 includes offenders who are assessed under OASys as presenting a high or very high risk of causing serious harm but can be appropriately managed by the contribution of relevant agencies at a local level. Some offenders who have previously been managed at MAPPA level 3 may progress to level 2 once it has been established that the necessary risk management resources and oversight measures have been established and put in place.

Level 3: Active Multi-Agency Management at Senior Management Level
(referred to as Level 3 Multi-Agency Public Protection Meetings)

Level 3 Multi-Agency Public Protection Meetings are responsible for managing the ‘critical few’ which are defined in current MAPPA Guidance as those cases where the offender requires the engagement of senior management (who have the authority to release and prioritise
exceptional resources) and:

(i) Is assessed under OASys (or Asset) as being high or very high risk of causing serious harm; and

(ii) Presents risks that can only be managed by a plan that requires close cooperation at a senior level because of the complexity of the case and/or because of the unusual resource commitments it requires; or

(iii) Although not assessed as a high or very high risk, the case is exceptional because the likelihood of media scrutiny and/or public interest in its management is very high, and there is a need to maintain public confidence in the criminal justice system.

Current MAPPA Guidance establishes that offenders should be managed at the lowest level that is consistent with providing a defensible risk management plan.

In all cases the seriousness of the risk or the complexity of a case can change as can the appropriate levels of risk management. Effective risk management relies on the police and other agencies being clear about what behaviours need to be managed and which agency has the overall authority and capacity to manage them.

For further details of risk management strategies, see 4 Identifying, Assessing and Managing Risk and 7 The Police Role in Offender Management.

1.6 Nature of Sexual Offending and Violent Offending

The actual nature of offending and those who perpetrate offences is often misunderstood by the public, resulting in inaccurate perceptions of criminal behaviour. One example is the stereotype that people who are dangerous also have mental ill health and people with a mental illness are dangerous. In fact, people with a mental illness who commit serious crimes are in the minority. They are also more likely to be victims of violence than perpetrators. A common misconception is that a significant proportion of sexual offences are committed by strangers when, in fact, research suggests that the majority of such offences are perpetrated by someone known to the victim, such as a partner, family member or acquaintance. Another misconception is that offenders generally specialise in particular types of offence such as sexual offences, violent offences or property offences. In reality there is a considerable overlap between types of offences committed. Research into offending behaviour and studies of groups of offenders, their previous convictions and offending history demonstrates that often offenders do not restrict their criminal activity to a single offence type (eg, sexual offences or violent offences) or to a single category of victim (eg, partner, child, adult, , individuals in a particular age group or with a particular appearance).
This section is based on a literature search on patterns of offending relating to sexual offenders and violent offenders. Most research conducted on offending has tended to focus on the convictions of recognised offenders. The rates of reoffending and the behaviour patterns of those who pose a risk of serious harm but have not been convicted of, or cautioned for, any relevant offence have, therefore, been underestimated and/or ignored.

1.6.1 Overlaps Between Offence Types

In all investigations relating to public protection, officers should be aware of the possibility that the suspect is responsible for, or is at risk of committing, a range of offences. Someone who is suspected of committing sexual offences may, for example, also commit violent offences, harassment and/or property offences. Research shows that while some violent offenders and sexual offenders may specialise in one type of offence, a large proportion commit other types of offences, both before and after their first conviction for a sexual or violent crime. Allegations of any kind of criminal or anti-social behaviour can suggest that an individual poses a risk of serious harm, depending on the context.

Listed below (in alphabetical order) are some of the main offence types associated with public protection.

**Arson**
A conviction for arson is a risk factor for a future conviction for homicide.

**Burglary, Theft and Handling Stolen Goods**
There is a strong association between those convicted of serious sexual offending and violent crime, and those with previous convictions for burglary, theft and handling stolen goods.

**Child Abuse**
Evidence of, or convictions for, rape of a child under the age of 13 years or sexual activity with a child under the age of 16 years (formerly unlawful sexual intercourse) indicate a significant risk that the offender will go on to commit further serious sexual offences. This is particularly the case where the victim is a child under the age of 13 years. Cruelty to children also presents a significant risk of a future conviction for a serious sexual offence. There are well-established links between child abuse and domestic abuse. More research is needed to understand the connection between offences relating to child abuse images and direct contact offences, but it is clear that some offenders who have committed offences relating to indecent images of children also pose a risk to children of direct contact offences. For further information on investigating child abuse, see ACPO (2009) Guidance on Protecting the Public: Managing Sexual Offenders and Violent Offenders, Second Edition, Version 2.
Domestic Abuse
Serious sexual offences are often committed as part of domestic abuse offending against a current or previous intimate partner. Such offences may be more likely to be disclosed to providers of specialist domestic abuse services (e.g., refuge workers) or Sexual Assault Referral Centres (SARCs) than to the police. Men who sexually and physically assault their partners are known to be particularly dangerous and sexual assault of a partner is a risk factor for the homicide of the victim. There are also well-established links between domestic abuse and child abuse. For further information on investigating domestic abuse, see ACPO (2008) Guidance on Investigating Domestic Abuse.

Hate Crime and Racially or Homophobic-Motivated Offending
Most racially motivated offenders are also generalist offenders. In addition, many offenders not convicted of a racially motivated offence may have racist attitudes and beliefs. While racial or homophobic motivation for behaviour must always be taken seriously, it is important to recognise that such motivation for an offence would not necessarily increase the level of risk posed by that offender. It will depend on a full assessment of circumstances and risk factors for offending and for harm to others. For further information see 1.3.10 Hate Crime and Home Office Police Standards Unit and ACPO (2005) Hate Crime: Delivering a Quality Service - Good Practice and Tactical Guidance.

Prostitution, Trafficking and Sexual Exploitation
There are clear links between prostitution, trafficking and sexual exploitation, and risk of serious harm. Those responsible for controlling people involved in prostitution and exploiting victims in the sex industry may also facilitate serious sexual offences or commit such offences themselves. Children are particularly vulnerable to commercial sexual exploitation. In any investigation uncovering the sexual exploitation of a child a notification should be made to the CAIU and the PPU, and every effort made to secure evidence to support a prosecution for offences linked to abusing children. Such cases should be dealt with according to the guidance and principles of HM Government (2010) Working Together to Safeguard Children: A guide to inter-agency

Sexual Offences
Although there are often connections between antecedent behaviour, previous convictions and sexual offending, many sexual offenders will not have previous convictions. If an offender does have previous convictions, these may not be for sexual offences but for other offences such as burglary. Offenders convicted of less serious sexual offences (where the sentence is non-custodial) present an increased likelihood of going on to be convicted of a serious sexual offence than those without such convictions. Similarly, those convicted of exposure pose a risk of future serious sexual offending. Some sexual offenders remain at high risk of reoffending for many years after their initial conviction. For further information on investigating serious sexual offences, see ACPO (2009) Guidance on Investigating and Prosecuting Rape.

Terrorism
Schedule 15 to the CJA lists specified violent or sexual offences (see Appendix 3) which may attract a sentence of imprisonment for life or a sentence for public protection under section 225 of the CJA, or an extended sentence under section 227 of the CJA. Section 138 of the Coroner and Justice Act 2009 amends Part 1 to Schedule 15 of the CJA (specified violent offences) by inserting certain terrorist offences, see Appendix 3. All specified serious (sexual and violent) offences inserted carry a maximum penalty of ten years or more. The changes take effect as provided in section 182 of the Coroner and Justice Act 2009.


Violent Offences
The category of violent offences also has significant overlaps with other offence types. Sexual offenders often exhibit other forms of violent behaviour, and a high proportion of such offenders have previous convictions for different types of violent offences, some of which might
1.6.2 Victim Characteristics

Evidence suggests that those who pose a danger to people known to them, e.g., their partner and children, can also be a risk to others, including strangers. Those who are a risk to a certain age group such as children or older people may also be a risk to others who are not in that age group. Some sexual offenders commit offences against adults and children. While those who commit sexual offences against very young victims are often recognised as presenting a particularly high risk, there is evidence that offenders who select older child victims are even more likely to reoffend than those who select younger children as their victims. There is also evidence to suggest that some people who commit sexual offences against children present a risk to both male and female children. The sex of victim of a sexual offender who offends against children does not necessarily reflect that offender’s adult sexual orientation. Those who commit domestic abuse-related offences against adult partners are also known to pose a risk to children.

1.6.3 Recidivism, Reoffending and Reconvictions

The issue of assessing the likelihood of whether a particular individual will reoffend is complex as illustrated in 1.6.1 Overlaps Between Offence Types. Studies of recidivism are particularly challenging as they require long-term monitoring of offenders in order to measure reoffending accurately. Information from such studies can be misleading as research on recidivism generally relies on reconviction data and sexual offences, in particular, are often not reported or do not result in convictions.

Although there is evidence to suggest that offending patterns can escalate from relatively minor to more serious offending, there is little evidence to support the assumption that offenders generally progress through an orderly escalation of offending. There are cases, however, where someone convicted of exposure or offences relating to child abuse images may go on to commit direct contact offences, but others will remain at the same level of offending or even desist from offending. Some suspected of relatively minor offences may already have committed much more serious crimes. The role of the Police Service is to manage these uncertainties so that relevant information is collected, recorded, evaluated and retained in order that risk management actions can be taken in partnership with other agencies, as appropriate.

While there can be no guarantees that reoffending can be prevented, certain factors may increase the chances that an offender will desist from offending. In 4 Identifying, Assessing and Managing Risk and 7 The Police Role in Offender Management, information is provided...
about methods of reducing the likelihood of reoffending, the basis of which is to recognise that a particular individual poses a risk of serious harm in the future.

Management Issues

- Auditing all policing policies that are connected to this guidance to ensure that they incorporate the relevant issues, including legal responsibilities related to protecting the public.

- Identifying working links between the police and other partnership staff employed in the management of sexual offenders and violent offenders and those conducting related investigations (including sexual offences, child abuse, vulnerable adult abuse, domestic abuse, hate crime, missing persons and human trafficking).

- Ensuring all partners agree and sign up to an information sharing agreement (ISA), see Appendix 6 sample template.

- Ensuring robust communication and recording processes with external partners who are the RA for the management of these individuals.

- Ensuring that all staff are trained in order to fulfil their particular role in public protection, including their responsibilities under HRA and equality and diversity legislation.
The Police Role in MAPPA and Other Multi-Agency Structures

This section provides an outline of multi-agency responsibilities in public protection, particularly as they relate to the Police Service.

It is relevant to all officers and staff working in public protection units and all police managers and supervisors. It should be read in conjunction with current MAPPA Guidance and the revised HM Prison Service (2009) Public Protection Manual, PSO 4745 – multi-agency public protection arrangements.
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2.1 Multi-Agency Public Protection Arrangements

The formal Multi-Agency Public Protection Arrangements (commonly known as MAPPA) were introduced in 2001 when the Criminal Justice and Court Services Act 2000 established MAPPA and established them on a statutory basis, placing a statutory duty on the Police and Probation Services in each area to assess and manage violent offenders and sexual offenders in England and Wales. The CJA re-enacted and strengthened those provisions now contained in section 325 CJA to include the Prison Service as part of the RA, to establish a list of agencies which have a duty to cooperate and to introduce the concept of lay advisers.

According to current MAPPA Guidance there are four core functions of the MAPPA framework:

- Identification of MAPPA offenders;
- Sharing of relevant information among the agencies involved in assessing the risk;
- Assessment of the risk of serious harm;
- Management of that risk.

2.1.1 Responsible Authority

Under sections 325-327 of the CJA, the RA has a statutory duty to establish MAPPA to manage the risks posed by sexual, violent and other dangerous offenders in the community. The RA consists of the Police, Probation and Prison Services.

The RA National Steering Group (RANSG) has responsibility for coordinating national MAPPA policy and comprises the three national lead officers for the RA.

2.1.2 Strategic Management Boards

Current MAPPA Guidance provides full details of the organisation of Strategic Management Boards (SMBs). Core members of the SMB are representatives of agencies that make up the RA. Current MAPPA Guidance also recommends that SMBs include representatives of the agencies that have a duty to cooperate (DTC), see 2.1.3 Agencies that have a Duty to Cooperate.

SMBs should be chaired by the representatives of agencies that make up the RA, in rotation or on an annual basis. The SMB has the following functions:

- Monitoring and evaluating the operation of MAPPA;
- Establishing connections with other public protection arrangements such as Local Safeguarding Children Boards (LSCBs), Community Safety Partnerships (CSPs; formerly known...
as CDRPs – Crime and Disorder Reduction Partnerships) and Local Criminal Justice Boards (LCJ Bs);

- Preparation and publication of the MAPPA Annual Report and MAPPA Business Plan;
- Promoting the work of MAPPA in the area;
- Appointment and inclusion of lay advisers;
- Identifying and planning how to meet mutual training and developmental needs of those working in MAPPA, and commissioning training and joint training;
- Coordinating multi-agency performance information and analysing data quarterly to ensure that there is the opportunity for timely intervention, and to set benchmarks based on this information and analysis.
- Reviewing MAPPA processes and planning the longer-term development of MAPPA;
- Commissioning serious case reviews, where appropriate, to examine cases closely, develop good practice, identify areas for improvement and ensure the quality and consistency of public protection work.

For an example of good practice see *Volunteers Providing Sexual Offenders with Opportunities for Safe and Constructive Reintegration into the Community.*

The RA has statutory responsibility under section 326(1) of the CJA to review the arrangements established by it and/or the SMB under section 325. This is to monitor their effectiveness and make any changes that are necessary or expedient. For further information about the role of the SMB, see current *MAPPA Guidance.*

**Police Representation on a Strategic Management Board**

In order to recognise the importance of the management of sexual offenders and violent offenders, and to ensure clear accountability, the appropriate rank for effective police representation on the SMB should be of the rank of assistant chief constable (ACC). Attendance should only be delegated in the most exceptional circumstances. In addition, as a member of the RA, this individual is required to chair the SMB by agreement, see 3.1.2 ACPO Lead For Public Protection.

The representative is responsible for the effective dissemination of information from the SMB to the appropriate individuals and units within the force. This should be carried out in consultation with the MAPPA Coordinator. For more information about police representation at various stages of the MAPPA process, see 2.1.6 Police Representation.
2.1.3 Agencies that have a Duty to Cooperate

Under section 325(6) of the CJA, those with a statutory duty to cooperate (DTC) in MAPPA are local statutory and other agencies providing relevant services. These include:

- Ministers of the Crown exercising functions in relation to social security, child support, war pensions, employment and training (described in current MAPPA Guidance as Jobcentre Plus);
- YOTs;
- Local education authorities (LEAs);
- Local housing authorities or social services authorities;
- Registered Social Landlords (RSLs);
- Health Authorities or Strategic Health Authorities;
- Primary Care Trusts (PCTs) or Local Health Boards;
- National Health Service (NHS) Trusts;
- Electronic monitoring service providers.

Section 325(5) of the CJA states that the RA and the DTC agencies (listed in section 325(6)) must together draw up a memorandum setting out the ways in which they will cooperate. In addition, Probation Circular 39/2005 MAPPA Consultation Paper recommends that each agency should appoint a designated single point of contact (SPOC) for public protection referrals and internal and external enquiries from the MAPPA Coordinator, other agencies, staff or members of the public.

2.1.4 MAPPA Lay Advisers

Lay advisers are ordinary members of the public representing the community interest in public protection, thereby encouraging public knowledge and confidence in MAPPA. Under section 326 of the CJA, the Secretary of State must appoint two lay advisers for each RA. Lay advisers are appointed to assist in the MAPPA review functions but not the operational decision making. They operate as full members of the SMB. For more information see current MAPPA Guidance.

2.1.5 MAPPA Coordinator

MAPPA coordination is a dedicated function carried out on behalf of the RA and serves to ensure that multi-agency risk management is focussed on the right offenders in a timely and efficient manner.

It is critical that the MAPPA Coordinator, who is accountable to the SMB, is designated overall responsibility for oversight of the arrangements in any one area. Each area must ensure that it has robust
arrangements in place to cover any planned or unplanned absences of the MAPPA Coordinator. For a detailed outline of the areas that require MAPPA coordination, see current MAPPA Guidance, Appendix 1 MAPPA Coordination/Management functions.

2.1.6 Police Representation

Police representatives at various stages of the MAPPA process should have:

- Authority to make decisions committing their agency’s involvement;
- Relevant training and knowledge, and experience of risk assessment and management;
- Analytical and team-playing skills that enable them to take an active role in deliberations.

Police forces should also ensure continuity of representation wherever possible. For further details about police representation, see 2.1.2 Strategic Management Boards and 2.1.8 MAPPA Meetings.

2.1.7 MAPPA Risk Management Levels

MAPPA Categories relate to the offender and the offence committed, see 1.4 Categories of Individuals Who Pose a Risk of Serious Harm and current MAPPA Guidance. MAPPA risk management levels relate to the exact nature of the risk management response to an offender’s risk of harm, see 1.5.3 Risk Management, current MAPPA Guidance and Probation Circular 39/2005 MAPPA Consultation Paper.

2.1.8 MAPPA Meetings

Current MAPPA Guidance provides full details of the requirements for managing MAPPA meetings, including record keeping, chairing and a proposed standing agenda.

Police Representation at MAPPA Meetings

MAPPA meetings should be attended by a police representative of appropriate rank, experience and expertise in accordance with current MAPPA Guidance and 2.1.6 Police Representation.

In the case of Level 3 Multi-Agency Public Protection Meetings, which may require the deployment and use of special or higher level resources, the police representative should be able to make decisions about committing those resources. Therefore, level 3 meetings should be attended by a superintendent or, where this is not possible, an appropriately experienced detective chief inspector.
Police representation at Level 2 Multi-Agency Public Protection Meetings should:

- Reflect the importance of the management of Sexual offenders and violent offenders;
- Establish clear accountability;
- Ensure the deployment of appropriate resources.

This requires consistent representation at the relevant policing level, usually a representative at the level of detective inspector or, where this is not possible, an appropriately experienced detective sergeant. It is also important, where appropriate or practicable, to have neighbourhood policing involvement at these meetings to ensure effective flow and appropriate dissemination of intelligence to develop and maintain risk management plans.

Level 2 and Level 3 Multi-Agency Public Protection Meetings may also require the attendance of PPU officers and/or other specialist officers to give operational information about a particular case. Police representatives should ensure that a full up-to-date record of previous convictions and intelligence relating to individual offenders is available at all MAPPA meetings. Where a violent or sexual offence is recorded, it should be clear whether the victim was an adult, child or other vulnerable person.

**MAPPA Minutes**

Copies of MAPPA minutes should be handled according to the Government Protective Marking Scheme (GPMS). For more information see current MAPPA Guidance, 5.4.2 MAPPA Minutes and 5.4.3 Government Protective Marking Scheme.

### 2.2 National Public Protection Arrangements

#### 2.2.1 National Offender Management Service Public Protection and Mental Health Group

The National Offender Management Service Public Protection and Mental Health Group (NOMS PPMHG), which is based in the Ministry of Justice, is responsible for developing and delivering national structures that support the RAs in discharging their statutory duties relating to MAPPA. For example, NOMS PPMHG has issued national guidance on MAPPA, see current MAPPA Guidance.
2.2.2 Critical Public Protection Cases

The NOMS PPMHG administers a register of Critical Public Protection Cases (CPPCs). The register comprises a small minority of MAPPA level 3 cases that present the highest risk of serious harm and/or have a significant national or particularly sensitive profile.

The purpose of registration as a CPPC is to ensure that the NOMS PPMHG is able to inform ministers, the Chief Executive of NOMS and regional offender managers about the arrangements for managing these cases in the community. Registration as a CPPC also enables the RA to apply to NOMS PPMHG for additional funding in cases that are so difficult to manage that they may require extra resources. These resources may include temporary additional staff in approved premises, escort duties, improvements to hostel security hardware, enhanced supervision or other specific interventions that will contribute to public protection.

For further information see Probation Circular 06/2007 Critical Public Protection Cases (CPPCs).

National Critical Public Protection Cases

NOMS PPMHG operates a scheme for dealing with the very small subset of registered CPPCs for whom the combined factors of high risk, complex risk management and associated difficulties of placement require national coordination. These are exceptional cases where the resettlement in the home area or within that region represents a very high risk to individuals (eg, the general public, victims, staff or the offender) and there is organisational risk due to exceptional public interest and scrutiny. Where local and regional arrangements to agree a resettlement plan have been explored and exhausted, the PPU will, through a National Management Board, broker arrangements which assist and support areas in managing the transfer of such offenders and the risks they pose to the community.

This subset of CPPCs also includes those offenders categorised as very high risk being returned from abroad who have no particular connections with any specific area within England and Wales, and where there is a clear need for a robust risk management plan to enhance public safety.

2.3 Other Multi-Agency Structures

There are a number of other multi-agency structures which are linked to public protection and all staff should have a basic understanding of them. There should be clear links between the police contribution to each of these structures and the police role in MAPPA.
2.3.1 Community Safety Partnerships

In some areas, Community Safety Partnerships (formerly known as CDRPs in England, see 2.3.2 Crime and Disorder Reduction Partnerships) have been formed to incorporate various multi-agency partnerships including Drug Action Teams (DATs) or Drug and Alcohol Action Teams (DAATs). This can maximise resources, improve linkages and reduce bureaucracy.

2.3.2 Crime and Disorder Reduction Partnerships

Crime and Disorder Reduction Partnerships (CDRPs), as of 1 April 2010 referred to as Community Safety Partnerships (CSPs), were developed as a result of the Crime and Disorder Act 1998 to ensure the implementation of the Act, and to reduce crime and disorder by bringing together agencies and communities to help tackle local problems. The 1998 Act places a duty on RAs to work with other agencies and organisations to tackle crime and disorder. The RAs are listed in section 5(1) of the Act as the chief officer of police, local authority, police authority, fire and rescue authority, PCT and health authority. The RAs are required to work in cooperation with the bodies listed in section 5(2) of the Act. This includes local probation boards.

2.3.3 Local Criminal Justice Boards

At a local level, the work of the criminal justice system agencies is coordinated by forty two LCJBs across England and Wales. These boards bring together the chief officers of criminal justice system agencies to coordinate activity and share responsibility for delivering criminal justice in their areas. For further information see http://www.lcjb.cjsonline.gov.uk

2.3.4 Local Safeguarding Children Boards

As a result of the Children Act 2004 every local area needs to have an LSCB. LSCBs replace the former structure of Area Child Protection Committees (ACPCs). Guidance on LSCBs is contained in HM Government (2010) Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children.

2.3.5 Domestic Abuse Partnerships

Domestic Abuse Forums

Domestic abuse forums are local multi-agency partnerships that fulfil a number of roles including local policy advice, media campaigns,
initiating multi-agency projects and providing or applying for funding and facilitating networking of practitioners.

**Domestic Abuse Multi-Agency Risk Assessment Conferences (MARACs)**

The role of the MARACs is to facilitate, monitor and evaluate effective information sharing to enable appropriate actions to be taken to increase public safety. Information is shared with a view to identifying victims of domestic abuse who are at very high risk of harm. A management plan is constructed to provide appropriate services for, and responses to, all those involved in a domestic abuse situation, including the victim, children and perpetrator. To assist with risk identification and management, Co-ordinated Action Against Domestic Abuse (CAADA) has produced an ACPO-endorsed version of the DASH Risk Identification Checklist (RIC) which is available to all forces.


**2.3.6 Drug Action Teams and Drug and Alcohol Action Teams**

Local DATs or DAATs bring together representatives of local agencies involved in delivery of the National Drug Strategy, such as health services, adult and children’s social care, police, probation services, LEAs, youth services, social housing providers and voluntary sector service providers. They commission services, monitor and report on performance and communicate with stakeholders. For further information see [http://www.drugs.gov.uk](http://www.drugs.gov.uk)

**Management Issues**

- Ensuring appropriate representation of the force at MAPPA meetings and the SMB.
- Ensuring appropriate representation of the force at meetings of other multi-agency structures, including CSPs, LCJBs and LSCBs.
- Ensuring clear links between the police contribution to MAPPA and all other multi-agency structures connected to public protection.
- Providing appropriate contributions from the force to joint agency initiatives, such as the provision of a MAPPA Coordinator.
Managing the Police Role in Public Protection

Supervision and management processes are particularly significant in public protection, in particular, the use of ViSOR. All ViSOR users must be competent and trained to the ViSOR standards as detailed in the current NPIA ViSOR Standards manual. This section is relevant to all those working in PPU, all police managers and ACPO officers nominated with leadership responsibility for public protection. Training managers should note the subsection on training.

The NPIA has released a Public Protection Learning Programme (PPLP) training CD for trainers and specialist PPU officers, which is also available on the NCALT MLE website at http://www.ncalt.com/. In addition, the NPIA (2009) Managing the Offender: Home Visits [DVD] is available by contacting:

NPIA Investigative Skills
General Enquiries: 01480 401822 or email: enquiries_investskills@npiapnn.police.uk

Skills for Justice has developed and published national occupational standards (NOS) for public protection. These can be found at http://www.skillsforjustice-nosfinder.com/
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3.1 Force Structures and Systems for Public Protection

This guidance focuses on the operational and strategic issues in protecting the public which are the responsibility of police forces. It is also relevant to police authorities in terms of their general responsibility to maintain effective and efficient police forces and in the context of their role in relation to chief officers, training, resources, performance indicators and performance management.

3.1.1 All Staff Responsibility

Protecting the public is the responsibility of all staff within the Police Service. This includes all those working in PPUs, first response officers, NPTs, crime analysts and control room staff. All those involved in the investigation of crime have a central role in protecting the public. A thorough investigation of all offences is essential if the Police Service and other agencies are to collect significant information about patterns of offending and provide information to courts for the purposes of reaching verdicts, sentencing and issuing civil orders.

All staff are responsible for ensuring that fit-for-purpose intelligence is collected and recorded in an accurate and timely manner, and in accordance with force standard operating procedures (SOPs). It is the supervisors and managers responsibility to quality assure force intelligence systems at regular intervals.

3.1.2 ACPO Lead For Public Protection

MAPPA is the statutory responsibility of the chief constable together with the representatives of the Probation and Prison Services (CJA section 325). Each force should, therefore, appoint a lead for public protection at ACPO level whose role should include:

- Taking responsibility for leadership within the force on public protection issues and reporting to the chief constable;
- Representing the force on the MAPPA SMB, see 2.1.2 Strategic Management Boards;
- Providing the strategic link between the force and the Probation and Prison Services;
- Ensuring that MAPPA and PDP policy is integrated into other areas of public protection, including policies on the investigation of serious sexual offences, child abuse, vulnerable adult abuse, domestic abuse, hate crime, missing persons and the management of PPOs.

3.1.3 General Force Structures

Structural arrangements to deliver public protection will differ depending on the force. These include specialist units which may be
known by a range of titles, the most common being the PPU. Similarly, specialist officers working in these units may also be known by various titles, the most common being PPU officers.

Some police forces have central units (sometimes termed strategic PPUs). They maintain a core capability which supports activity at BCU level, and includes the management, coordination and supervision of policy, intelligence and investigative support, and risk assessment of new cases. Some forces have subunits located in divisions or BCUs. As mentioned in 1.1 Key Principles of the Police Role in Public Protection, in some forces a number of specialist areas are housed under the heading public protection and may include the investigation of sexual offences, child abuse, vulnerable adult abuse, domestic abuse, hate crime and missing persons. This guidance does not recommend a particular structure, but whichever structure a force adopts must be capable of delivering the threshold standards outlined in it.

The terms PPU and PPU officer are used in this guidance to describe units and officers specialising in the management of sexual offenders, violent offenders and PDPs. Where forces have a number of specialist areas incorporated within one unit or business area known as public protection, then that term will have a wider meaning than that assumed within this guidance.

Forces should consider the co-location of police and probation staff specialists in public protection where possible and practicable, as this may have benefits for multi-agency working, information sharing and risk management.

Any proposed structural change relating to public protection should be discussed with, and communicated to, the Prison and Probation Services at a strategic level. This is because it could impact on the working arrangements and effectiveness of the RA as a whole.

3.1.4 Force Annual Plan and Public Protection Strategy

Each force should include public protection matters within its annual plan. This should link with the publication of the MAPPA Annual Report by the RA and the development of the MAPPA Business Plan by the SMB.

Each force should have a public protection strategy which plans for the delivery of the threshold standards in this guidance. The strategy or plan should include:

- Resources required and committed to the delivery of public protection;
• Frameworks of accountability within the field of public protection, including representation at SMB and MAPPA meetings and other multi-agency meetings;
• Functions and role of PPUs and other specialist units, including arrangements for how they will inter-link;
• Arrangements for links between information systems including force intelligence systems, PPU systems, child abuse and databases and ViSOR;
• Arrangements for including issues relating to the management of sexual offenders and violent offenders within National Intelligence Model (NIM) processes;
• Training needs for various staff roles and how those needs will be met, see 3.2 Public Protection Units and 3.5 Staff Training.

3.1.5 Public Protection and the National Intelligence Model

Police force and BCU strategic assessments created within the framework of NIM will provide the basis for setting policing priorities through the development of a control strategy.

Although public protection issues may not directly feature as a headline issue in a control strategy, forces will find it beneficial to have it as a standing item on the agenda to help shape the force strategic assessment. With violent crime and anti-social behaviour being key priorities for law enforcement, the successful management of sexual offenders, violent offenders and PDPs is integral to the prevention, intelligence and enforcement priorities set in the control strategy. The necessity to gather information and intelligence on such offenders, and report on the profiles, numbers and re-offending rates of MAPPA subjects, will then also feature in the force or BCU intelligence requirement. By evidencing public protection in the force strategic assessment, any potential or hitherto unnoticed headline issue may emerge.

Should public protection not be set as a defined priority, the NIM Tactical Menu ensures that issues of high risk, which include community safety and controlling potentially dangerous offenders or persons, must be considered in the bi-weekly Tactical Assessment.

Evaluated information and intelligence relating to MAPPA offenders or PDPs should be assessed and discussed at weekly intelligence meetings and, where appropriate, brought to the relevant tactical tasking and co-ordination group (TT&CG). In urgent cases it should be brought to the
daily management meeting (DMM) for action. It is, therefore, necessary for PPUs to be represented at the weekly intelligence meeting and fortnightly TT&CG and DMM.

The TT&CG will consider any issue relating to MAPPA offenders or PDPs and may commission further intelligence products (for example, subject or problem profiles), identify and approve tactical response options and approve appropriate briefing products. Such options might include local resolution or referral to the level 2 force TT&CG for response or support, see 7.8 Covert Investigation.

This process is applicable at all levels of NIM operation.

Level 1 - Local
Level 2 - Cross-border or regional
Level 3 - Serious and organised crime (national and international).


3.1.6 Public Protection and Neighbourhood Policing

Matters relating to the management of sexual offenders, violent offenders and PDPs can cause a change in the public’s behaviour and/or beliefs about their security. Policing any community should serve to reassure the public and enhance the quality of people’s lives by providing visibility, accessibility and familiarity to the community and the offenders being managed.

As more offenders are registered under MAPPA, intelligence collection and dissemination about them becomes increasingly relevant. Chief officers need to consider the role of NPTs and their engagement in being the ‘eyes and ears’ of the community. Their contribution should not be under estimated. During times of tension within a community, it is particularly important that a high-visibility and high-profile Police Service is maintained by local and recognisable officers who are familiar
with the community and its issues. Policing activity should be in partnership with key representatives from that community so that information and intelligence can be gathered, and rumours controlled and contained. There is a possibility that an absence of police information (through the media) may encourage rumours.

NPTs should be kept informed, as appropriate, about details of MAPPA offenders and PDPs in their particular geographic area, taking into account the information in Checklist 6 Tasked Information. This is particularly important when NPTs can assist in the risk management of individual offenders, for example, through the enforcement of civil orders or by conducting unannounced curfew checks.

With a well defined, two-way information process between the NPTs and the PPU, team members can be key sources of public protection information provided by, or obtained from, the community, for example, information about identified offenders and PDPs. Good practice recommends that forces implement a system with appropriate access levels in place that enables pertinent information to be shared with NPTs. It is crucial, however, that the information/intelligence, when entered in to whichever system the force uses, is timely, accurate and useful. The information/intelligence must enable the PPU to use it for notifying other agencies, eg, the prison or probation officers, and/or procedures for recall to prison under licence conditions.

This information can assist in the identification of PDPs and the assessment and management of risk of offenders and PDPs. NPTs should be involved in the community impact assessment process. For further information see 3.8 Community Impact Assessments. NPTs can also use community information to identify any potential threat to reveal the identity or location of a particular offender, see 3.7 Managing Community Knowledge and Suspicions. Any public protection information acquired by team members should be dealt with according to 6 Managing Public Protection Information and ACPO (2010) Guidance on the Management of Police Information, Second Edition.

In some cases it may be useful as part of a risk management plan for a MAPPA offender or identified PDP to be given a named point of access within their local NPT.

Some issues covered in this guidance will require the preparation of a neighbourhood problem-solving plan, for example, if a released offender is identified in neighbourhood priorities. Any plan that relates to the management of sexual offenders and violent offenders should be prepared in consultation with, and agreed by, the PPU and should take into account any relevant risk management plans that are in place.
Information relating to the management of MAPPA offenders and PDPs should be considered for inclusion in neighbourhood profiles. The purpose of this profile is to record information about the neighbourhood and to assist the community engagement and collaborative process. Much of the information relating to specific offenders and PDPs will not, however, be appropriate to include in any publicly available document.

For more information about neighbourhood policing, see ACPO (2006) *Practice Advice on Professionalising the Business of Neighbourhood Policing*.

### 3.1.7 Intrusive Supervision, Audit and Review

Protecting the public (including MAPPA) is a potentially high risk area of business for the Police Service and other members of the RA. It is, therefore, vital that there are high standards of professional practice and intrusive supervision supported by effective and regular audit and inspection. For example, where offenders commit further serious offences, consistent case review processes should be in place internally within the force as well as in a multi-agency context. For further information see 4.6 Monitoring and Reviewing Risk Identification, Assessment and Management.

The way in which forces configure and staff their PPUs varies. In a rapidly evolving area of business, systems should be in place to ensure that experience, expertise and continuity are valued. Each force (or BCU as applicable) has a responsibility to ensure that there is adequate funding to train all new public protection staff, and to provide for the continued development of existing staff through appropriate training.

The following roles include the basic functions and responsibilities that forces should ensure are covered, in addition to those mentioned in 2 The Police Role in MAPPA and Other Multi-Agency Structures:

- PPU supervisor or team leader;
- PPU officer;
- PPU administrator;
- Police prison intelligence officer.

In order to fulfil responsibilities to the public and to ensure the welfare, health and safety of individual staff members, PPU officers should be provided with adequate administrative and intelligence-led support to enable them to carry out their duties. In addition, they should only be required to manage a reasonable number of offenders. The assessment of reasonable numbers must also include the scrutiny of the risk level (very high, high, medium and low) ratios being managed by case officers. Good practice dictates that clear and auditable, managerial
scrutiny of these arrangements are undertaken in a regular and timely manner.

Manageable workloads are essential for the safety and welfare of officers, resilience during periods of sickness, leave and other absences, and for ensuring effective and proactive management of offenders. Workloads should take into account:

- Size of the geographic area;
- Number of approved premises in the area, see 8.1.4 Approved Premises;
- Number and type of offenders and PDPs requiring management.

There should be adequate provision for sickness and annual leave cover and vacancies, such as a back-up system. Such systems should recognise the difficulties with mutual cover arrangements because of pressure and quality of work issues.

Force structures should recognise the importance of public protection and the connections with a number of other policing areas, including the investigation of sexual offences, child abuse, vulnerable adult abuse, domestic abuse, hate crime and missing persons.

### 3.3 Staff Roles and Responsibilities

#### 3.3.1 Public Protection Unit Supervisor or Team Leader

- Monitoring and evaluating policies and procedures relating to notification requirements for sexual offenders and other issues relating to the management of sexual offenders, violent offenders and PDPs;
- Ensuring information and intelligence is appropriately evaluated and actioned;
- Supervising the process of risk assessment and management of sexual offenders, violent offenders and PDPs, including monitoring and countersigning all risk assessments and risk management plans;
- Attending levels 2 and 3 MAPP meetings as appropriate and reviewing police actions from these meetings to ensure that they have been completed;
- Establishing and maintaining working relationships with internal departments and external partner agencies (eg, as part of the MAPPA process);
- Quality assuring VISOR records;
- Preparing briefing papers for senior management;
- Supervising, managing and developing staff;
- Liaising with senior officers on operational and personnel issues;
• Ensuring the welfare of staff by maintaining an awareness of personnel problems that may be caused by, or negatively affect, the working environment;
• Identifying and addressing training needs and managing staff performance;
• Keeping up to date with legislation, force policy, joint agency protocols and reports by outside agencies that may impact on the unit’s work.

3.3.2 Public Protection Unit Officer

• Managing those subject to notification requirements under Part 2 of the SOA, ie, registered sex offenders (RSOs), registered violent offenders (RVOs) and registered terrorist offenders (RTOs), including undertaking home visits and liaison with other forces as appropriate;
• Gathering information and intelligence in relation to MAPPA offenders or PDPs as detailed in this guidance;
• Ensuring that VISOR, Police National Computer (PNC) and other information systems are updated with appropriate information by consultation with the PPU administrator, see 3.3.3 Public Protection Unit Administrator;
• Providing a point of contact for officers investigating sexual offences and violent offences, including those relating to child abuse, vulnerable adult abuse, domestic abuse and hate crime (eg, reviewing MO which might be similar to those used by recognised offenders or PDPs);
• Providing advice to operational personnel on the requirements of legislation and national and force policy;
• Carrying out and reviewing risk assessments (eg, RM 2000) and risk management plans, see 4 Identifying, Assessing and Managing Risk;
• Attending and providing active input to levels 2 and 3 MAPP meetings (with supervisors), implementing actions from those meetings and contributing to other multi-agency arrangements as required;
• Establishing and maintaining working relationships with internal departments and external partner agencies (eg, as part of the MAPPA process);
• Making applications for civil orders such as those under the SOA and the Criminal Justice and Immigration Act 2008, see 7.9 Court Orders and Sentences Available for Public Protection;
• Keeping up to date with legislation, force policy, joint agency protocols and reports by outside agencies that may impact on the unit’s work.
3.3.3 Public Protection Unit Administrator

- Maintaining administrative systems in support of the unit.
- Developing and maintaining databases within the unit by undertaking research analysis and collating information from all relevant sources.
- Preparing and producing statistical data in accordance with national and local requirements.
- Checking and maintaining the PNC and ViSOR databases in accordance with data protection and operational requirements.
- Ensuring that correspondence received is available for action and preparing replies where appropriate.
- Establishing and maintaining good communications and relationships with internal and external partners as part of MAPPA, for example, assisting in case file preparation for MAPPA meetings.

3.3.4 Police Prison Intelligence Officer

- Dealing with and monitoring intelligence, for example, behaviour of prisoners and what contacts they have in prison, issues arising from communications by the offender in prison including written and telephone communication.
- Taking a long-term operational interest in sexual offenders and violent offenders and their associates in prison, and on their release.
- Supporting the risk assessment process on prisoners soon to be released who are considered to pose a high risk of harm to the public.
- Facilitating and assisting the work of local MAPPA arrangements when necessary.

For further information see ACPO, HMRC and SOCA (2008) Guidance on The Use and Management of Covert Techniques in Prison Establishments [Confidential].

3.4 Staff Recruitment, Welfare and Safety

3.4.1 Recruitment and Vetting

The selection procedure for staff working in this field should include assessment of an individual’s skills and motivation, and capacity to deal with complex offender management and related issues. Skills for
Justice has produced a set of national occupational standards for Public Protection. These can be found at http://www.skillsforjustice-nosfinder.com/

Officers and police staff working as specialists in the field of public protection should be subjected to a vetting process before taking up post. They should also be regularly vetted (at least every three years) while in post. This vetting process should include:

- ACPO National Vetting, ie, the Management Vetting level which provides a means of ensuring that persons serving in ‘designated posts’ (ie, those with access to sensitive police premises, information, intelligence, financial or operational assets) have been assessed as to their reliability and integrity;
- Where necessary, National Security Vetting, ie, Security Clearance level if the individual has regular, unrestricted access to SECRET material.
- Any requirements of the Independent Safeguarding Authority, see 6.6.9 Employment Vetting;
- Integrity checks using records held by professional standards departments;
- Welfare screening which includes an automatic referral to occupational health, and an assessment of the individual’s suitability for the role based on all the available information;
- Where possible, involvement of the force psychiatrist (or equivalent) in the decision on whether an individual is suitable for the post. This may include the psychiatrist interviewing the individual.

Adverts for specialist posts should inform applicants that there is a vetting process, and details of that process should be available on request.

Forces should ensure compliance with the vetting requirements outlined in current NPIA ViSOR Standards.

### 3.4.2 Welfare and Safety

Chief officers have a duty of care to their staff’s health, welfare and safety. All forces must have policies and procedures in place to ensure that this duty is fulfilled.

The Health and Safety Executive (HSE), in conjunction with ACPO, has published *HSE (2010) Striking the balance between operational and health and safety duties in the Police Service* which sets out clear expectations of how the Police Service should apply health and safety legislation in challenging operational environments.

For information about safety during home visits, see 7.4.3 Officer and Staff Safety and NPIA (2009) Managing the Offender: Home Visits [DVD]. In addition to the welfare screening process at the point of recruitment, supervisors, managers and force policies should take account of, and manage, the stressful nature of public protection work.

Supervisors and managers may need training where they have not dealt with this type of work before. Supervisors of operational staff and their managers should ensure that:

- Staff are aware of stress, the types of coping strategies and resources available, and where and how to seek help;
- Staff are aware of and, where appropriate, make use of the welfare services provided by their force including opportunities for voluntary counselling;
- Staff are proactively monitored and provided with appropriate support;
- Intrusive supervision practices allow welfare issues to be discussed and encourage staff to seek counselling when needed;
- Independent and confidential counselling by qualified counsellors for PPU officers and their supervisors by a suitably qualified clinician is mandatory at six-monthly intervals, as a minimum;
- Provision is made for adequate absence management including sickness and maternity or paternity or family leave cover;
- Risk assessments are carried out prior to escorting offenders;
- Risk assessments for home visits to offenders are carried out before staff visit and they are recorded on ViSOR, see 7.4.3 Officer and Staff Safety.

For further information about the management of stress, see ACPO (n.d.) Guidelines on the Management of Stress in the Workplace.

3.5 Staff Training

Supervisors, managers and force policies should ensure that staff receive the training required to perform their role. This should include:

- All frontline staff receiving basic awareness training in public protection issues (including legal responsibilities in HRA and equality and diversity legislation, awareness of the MAPPA process and basic understanding of risk identification, assessment and management) which is included in all relevant NPIA learning programmes, eg, the IPLDP;
• For PPU officers, the baseline training is now the NPIA’s Public Protection Learning Programme (PPLP) which some forces have incorporated into their existing PPU training;
• Training in understanding and completing the MAPPA forms;
• Training in the MAPPA referral process;
• Training in risk identification, assessment and management of sexual offenders, violent offenders and PDPs, and the use of risk assessment tools, for example, OASys, Asset and Risk Matrix 2000 (RM 2000);
• Administrative functions (e.g., chairing meetings, minute taking);
• Relevant investigative training (e.g., interview techniques);
• Training in relevant information systems (e.g., ViSOR);
• Awareness and familiarisation training with other agencies such as the Prison and Probation Services and Her Majesty’s Revenue and Customs (HMRC).

It is strongly recommended that forces promote and undertake joint training with partner agencies. Training resources include:

• **NPIA Protecting the Public Learning Programme** CD for trainers;
• **NPIA (2009) Managing the Offender: Home Visits [DVD]**;
• MAPPA training manual.

Additional training courses include:

• Child Exploitation and Online Protection Centre (CEOP) training programmes, email training@ceop.gsi.gov.uk for further information;
• Lucy Faithfull Foundation training programmes at [http://lucyfaithfull.org/training.aspx](http://lucyfaithfull.org/training.aspx)

Where possible, joint training across the Police, Probation and Prison services should be provided. This has the potential advantages of sharing resources, aiding lines of communication and affording staff a clearer understanding of each others’ roles and responsibilities. Forces should also consider joint training with partner agencies including Social Services, Mental Health Services, YOT.

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**3.6 Performance Management and Indicators**

SMBs must have arrangements in place to collect performance data. The police representative on the SMB will support the SMB in developing joint targets and by producing the following management reports, the majority of which are available from ViSOR (indicated by a ‘V’). These will be used by the SMB to measure and support local performance management.
Quantitative Data

- Number of RSOs for each BCU or living in the force area (not including those in custody).
- Number of violent and other sexual offenders (as defined by section 327 (3), (4) and (5) of the CJA) for each BCU or living in the force area (not including those in custody or Category 1 offenders).
- Cases which are archived by category and level during a specific time period (V).
- Diversity information by category and level showing age, gender, ethnicity (V, except for Category 2, level 1 cases).
- The number of wanted/missing RSOs. This refers to those RSOs who have failed to comply with the notification requirements. It would include those RSOs where the police know where they are, for instance, an offender is abroad but as they have failed to register as required they are counted as “missing”, the length of time they have been missing and the number of cases within a given period that have been found and the number of new cases that have gone wanted/missing in a given period (V).
- The number of MAPPA offenders by category and level who commit a serious further offence as defined by Probation Circular 22/2008 (V).
- The total number of level 1 cases (Category 1 and 2) where the decision was taken to disclose and whether it was achieved within the timescale agreed.
- The number of cases where the decision not to disclose was taken.
- The number of Civil Orders, ie, Sexual Offences Prevention Order (SOPO), Notification Order (NO) and Foreign Travel Order (FTO) which have been applied for, the number granted, the number refused and the number made by the court at point of criminal conviction (V).
- The number of breaches of SOPO and the action taken – arrest, charge, caution, no further action;
- The number of breaches of licence by category and level who were recalled to prison (V).

Other quantitative and qualitative measures of police performance in the field of public protection include:

- Number of PDPs;
- Number of MAPPA offenders in custody;
- Number of home visits completed within a given timeframe across the different levels of risk, see 7.4.2 Frequency of Home Visits;
- Number of home visits across the different levels of risk which were unsuccessful, see 7.4.9 Unsuccessful Home Visits;
• Repeat offending rates of MAPPA offenders and PDPs;
• Number of missing offenders, length of time missing and number found;
• Sickness levels among PPU staff;
• Staff vacancies in PPUs;
• Number of referrals to PPUs from specialist police departments (eg, CAIUs, domestic abuse investigators);
• Number of arrests resulting from the work of the PPU;
• Number of MAPPA meetings attended including those who were invited and attended, those who were invited and gave apologies, those who were invited and gave apologies but provided a report for the meeting and those who were invited, failed to attend and did not provide apologies;
• Number of police actions completed in risk management plans;
• Staff appraisal objectives relating to managing sexual offenders, violent offenders and PDPs, and wider public protection issues which reflect force and local area business plans;
• Scale and nature of information sharing activity relating to protecting the public;
• Evidencing defensible decision making;
• Effective resource management;
• Effective and consistent application of risk levels;
• Clear risk management plans following Specific, Measurable, Achievable, Realistic, Timely, Evaluation, Review (SMARTER) objectives;
• Measures of cost effectiveness and the efficient use of resources.

The management of community knowledge and suspicions about sexual offenders, violent offenders and PDPs will require contributions by PPUs, NPTs and, where appropriate, public order specialists.

3.7.1 Community Knowledge About an Offender’s Identity

Some offenders live in a community where their offending background is common knowledge. The reactions of communities to MAPPA offenders or PDPs can, however, change over time. This depends on, for example, media interest and campaigns relating to sexual offenders, and if a serious offence has been committed in the local area. Information about the identity or location of an offender can reach the public domain unexpectedly. In all cases any developments should be notified to the PPU and be included as part of the risk management plan relating to the offender, see 4.4 Risk Management Plans and Interventions. Consideration should also be given to a media strategy...
3.9 Communication and Media Strategies and 6.6.12 Sharing Information with the Media and General Public) and the possible need for a community impact assessment (see 3.8 Community Impact Assessments). NPTs should agree with the PPU about how they will manage the situation in their geographic area and what, if any, information should be released to the public, including any confirmations or denials in response to direct questions from them or the media (see 3.1.6 Public Protection and Neighbourhood Policing).

3.7.2 Unfounded Community Suspicions About an Individual

Where there are unfounded community suspicions about the identity of an individual (e.g., misidentification of an individual as a sexual offender) a strategy meeting should be organised to include representatives from the relevant neighbourhood policing team, PPU and any other relevant agencies or police departments. In some cases the meeting may include the targeted individual. This meeting should consider the following issues:

- Safety planning for the targeted individual and their family, including the possibility of alternative accommodation;
- How NPTs will manage the situation in their geographic area (see 3.1.6 Public Protection and Neighbourhood Policing), including the need for a community impact assessment (see 3.8 Community Impact Assessments);
- Whether and how the media will be used to correct misinformation and rumour (see 3.9 Communication and Media Strategies and 6.6.12 Sharing Information with the Media and General Public).

3.8 Community Impact Assessments

The Police Service has a primary responsibility, together with the Probation and Prison Services, to successfully manage any impact a public protection or offender management situation has on a local community. This includes minority or vulnerable groups. All police forces should have contingency arrangements for any likely community impact situation that may arise. NPTs will be key to these arrangements. The identification of residences of high-risk offenders by the media or anyone else, particularly where that risk is associated with children, can provoke considerable anxiety within local communities. The management of the risk posed by the offender and any threat from vigilantes can be complex and requires a rapid response by agencies, particularly the police, see 3.7 Managing Community Knowledge and Suspicions. A community impact assessment is a systematic way of determining the effect of a policy or action on all groups in the community. Community impact assessments and multi-
agency contingency plans should, therefore, be drawn up when necessary. Community impact assessments in the context of protecting the public are primarily the responsibility of NPTs with support from the PPU. For further information about community impact assessments, see ACPO (2006) Murder Investigation Manual.

The RANSG is the national coordinating body for the RA and is responsible for developing a Communication Strategy to improve:

1. Information available, both internally and externally, and to increase public confidence in MAPPA process;
2. Statutory and voluntary agency knowledge and participation to MAPPA.

The national MAPPA Communication Strategy requires each RA to produce and implement a local media strategy and an annual communication plan.

Two challenges facing forces are how to manage public expectations effectively and how to handle media interest.

The RANSG (2006) Multi-Agency Public Protection Arrangements: Communication Strategy provides detailed information about MAPPA communication plans and media strategies and forces should align their communication plans and media strategies with these.

### 3.9.1 Communication Strategies or Plans

In accordance with the RANSG (2006) Multi-Agency Public Protection Arrangements: Communication Strategy, the SMB must establish a number of sub-groups to assist in undertaking its work. One such group is the communication sub group. This sub group is responsible for improving communication within the MAPPA community, other agencies and the public about the work of MAPPA. The inclusion of lay advisers on this group would be beneficial. It is recommended that force PPUs work through their SMB communications and media sub groups when devising their communication strategies or plans. This will help to effect a coherent and collective communication strategy that is shared and owned by both forces and partner agencies.

Force communication strategies or plans will include keeping the public and the local and national media informed of how the risk assessment and management processes operate in order to protect the public from harm. For example, a communication strategy will set out the delivery plan, milestones, desired outcomes and progress of:

- Strengthening connections that support effective operational work with other public protection arrangements;
• Ensuring adequate links are in place to support the consistent sharing of guidance and good practice by PPU;
• Developing and strengthening links with DTC agencies and other stakeholders;
• Improving and promoting communication, awareness and understanding with the public.

A named officer should be responsible for reviewing, revising, and progressing the force communication plan.

Explanations about how the process works may fill the knowledge gap, promote positive messages about protecting the public and help to allay some of the public’s fears. Options include:

• Giving general media briefings to local and national media about MAPPA and other public protection issues;
• Briefing policy makers, opinion formers and communities;
• Briefing head teachers, community groups and local authorities;
• Producing information leaflets or booklets in partnership with other agencies, possibly linking in with other organisations such as the National Society for the Prevention of Cruelty to Children (NSPCC).

3.9.2 Media Strategies

Public protection, particularly in relation to sexual offenders, will inevitably continue to attract media attention. This in turn has the potential to cause alarm and distress among the public, and may lead to public disorder. It is, therefore, recommended that forces agree and implement a joint media strategy and protocols:

• Within the RA;
• With DTC agencies.

The key principles to include in a media strategy on the issue of managing sexual offenders and violent offenders are:

• Any information provided should be accurate, honest and fair;
• Individuals (both victims and offenders) have a right to expect that the Police Service will treat personal information about them as confidential, except where public protection issues take precedence;
• In any case concerning a sexual offender or violent offender there should be close liaison between the Police, Probation and Prison Services and, where necessary, communication with victims;
• Where there are differences of opinion between organisations, these should not be commented on publicly without prior discussion and notice;
• Any unauthorised sharing of information, for whatever reason and with whatever intent, should be treated by each of the organisations as a serious matter which may result in disciplinary action or other appropriate sanction.

It is recommended that forces work through their SMB’s communications and media sub group when devising their media strategies to ensure a collective, cohesive and coordinated approach is achieved, in line with national objectives and messages. See 3.9.1 Communication Strategies or Plans.

The ACPO Media Advisory Group (n.d.) Guidance Notes, section 5 on releasing information about sexual offenders provides forces with a recommended procedure to be considered when actively releasing information.

This guidance exists for forces to use as part of an established risk management and risk assessment system. The guidelines make clear however, that any decision disclosing information about specific individuals to the media or general public should be made by an officer of ACPO rank within the force as part of a carefully managed process.

The guidance notes recommend that police forces agree a protocol between themselves and other agencies (e.g., the Probation and Prison services) for joint media strategies. It also provides a template for such a protocol.

Clarification on points 1.3, 3.4 and 3.11 of the ACPO Clarification on Guidance Relating to the Releasing of Information about Sex Offenders (Reference 50/08 27/02/08) can be found on the ACPO website at http://www.acpo.police.uk/pressrelease.asp?PR_GUID=%7BBEE923F27-FC09-437E-BBE1-1E5E28B47A51%7D

For further information about media strategies, see ACPO Media Advisory Group (n.d.) Guidance Notes. In particular, section 5 provides some suggested answers to commonly asked questions about sexual offenders. See also 6.6.12 Sharing Information with the Media and General Public.

For information on the benefits of successful engagement with the public, see ACPO (2009) Violence and Public Protection Portfolio Briefing Paper, A Shared Approach to Violence Reduction and Public Protection, 2.6 Public Confidence.
Management Issues

- Ensuring that adequate staff and resources are provided in the field of public protection.
- Ensuring any proposed structural or management change relating to public protection is discussed with, and communicated to, the Prison and Probation Services at a strategic level.
- Identifying links between staff working in the public protection field and those conducting related investigations (including sexual offences, violence, child abuse, vulnerable adult abuse, domestic abuse, hate crime, missing persons and human trafficking).
- Using NIM processes to identify offenders who pose a risk of serious harm, and ensuring a proactive intelligence flow as part of the intelligence requirement.
- Ensuring appropriate recruitment and vetting procedures for specialist public protection work.
- Ensuring staff receive adequate training for their role (including that relating to their legal responsibilities under the HRA and equality and diversity legislation) and, where appropriate, joint training with other agencies.
- Establishing an effective performance management system for the police role in public protection.
- Establishing systems for community impact assessments.
- Ensuring effective force media and communication strategies (in consultation with the Prison and Probation Services) on the management of sexual offenders, violent offenders and PDPs.
Identifying, Assessing and Managing Risk

This section includes information on the risk assessment tools used by the Police, Probation and Prison Services. It introduces the concepts of risk identification, assessment and management. It also discusses the need for monitoring and reviewing these processes. The role of the police in the management of offenders is described in more detail in Section 7 The Police Role in Offender Management.
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Public protection issues come to police notice in a number of ways. These range from reports of relatively minor offences and anti-social behaviour, to those of serious and organised crimes. Some suspected child abuse cases may raise public protection issues because they have been committed by, or are suspected to have been committed by, an offender within MAPPA or a PDP. Whenever a risk to children or to a particular child is identified, this should be notified as soon as possible to the CAIU, and the guidelines in *ACPO (2009) Guidance on Investigating Child Abuse and Safeguarding Children* and *HM Government (2010) Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children* should be followed. Information can come from victims, witnesses, members of the public, other agencies (eg, adult and children’s social care services, the Probation and Prison Services, and HMRC) and offenders themselves. Any police investigation may produce information with consequences for protecting the public and this should be identified and reported to the PPU.

For further details about the investigative process, see *ACPO (2005) Practice Advice on Core Investigative Doctrine*. All staff should be adequately informed and trained about local systems and the nature of public protection matters (including risk factors) to enable them to deal appropriately with any issue that is brought to their attention.

MAPPA offenders and PDPs should be appropriately flagged on all relevant police systems. Whenever information is received by any route which indicates a possible risk of serious harm, that information should be made known to the PPU. This will be particularly relevant to officers investigating child abuse, vulnerable adult abuse, domestic abuse, hate crime and sexual offences.

When an individual has been identified as falling within one of the MAPPA Categories or as a PDP, that person should be assigned a named PPU officer for risk assessment and offender management purposes.

The most effective way for ensuring all relevant information is seen by a PPU officer is for a record to be created whenever an officer hits a ViSOR or intelligence flag during routine dealings with MAPPA offenders or PDPs.

**Note:** What may not seem particularly important or relevant to frontline officers, may be just the trigger for further action by a PPU team.
4.1.1 Identifying Offenders Who Fall Within MAPPA

Prompt and accurate identification of offenders who fall within MAPPA allows agencies to gather and share relevant information and agree appropriate risk management strategies.

Entry into the MAPPA process occurs at one of the following points:

- Caution;
- Conviction;
- Sentence;
- Where the RA agrees that an individual offender poses a current risk of serious harm.

Liaison with probation, prisons and healthcare trusts (which run special hospitals and local secure units) is crucial to ensuring timely identification of relevant offenders.

For further information on identifying offenders who fall within MAPPA, see current MAPPA Guidance.

4.1.2 Identifying Potentially Dangerous Persons

The overarching principle is that there must be a present likelihood of the subject causing serious harm. In many instances a PDP is a person without any convictions for a criminal offence.

The identification of a PDP can occur in a number of ways and will come to police attention through various channels including information or intelligence acquired or received by the police or referrals from other agencies such as mental health services, childcare services or social services.

Effective use of the Police National Database (PND) with its information storing, search and sharing capability, should assist officers in determining the present likelihood of a PDP causing serious harm.

As with MAPPA offenders, the response to identified PDPs should include the other multi-agency structures outlined in 2.3 Other Multi-Agency Structures.

For a definition of a PDP see 1.3.4 Potentially Dangerous Person. For more detailed information on PDPs see 5 Identifying and Managing Potentially Dangerous Persons.
4.2 Risk Factors

Risk-of-Harm Assessment

The Risk of Harm Inspection Report, A Stalled Journey – Report into London Probation, October 2009, was commissioned following the Sonnex case. This case concerned the tragic murders of the French students in London by Dano Sonnex (a Category 2 Violent Offender on prison licence) and his accomplice. The main findings were:

1. In many cases, risk-of-harm assessments were completed late;
2. The emphasis was on completion rather than the need to produce a considered assessment to guide management;
3. The offender managers had not taken an investigative approach in seeking out missing information and making appropriate checks with other agencies.

Although these findings were in relation to the Probation Service completion of the OASys risk assessment, police offender management staff would be wise to apply these findings in respect of the risk assessments and risk management plans that they complete. They must also and strive to avoid making mistakes such as late completion and not filling in gaps where information is incomplete. It is critical that all assessments and plans are quality assured; just completing them is not good enough.

There are a number of factors which need to be taken into account when assessing risk of serious harm and the likelihood of reoffending, in the context of public protection. These factors are indicators of risk that practitioners should identify and record as early as possible. They fall broadly into two categories: static and dynamic (labelled as ‘criminogenic needs’ in some risk assessments such as OASys). In order to provide an accurate picture and to aid in the management and treatment of offenders, static and dynamic risk factors should be identified and recorded.

4.2.1 Static Risk Factors

Static risk factors are also known as historical factors and they include a suspect’s previous offending history and the number of offences committed. These are factors that cannot be changed by any form of treatment or intervention. Static factors are the basis for actuarial assessment and are fundamental in considering an individual’s potential to reoffend in the long term. They do not, however, provide a full and accurate picture of the likelihood to cause harm. They are also not effective in measuring changes in risk levels or in determining how and when to intervene at particular points in the risk management process.
4.2.2 Dynamic Risk Factors

Dynamic risk factors do not remain constant and are changeable over time. They can be responsive to treatment and intervention, and can be further sub-divided into:

- Stable dynamic factors that persist or are stable for relatively long periods of time but are capable of change (e.g., substance misuse, impaired relationships with adults and underlying personality traits of individuals);
- Acute dynamic factors that may only be present for a matter of days or weeks, often in response to short-term changes in the offender’s behaviour or environment (e.g., access to victims, an increase in substance misuse and sense of grievance in response to a particular event).

Practitioners involved in the treatment of offenders tend to focus on the stable dynamic factors so that they can be changed and treatment can then assist in the process of reducing the risk of reoffending. Those involved in managing and supervising offenders in the community are likely to pay particular attention to acute dynamic factors. This is because the existence of such a factor can result in a particularly high risk period in which there is a likelihood that the offender will cause harm. These factors can also act as a catalyst for harmful behaviour.

The Prison and Probation Services use a risk assessment tool called Structured Assessment of Risk and Need (SARN). This assesses whether there are certain personality characteristics present in sexual offenders which research has shown to be most associated with reconviction. These can be grouped into four ‘Risk Domains’. Each domain contains a number of related, specific risk factors. The SARN risk domains are included in Checklist 2 Dynamic Risk Factors.

### Checklist 1 Static Risk Factors

Examples of static risk factors which relate to the suspect’s behaviour, personal circumstances and offending history are:

- Previous criminality;
- Previous convictions;
- Previous physical assault by the offender;
- Previous sexual assault by the offender;
- Previous child abuse by the offender;
- Previous domestic abuse by the offender;
- Evidence of escalating severity or frequency of assault by the offender;
- They have never lived in a stable intimate relationship.
Dynamic risk factors for violent offending and sexual offending such as those listed vary between offenders, and the relevance of each variable is often dependent on other variables. For some offenders, warning signs will be that the individual becomes less visible and apparently compliant, rather than exhibiting obvious erratic behaviour and non-compliance that indicates increased risk in other offenders. Dynamic risk factors have significance in the design and delivery of intervention strategies, and in predicting the imminence of reoffending. As far as is reasonably practicable, the police should identify risk factors at an early stage (and as part of a continuous process).

**Checklist 2 Dynamic Risk Factors**

Examples of dynamic risk factors which relate to the suspect’s personal circumstances and behaviour are:

- Sexual interests (eg, sexual preoccupation, sexual preference for children, sexualised violence preference, other offence related sexual interest);
- Distorted attitudes (eg, adversarial sexual beliefs, child abuse supportive beliefs, sexual entitlement beliefs, rape supportive beliefs, rationalisations for offending, views women as deceitful);
- Management of relationships (eg, feelings of personal inadequacy, distorted intimacy balance, grievance thinking towards others, lack of emotional intimacy with adults);
- Management of self (eg, lifestyle impulsiveness, poor problem solving, poor management of emotions);
- Employment status and type of employment;
- High levels of hostility and aggression;
- Lack of self-control;
- Dishonesty;
- Substance misuse;
- Mental ill health;
- Use and availability of weapons;
- Grooming behaviour patterns;
- Access and proximity to victims.
4.3 Risk Assessment Tools

No risk assessment tool can accurately predict the risk posed by a particular individual. What these tools demonstrate is that individuals who share specific characteristics tend to cause harm, reoffend or be reconvicted at particular rates. Risk assessment tools can either be used for screening or as a full assessment of risk. A combination of actuarial and structural clinical assessment procedures is the most informative and ethical approach to assessing risk and need in criminal populations. All existing risk assessment tools have various limitations in terms of accuracy and transferability to different populations. The value of any risk assessment tool depends on the skill of those using it, and the efficiency of the IT system it runs on. Forces should only use accredited tools operated by trained and accredited practitioners. The outcome of any risk assessment tool should be recorded on local and national information systems, for example, VISOR, and shared with all relevant agencies, for example, probation and prisons. All assessments should be reviewed regularly and whenever there is a change in the circumstances of the offender.

There are three risk assessment tools commonly used by the Police, Probation and Prison Services. There are other specialist tools available for certain characteristics. RM 2000, OASys and Asset are accredited risk assessment tools and the starting point for ensuring offenders are referred to the appropriate MAPPA level for risk management. Some forces may have additional risk assessment tools but these should not be viewed as alternatives to RM 2000, OASys or Asset.

4.3.1 Accuracy in Risk Assessment

The accuracy of risk assessment depends on the quality of information which is known or believed to be correct at the time. This information must be accurately recorded to ensure auditable and defensible decisions are made.

Although risk assessment tools provide a structured approach to assessing the risk an individual poses to the public and they have improved the overall quality and accuracy of assessments conducted, they are not without limitations.

One of the key issues relating to risk assessment is accuracy and, with any risk assessment, there are only four possible outcomes, as described in Figure 1 The Four Possible Outcomes of Risk Assessment.
Risk assessments can assist in predicting reoffending occurring (A), and not occurring (D). It is also possible to predict that an individual does not present a risk of harm, but then they cause harm (B), or to predict that an individual does present a risk of harm, but they do not cause harm (C). Both false predictions (boxes B and C) can be costly (in terms of harm caused and agency resources), but in most circumstances and particularly in public protection, a false negative causes difficulties and carries severe consequences for the public and the police. In such situations a member of the public or a group could be harmed or even killed. The police or other agency responsible for assessing and managing the risk or the offender may be open to criticism which may undermine public confidence in policing and public protection. The result of a false positive can lead to criticisms of agencies being overcautious, wasting resources and infringing the human rights of the individuals concerned.

There will always be a degree of unreliability in predicting the risk any individual poses. This is because of the nature of human behaviour and the inherent difficulties associated with assessing risk of any kind. Ensuring the most appropriate and accurate risk assessments are made, taking account of all available information and intelligence, and communicating with other agencies, all assists in the process of reducing false predictions. All staff should ensure that any decision they make which contributes to risk identification, assessment and management is defensible, see 1.1.3 Justifiable and Defensible Decisions.

### 4.3.2 Professional Judgement

The professional judgment of police officers and others involved in risk assessment is central to public protection. Many risk assessment tools provide a facility to override the outcome based on the assessor’s objective professional judgement (including their training, experience and knowledge of the individual being assessed). This is particularly important where the risk assessment tool has not been validated on a population encompassing that individual’s characteristics, and where the outcome of the tool is unexpected. Any risk assessment outcome
that is overridden by the professional judgement of the assessor should be recorded and include the rationale and justification for the decision, according to the principles of defensible decision making. Assessors should be aware, however, that most research suggests actuarial risk assessments usually have stronger predictive accuracy than professional judgement.

### 4.3.3 Risk Matrix 2000

Risk Matrix 2000 (RM 2000) is a specialist risk assessment tool intended primarily for use with sexual offenders. It can be triggered by OASys (or Asset) but it can also be completed as a stand-alone assessment. It is also used within other assessments such as psychological assessments completed in prisons. RM 2000 takes account of sexual and violent offending by sexual offenders. This is the standard assessment tool for the Police Service and is also used by the Prison and Probation Services. It is an evidence-based actuarial risk assessment (based on calculations of statistical probability) and is approved by ACPO and the Association of Chief Police Officers in Scotland (ACPOS) for use by police forces in England, Wales and Scotland.

RM 2000 S Scale allows male sexual offenders, aged at least 18, to be categorised into broad groups that differ markedly in their rates of sexual reconviction. It gives no indication of their risk of harm. RM 2000 generally been used by the police to indicate the risk posed by non-sexual violent offenders. The RM 2000 V Scale, however, is intended to allow sexual and non-sexual violent offenders, aged at least 18, to be categorised into broad groups that differ markedly in their rates of reconviction for non-sexual violence.

The RM 2000 V Scale may be used in the risk assessment of RVOs. Some research indicates that RM 2000 V Scale can be used as a stand-alone assessment to provide a reasonable level of prediction of non-sexual violent offending for offenders without a sexual offence conviction. It should be noted, however, that this has not been fully validated and the use of the RM 2000 V Scale alone should not, therefore, be used in court proceedings, but should be limited to use for the purpose of informing the police management of an individual.

The two scales (V and S) can be combined to give a CScale score that categorises sexual offenders into groups that differ markedly in their rate of reconviction for sexual or non-sexual violent offences. Where the combined risk level of the C Scale is used, consideration should be given to the separate results of the S Scale and the V Scale to ensure that any decisions based on the combined risk level are defensible. Understanding the risks of violence and sexual offending can help to ensure appropriate risk management responses.
RM 2000 can only be used for men aged at least 18 years of age. At the time of publication the only tool for assessing the risk posed by women or juvenile sexual offenders is OASys or Asset, see 4.3.4 Offender Assessment System and 4.3.5 Asset.

RM 2000 uses static factors (such as age, history of cohabitation and number of prior convictions for sexual offences). It grades offenders according to their relative risk of reconviction for sexual or violent offences but does not indicate the seriousness of risk to the public. RM 2000 uses the same categorisation of risk levels as OASys (or Asset) and should be incorporated into the OASys assessment where applicable. In the event of any disparity between the outcome of OASys (or Asset) and RM 2000, the MAPPA meeting should agree which risk level should be adopted. This decision should be clearly recorded in the MAPPA minutes.

RM 2000 assessments should only be completed by police personnel trained (and, where appropriate, accredited) in their use. The ViSOR system should be used for this, see current NPIA ViSOR Standards. The assessment should be fully completed and countersigned by a manager (who should also have appropriate training). For further information on RM 2000 see Thornton, D. (2007) Scoring Guide for Risk Matrix 2000 9/SVC.

4.3.4 Offender Assessment System

The Offender Assessment System (OASys) is a national standardised risk assessment tool used by the Prison and Probation Services for processing adult offenders. OASys takes into account both static and dynamic factors to provide a prediction of the likelihood of general reoffending and the level of risk of serious harm (e.g., the potential impact on victims should reoffending occur).

OASys now includes the Spousal Assault Risk Assessment (SARA) assessment tool. It is suitable for male and female offenders over the age of 18 years, including female perpetrators of domestic abuse. The equivalent tool for offenders under the age of 18 years is Asset, which has a similar foundation to OASys. This allows for information to be easily transferred from Asset to OASys when an offender reaches the age of 18 years. For further information see 4.3.5 Asset.

OASys is designed to:

- Assess the likelihood of reconviction (based on current and previous offences, social and economic factors, and personal factors);
- Assess the risk of serious harm an offender poses to others and themselves;
• Assist in risk management;
• Identify and classify offending-related needs (including social issues, personality characteristics and cognitive behavioural problems);
• Provide a link between assessments and sentence plans;
• Indicate a need for more specialist assessments;
• Measure offender change throughout supervision or sentence.

All offenders have potential for harm and there is no such thing as ‘no risk’. The outcome of an OASys assessment is a categorisation of the level of risk an offender poses of causing serious harm.

• Low – current evidence does not indicate likelihood of causing serious harm.
• Medium – there are identifiable indicators of risk of serious harm. The offender has the potential to cause serious harm but is unlikely to do so unless there is a change in circumstances, for example, failure to take medication, loss of accommodation, relationship breakdown and drug or alcohol misuse.
• High – there are identifiable indicators of risk of serious harm. The potential event could happen at any time and the impact would be serious.
• Very High – there is an imminent risk of serious harm. The potential event is more likely than not to happen imminently and the impact would be serious.

These categories of risk relate to the public in general and to specific groups and individuals within the general public, known persons (for example, the subject of the assessment, acquaintances, previous victims), children, prisoners and staff. The assessment also requires consideration of who is at risk.

An initial OASys assessment is carried out when a pre-sentence report is produced. Further assessments are then made periodically throughout the sentence period (whether served in custody or the community), and on completion of the sentence. For details of the timescales for completing initial assessments and reviews, see National Offender Management Service (2007) National Standards for the Management of Offenders: Standards and Implementation Guidance.

OASys is a general risk assessment tool appropriate for convicted offenders on supervision. It does not provide an in-depth assessment of all aspects of offending and associated risks. OASys can, however, act as a trigger for other specialist risk assessments to then be conducted. For a list of specialist risk assessment tools, see 4.3.6 Other Specialist Risk Assessment Tools. OASys also produces the Offender Group Reconviction Scale (OGRS) score, which provides a prediction of the
likelihood of reconviction for general, sexual and violent offences within two years, based on criminal history and demographics. For some offenders, there will only be an OGRS score and not a full assessment under OASys. For further information about OASys see Home Office (2002) Offender Assessment System (OASys) User Manual.

4.3.5 Asset

Asset is the national structured risk assessment tool designed for people under the age of 18 years. It is used by YOTs for each young offender and is designed to determine the specific problems of the individual and the risks that they pose to others. It covers areas of criminal history, family life, education and employment, health, attitude to offending and risk to others. Asset highlights any particular needs or difficulties the young person has so that these may be addressed. It also assesses changes in those needs and identifies, and measures the risk of reoffending and risk of harm over a period of time.

Asset is used at all stages in the youth justice process, from Final Warning and court appearances to sentence. It is used to evaluate the effectiveness of interventions. Youth Justice Board (2010) National Standards for Youth Justice Services specifies that Asset must be completed for all young people subject to:

- Bail supervision and support;
- A request for a court report (pre-sentence report and specific sentence report);
- Community disposals (e.g., Final Warnings, Referral Orders and Reparation Orders) at the start, quarterly review and closure stages;
- Custodial sentences at the assessment, transfer to the community and closure stages.

Asset is not specifically designed to assess young people who sexually abuse. Within the Core Profile part of Asset, however, there is a section to indicate whether the young person may pose a risk of serious harm. If the answer is positive then an additional Risk of Serious Harm form should be completed. The outcome of this additional assessment should be a categorisation of the level of risk of serious harm to others. Completion of a Risk of Serious Harm form does not, on its own, lead to a young person being described as high risk. This decision will depend on the nature of the evidence collected and analysed. If no supporting evidence is found, the young person should not be classified as high or very high risk.

For further information about Asset see Youth Justice Board (2003) Asset Guidance and http://www.yjb.gov.uk/en-gb/Practitioners/Assessment/Asset.htm
4.3.6 Other Specialist Risk Assessment Tools

Specialist risk assessment tools can include assessments on other offending behaviours. This could be domestic abuse, racially motivated offending and sexual offending, or may involve a different field such as clinical psychology (for example, mental health and personality assessments).

Specialist risk assessment tools include:

- **Historical, Clinical and Risk Management Scale (HCR-20)** is a systematic model for assessing the risk of violence. The assessment combines historical factors that have a track record in predicting risk, with present clinical variables such as respondent insight, attitude, motivation to change and general symptomology, and future risk factors. Some forces have trained staff in HCR-20 and there is a potential for police to consider using this tool for RVOs.

- **Psychopathy Check List – Revised (PCL-R) and its derivatives** are a clinical construct rating scale used in semi-structured interviews. PCL-R in particular is considered to have a reliable relationship with recidivism. It is a twenty-item rating scale used in research clinical and forensic settings measuring personality traits linked to psychopathic behaviour such as empathy, impulsivity, lack of remorse and grandiose thinking. Such traits in a violent offender are significant and the use of the tool ensures that those with particular, extreme anti-social personality disorders can be identified. See 4.3.4 Offender Assessment System.

- **Rapid Risk Assessment for Sex Offence Recidivism (RRASOR)** is an actuarial-based tool that weights a number of key variables in terms of their predictive use. It has the ability to distinguish between high and low risk groups, and contains items related to sexual reconviction.

- **Sex Offender Risk Appraisal Guide (SORAG)** is an adaptation of the Violence Risk Appraisal Guide (VRAG) (detailed below) and is designed to predict sexually violent recidivism among offenders with mental ill health. It considers items including living with parents, personality disorder, schizophrenia, age, marital status and criminal record.

- **Spousal Assault Risk Assessment (SARA)** is a checklist that has been designed to screen for risk factors for spousal or family-related assault, including female perpetrators of domestic abuse. It covers a range of static, dynamic and risk management factors, drawing in part on items included in the HCR-20.
• Stable and Acute 2007, a risk assessment tool for use with sexual offenders developed by Hanson and Harris, is in two parts – Stable 07 and Acute 07. Stable 07 was developed to assess change in intermediate risk status, assess treatment needs and help predict recidivism in sexual offenders. Acute 07 consists of seven items, and produces an estimate of risk for sexual and violent recidivism and a second risk estimate for general recidivism.

Note: A pilot on the use of Stable and Acute (in England and Wales) was conducted involving staff in a number of police and probation areas. The outcome of the pilot has been published in the Ministry of Justice (2010) Examining implementation of the Stable and Acute dynamic risk assessment tool pilot in England and Wales which can be found at http://www.justice.gov.uk/publications/docs/sexual-offenders-risk.pdf

Work is now being undertaken to establish next steps and while this is under way, those staff trained in Stable and Acute may continue using it where appropriate, and all Stable and Acute risk assessments should be recorded on VISOR.

Stable and Acute is in common usage in Scotland and Northern Ireland.

• Static 99, developed by Hanson and Thornton from SACJ and RRASOR, has subsequently been revised to Static 2002 with an increased predictive validity.
• Structured Anchored Clinical Judgement (SACJ-Min) covers prior criminal history, aggravating factors, current behaviour and treatment response.
• Sexual Violence Risk-20 (SVR-20) a scale of some twenty items known to be linked with sexual recidivism and has particular appeal in that, unlike RM2K, it does not rely on a final score to indicate the risk level but, rather, leaves it to the assessor to make a final judgement regarding risk level. It uses both empirical research and clinical practice to identify a set of items to be used in the assessment of the offender. The tool has its critics who have observed that the tool is too general to be applied across similar sorts of offenders.
• Violence Risk Appraisal Guide (VRAG) is used as an actuarial tool for violence offence recidivism. VRAG contains twelve items with weighted factors to assign individuals to one of nine risk categories.
• Violence Prediction Scheme (VPS) uses the twelve items of VRAG combined with a structured assessment of ten, largely dynamic, items. While this does not add to the accuracy of VRAG, it does assist in the formulation of risk management plans.

Although OASys (or Asset) and RM 2000 are the tools commonly used in the field covered by this guidance, other agencies and their risk assessments can also be valuable. For example, where offenders may be experiencing ill health, additional tools (e.g., clinical assessments) can be useful. It is important to note, however, that there are a number of risk assessment tools which have varying degrees of reliability and validity. As a general rule, information obtained by the police from other agencies’ risk assessments should be interpreted according to approved tools and current national and local police and multi-agency policies.

Police may consider the use of any of the above risk assessment tools (or other accredited tools) where the tool is appropriate for a particular offender and in certain circumstances. Such tools may only be used where the staff member concerned has received appropriate training in the use of it.

### 4.4 Risk Management Plans and Interventions

#### 4.4.1 Risk Management Plans

Each individual identified as falling within one of the MAPPA Categories, or as a PDP, should be the subject of a risk management plan which will include multi-agency and police action as appropriate. Supervising officers should ensure that police actions resulting from each risk management plan are implemented and reviewed at least every sixteen weeks, depending on the level of risk identified. For further information, see [4.6.1 Operational Review](#) and current MAPPA Guidance.

Current MAPPA Guidance specifies what should be covered in a MAPPA risk management plan. It also emphasises the need to review the plan on a regular basis or when significant new information is obtained or events occur.

Risk management plans should state how it is proposed to reduce or manage the risk of harm and the likelihood of reoffending through restrictive and constructive interventions, see 4.4.2 Potential Interventions. Objectives should be focused on achieving outcomes. Actions from risk management plans should be completed and recorded. Supervisors should check that all actions are completed within a set timescale.

It is good practice for police forces to make very high risk offenders the subject of an NIM target profile. This profile should be monitored through the operating practices of Tasking and Coordinating meetings.
Offenders who do not cooperate with the actions from risk management plans by, for example, refusing to allow police or probation entry to their home, or by refusing to answer questions, may themselves be indicating an increased risk.

4.4.2 Potential Interventions

The main risk management interventions available can be either restrictive, for example, to minimise the risk of harm by monitoring or restricting activities or constructive, for example, a sex offender treatment programme. Some interventions are both restrictive and constructive, for example, home visits by police and probation.

All interventions should be recorded with a systematic analysis of what they are intended to achieve and how they will be enforced. Effectiveness and enforceability should be given as much attention as issues of lawfulness and proportionality. Where a curfew is in place, for example, the means of enforcing it should be clear and include the arrangements in particular approved premises for enforcing the curfew, for example, unannounced curfew checks or electronic monitoring. This may require police examination of an address to check that security and enforcement arrangements are suitable. For further information about approved premises see 8.1.4 Approved Premises. If an intervention is breached, all agencies should know how to respond.

The main types of intervention, some of which can be supported by licence conditions, court orders and other measures are:

- Residing at approved premises;
- Attendance at accredited programmes (eg, a sex offender treatment programme);
- Office-based supervision (eg, by a probation officer);
- Home visits and other regular visits to the offender’s premises;
- Prosecutions for any offences;
- Court orders (eg, SOPOs, RSHOs, FTOs, VOOs and Anti-Social Behaviour Orders (ASBOs)), see 7.9 Court Orders and Sentences Available for Public Protection;
- Restrictions on associations;
- Restrictions on residence;
- Restrictions on movement - particular areas that the offender is excluded from (eg, areas where they may encounter the victim, schools, football matches, playgrounds) and restrictions containing an offender in a specified area;
- Restrictions on activities (eg, employment, hobbies) and certain possessions (eg, computers);
• Bail or curfew checks (eg, by electronic monitoring, or by phone calls or visits);
• Notification requirements;
• Arrest;
• Recall to prison for breach of licence conditions;
• Target hardening in relation to past or potential victims;
• Overt police activity;
• Disruption;
• Sharing information (eg, with NPTs, other agencies, members of the public or the media);
• Provision of suitable diversion activities (eg, employment or other constructive activities);
• Psychological or psychiatric input;
• Electronic monitoring (eg, as a means of enforcing a curfew);
• Satellite tracking (eg, for monitoring exclusion restrictions);
• Covert surveillance;
• Covert Human Intelligence Sources (CHIS) tasked against the offender;
• Relapse prevention programmes;
• Various types of computer-monitoring software or triage software have been trialled by a number of police forces and may be considered to monitor computer/internet use by RSOs;
• Circles of Support and Accountability which are groups of people from the local community who provide regular support to an offender to prevent reoffending and assist reintegration into the community. (See Quaker Peace and Social Witness (2005) Circles of Support and Accountability in the Thames Valley: The First Three Years April 2002 to March 2005.)

Probation Circular 29/2007 Post Release Enforcement - Licence Conditions, provides useful information about the appropriate wording of additional licence conditions and might also be applicable to conditions proposed for other court orders, see 7.10 Applying for Civil Orders.

When an intervention is being considered, it should be examined for any potentially negative consequences. Restrictions on residence in a certain area can, for example, result in offenders living some distance from support systems of family and friends. This can lead to increased isolation, financial and emotional stress, and decreased stability all of which can increase risk. The issue is one of balancing the potential negative consequences with the potential public protection benefits. One unclear or meaningless intervention (eg, a restriction which is not enforced) can undermine the credibility of the whole process of multi-agency risk management in the eyes of the offender and others.
4.4.3 Sources of Information to Assist Risk Management

Information gathering is a key police role in the multi-agency management of risk to protect the public and enables defensible decisions to be made. Information is collected by a range of methods including routine policing, information volunteered by the public or other agencies, mechanisms such as home visits and interviews with the offender. It includes information on preparation for offending or suggestions that risk levels may be changing. When it is suspected that an offence has been committed, officers should ensure that investigations are carried out in accordance with the relevant guidance in 7.1 Investigation, Information and Offender Management.

There is a wide range of sources of information available to assist in monitoring, assessing and managing risk. These include:

- Police intelligence;
- National databases such as PNC, PND which will replace INI and ViSOR;
- Previous police interviews;
- Information from victims (eg, victim statements);
- Information and observations from home visits;
- Information from other agencies both statutory and voluntary e.g housing, local authority, mental health;
- Pre-sentence reports from the Probation Service;
- Prison intelligence (eg, behaviour and contacts of offenders in prison);
- Post-programme reports (from Prison or Probation Services) on offenders who have completed programmes to address offending behaviour.

For further information see 6 Managing Public Protection Information.
Checklist 3 Factors to be Monitored to Identify, Assess and Manage Risk should be read in conjunction with Checklist 1 Static Risk Factors and Checklist 2 Dynamic Risk Factors. It provides a list of factors which should be monitored in order to identify, assess and manage risk. The relevancy of each factor should be considered on a case-by-case basis. All staff involved in the assessment of risk should be familiar with these factors, which should be reviewed periodically and at specific points in the monitoring and risk management processes (e.g., prior to each home visit).

Checklist 3 Factors to be Monitored to Identify, Assess and Manage Risk

This list of factors has been compiled using the acute dynamic predictors developed by the authors for the Hanson and Harris (2001) Dynamic Supervision Project: A Collaborative Initiative on the Community Supervision of Sexual Offenders.

- Access to actual or potential victims (e.g., work schedules, hobbies, general routines, evidence of intentional contact including grooming, stalking behaviour, hiding or lying about victim access opportunities, sexual offenders seeking or developing contact with children);
- Emotional collapse of the suspect or offender (e.g., existence or extent of support, work problems, health issues, substance misuse, mental ill health, excessive sleeping, paranoia, suicidal fantasies or gestures, agitation, anxiety, self-pity, hopelessness);
- Collapse of the suspect or offender’s social supports (e.g., perceived or actual loss of social support including significant friends, partners, family members or social organisations, vigilante activity or attack, unhealthy contacts such as those who collaborate with the offender to minimise or deny the offence, community rejection);
- Hostility by the suspect or offender (e.g., verbal or physical disputes, angry ruminating, irrational or reckless defiance, expressions of hostility to women, direct or veiled threats, planning retribution);
- Substance misuse by the suspect or offender (e.g., evidence of deception, out of control drinking or drug use, drinking for courage in preparation for an offence, taking prescription medications that have the potential for misuse, no attempt at self control);
4.4.4 Managing the Risk of Suicide

Offenders or PDPs may present a high risk of suicide. The possibility of this risk should be included in risk management plans and in relation to any police action.

Checklist 4 Managing the Risk of Suicide

The following issues should be considered when managing the risk of suicide by offenders or PDPs:

- Where concerns exist for a suspect’s state of health at any stage of police intervention, they should be advised to contact their own general practitioner (GP) and/or the Samaritans. They should also be given the relevant leaflet with contact details, and appropriate warning markers or flags should be placed on national and local police systems to alert relevant parties of the risk of suicide or self harm.

- Any arrest or other police intervention should take place in private, if possible, out of sight or earshot of family, friends, neighbours, colleagues and any member of the public.

- Where there is concern for a suspect’s health, the suspect should be informed of this during the concluding part of the interview (on tape or custody record) and be asked to comment on their state of health.

- The custody officer should be consulted to ensure that the custody block is clear of other suspects when the facts of the arrest are given to the suspect, and the suspect should be immediately assessed for the risk of suicide.
4.5 Victims and Potential Victims

Victims should be taken into account when assessing risk of harm, and they should be included in risk management plans (eg, whether any particular safety measures are needed). All victim contact documentation should be separate from the offender case file or contained in a confidential section. Decisions to involve victims and potential victims in the process of offender management should be made after consultation with the relevant agencies, including the Probation Victim Contact or Liaison Units. For information about covert investigation techniques involving victims, see 6.3.4 Information Provided on a Repeated Basis, 6.3.6 Covert Human Intelligence Sources and 7.8 Covert Investigation.

For further information about the focus on victims in protecting the public, see 1.1.6 Focus on Victims. See also Criminal Justice System (2005) The Code of Practice for Victims of Crime.

4.5.1 Positive Obligations to Protect

Some offender management techniques (including covert techniques) will reveal particular individuals who are subject to serious harm or are facing a high risk of imminent harm. Examples include cases where an offender is grooming a child or sexually abusing them. In such cases the primary consideration should be the protection of the child and the positive obligation to protect the lives of individuals (Osman v UK (2000) 29 EHRR 245), and to protect individuals from degrading and inhuman treatment (Z v UK (2002) 34 EHRR 3).

4.5.2 Victims

Victims are a useful source of information about offending behaviour and the risk of serious harm, particularly if they still have some
connection with the offender (e.g., they are a relative of the offender). Officers should take account of the wishes of the victim and their current circumstances. For example, a victim who has terminated all contact with the offender may find it disturbing to be asked for information about them. Where an offender has access to past victims who may have useful information, the victim should be given a point of contact to enable them to pass on information to the police. In some circumstances, it may be appropriate to visit or meet with the victim.

4.5.3 Potential Victims

An offender’s access to potential victims will raise a number of issues. This includes sharing information with them, see 6 Managing Public Protection Information, and the possibility of the potential victim providing information to assist in the assessment of risk.

Monitoring and review processes should occur at both an operational, case-by-case level and at a strategic level to evaluate the overall impact of the risk identification, assessment and management system. The strategic level review process is dealt with in 2.1.2 Strategic Management Boards and 3 Managing the Police Role in Public Protection.

4.6 Monitoring and Reviewing Risk Identification, Assessment and Management

4.6.1 Operational Review

All risk assessments and risk management plans should be overseen and countersigned by a supervisor (who should have appropriate training). Completion of risk management actions and the review of risk is the responsibility of the officer dealing with the case and their supervisor. Where the case is managed through MAPPA level 2 or 3, there will be a formal review process. Risk management plans should be monitored, reviewed regularly and kept up to date so that progress reports can be amended or the risk level reclassified.

Current MAPPA Guidance provides clear review guidelines for offenders in the community. The RA in their area must have in place arrangements to ensure that:

- All level 3 cases are reviewed every 4 to 6 weeks;
- All level 2 cases are reviewed every 8 to 12 weeks;
- All level 1 cases should be reviewed every 4 months.

Police will review their level 1 cases through a review of ViSOR and checking other relevant intelligence sources to ascertain whether there has been any significant information since the last review which affects the Risk Management Plan.
In addition to the regular reviews required to maintain all risk management plans, more immediate reviews should also be undertaken when significant events occur in an offender’s behaviour, or information is received indicating risk factors might have changed and that risk may have increased. Examples include patrol officers attending an address to find that an RSO has been staying there when it is not notified as their address, or information is received that a domestic abuse perpetrator has started living with a new partner and their children. Another example would be where an offender, for whom alcohol misuse is a trigger for violence, is arrested for being drunk and disorderly.

There is a need for a review to take place when MAPPA offenders are charged with an eligible serious further violent or sexual offence, and they meet the MAPPA Serious Case Reviews (MAPPA SCRs) criteria.

The purpose of MAPPA SCRs is to look at whether the MAPP arrangements were effectively applied and whether the agencies worked together to do all that they could reasonably have done to manage the risk of further offending.

The aims of the MAPPA SCRs are to establish whether there are lessons to be learnt, to identify clearly what those lessons are and how they will be acted on and, as a consequence, to inform the future development of MAPPA policies and procedures in order to protect the public. It will also provide an opportunity to identify areas of good practice.

For further information see current MAPPA Guidance, 28 MAPPA Serious Case Reviews (MAPPA SCRs).
A MAPPA SCR will include due consideration of police involvement in a MAPPA management case.

A PIMR will review the police involvement in the management of an RSO who has committed a serious further offence. The PIMR (or part of it) may form part of the MAPPA SCR but a PIMR may be conducted regardless of whether or not a MAPPA SCR has been sanctioned. Where the case is also subject to a MAPPA SCR, relevant sections of the PIMR report should be shared with MAPPA SCR Team, as agreed between senior management.

There are two forms for the police to use when conducting a PIMR: an Initial PIMR form and a Full PIMR form. See Appendix 5. The Initial PIMR form is for recording purposes, including documenting the decision to undertake a full PIMR. The Full PIMR form is the standard template for the PIMR report.

The purpose of the PIMR is to look at whether the management of the RSO met the required standards, and whether the police did all that they could reasonably have done to reduce the risk of further offending.

Senior officers are required to make an assessment of the standard of practice for each case that proceeds to a full PIMR. Where this standard is a cause for concern and staff appear to have not performed their duties in accordance with guidance, legislation and local policy, the senior officer should consider initiating appropriate disciplinary procedures. However, in doing so, senior officers should also take into consideration, the staff’s use of discretion and professional judgement in achieving a desired outcome against risk aversion and no outcome.

The aims of the PIMR are to establish whether there are lessons to be learnt, to identify clearly what those lessons are and how they will be acted on and, as a consequence, to inform the future development of RSO policies and procedures in order to protect the public. It will also provide an opportunity to identify areas of good practice.

### 4.8.2 Mandatory Cases

**Offender Eligibility:**
- All RSOs;
- Managed at MAPPA levels 1, 2 and 3;
- The PIMR process also applies to young offenders who are reprimanded or warned for a relevant offence.
Offence Eligibility

The further serious offence must be one of the following:

- Murder;
- Manslaughter;
- Rape;
- An attempt to commit any of the above offences;
- An attempt to aid or abet any of the above offences.

Discretionary Cases

The following criteria may invoke a discretionary PIMR:

- RSOs (all MAPPA management levels) charged with other serious offences (see Appendix 3);
- Cases where it would otherwise be in the public interest to undertake a review, for example, where serious physical or psychological harm to a vulnerable adult or child has been committed.

4.8.3 Supervisor to Conduct the Initial PIMR

A supervising officer (of at least sergeant rank) from the police team responsible for the management of the RSO should perform the initial PIMR. They should use the Initial PIMR Form for this, see Appendix 5.

This officer should complete the Initial PIMR form and forward it to the team inspector/chief inspector within thirty working days.

The officer will need to record whether the case has been properly managed in accordance with current MAPPA Guidance, ACPO Guidance, VISOR Standards, force policies and relevant legislation, or whether it is a case that they believe requires further scrutiny and that a full PIMR should take place.

The Initial PIMR Form should also be used to evidence decisions made about discretionary reviews.

4.8.4 Inspector/Chief Inspector to Examine Initial PIMR

The inspector/chief inspector should examine this initial PIMR and ascertain whether there is a clear audit-trail of risk assessment, risk management and defensible decision-making.

They should complete Sections 4-5 on the Initial PIMR Form and send it to the Force Public Protection Lead within fifteen working days.
4.8.5 Discretionary Cases that Satisfy the Initial PIMR

The inspector or chief inspector should endorse the form accordingly and forward it to their force public protection lead (superintendent or above) for ratification and auditing.

The force public protection lead will confirm that no further review is required and endorse the form within fifteen working days. The form should then be forwarded to ACPO (Staff Officer to ACPO Lead) and NOMS PPMHG (mappa@noms.gsi.gov.uk) for information and monitoring. After this, it should be returned to the supervising officer who will ensure the ViSOR record is updated.

The force should compile a database for the monitoring of such cases.

4.8.6 Cases that May Require a Full PIMR

The inspector or chief inspector should endorse the form accordingly and forward it to their force public protection lead for ratification and auditing.

The force public protection lead will confirm whether a further review is required within fifteen working days and, where decided, instruct that a full PIMR should now take place.

The member of staff who conducts a full PIMR should not be involved in the management of the offender.

4.8.7 Full PIMR

The full PIMR may include a number of activities:

- Full VISOR record inspection;
- Review of MAPP meeting minutes, if relevant;
- Assessment of the quality of risk assessment and risk management;
- Inspection of other internal/external databases;
- Preparation of a case chronology;
- Staff interviews.

The PIMR should also take into account the seriousness of the further offence, victim impact issues and public interest in the case.

As the circumstances will mean a police investigation and/or other legal proceedings will be ongoing, the timing of any review will have to be agreed with the Crown Prosecution Service (CPS) to ensure that the legal process is not undermined in any way.
Material gathered during the PIMR may be subject to the CPIA and the disclosure officer must therefore be made aware of the existence of relevant documents.

### 4.8.8 Full PIMR Report

This is an internal report. It should be completed on the standard Full PIMR template (see Appendix 5) within three months (subject to CPS approval, see above) summarising the key issues arising from the initial PIMR and the full PIMR. This report should be endorsed by the force public protection lead when completed.

A copy of the report should be sent to ACPO (Staff Officer to the ACPO Lead for The Management of Sexual Offenders and Violent Offenders), to NOMS PPMHG (mappa@noms.gsi.gov.uk) and circulated in force, as appropriate. It should have at least a ‘Restricted’ GPMS marking and may be exempt from Freedom of Information Act 2000 requests. (If in doubt, seek advice from the ACPO Central Referral Unit (CRU) at acpo.advice@foi.pnn.police.uk)

Additionally, some of the RSOs may also be under the supervision of the Probation Service and some of the cases may involve Safeguarding Children’s Boards or Health Trusts. Relevant sections of the PIMR report should also be appropriately shared with such colleagues, as agreed between senior management. For example, a child’s death or domestic death, and this should be stated in the terms of reference.

This will ensure a consistent sharing of police information with other review bodies.

### 4.8.9 Lessons Learnt

The force must ensure that the action plan is monitored and embedded into police procedures and local policies are appropriately updated. ACPO should be notified when the action plan has been completed.

ACPO and NOMS PPMHG will ensure that relevant lessons learnt are disseminated nationally and that ACPO Guidance and MAPPA Guidance are updated, as necessary.
Management Issues

- Ensuring that PIMRs realise their full potential.
- Ensuring appropriate training for all staff in identifying, assessing and managing risk (including key risk factors), according to the requirements of their role.
- Establishing systems to ensure that police officers and staff record relevant information for the identification of public protection concerns and the effective identification, assessment and management of risk.
- Developing systems to ensure that all cases involving a risk of serious harm to children, and safeguarding issues, are notified to the CAIU;
- Recording all decisions relating to the level of assessment of the risk posed by offenders and ensuring that any new information leads to re-assessment.
- Establishing systems that encourage and monitor defensible decision making, including record-keeping and documentation at each stage.
- Ensuring that accredited risk assessment tools are only used by trained and accredited practitioners;
- Establishing systems for the management of risk and the monitoring and review of individual risk management plans.
- Ensuring that adequate systems are in place for reviewing serious further offences.
Identifying and Managing Potentially Dangerous Persons

This section provides guidance to forces and partner agencies, including the Probation Service, on the identification and management of Potentially Dangerous Persons (PDPs). It distinguishes the different processes between managing PDPs and managing offenders under MAPPA, and it provides a framework and recommended time limits for identifying and managing PDPs. It must not, however, act as a barrier to taking immediate action that would be necessary to protect the public from serious harm where the circumstances dictate.

It is relevant to all operational officers, all police staff involved in direct service delivery and/or public protection-related work, specialist officers involved in the management of sexual offenders and violent offenders, managers, supervisors and chief officers.
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5.1 Definitions

5.1.1 Definition of a Potentially Dangerous Person

Currently no legislation recognises the existence of a PDP as a class of person. This guidance introduces a new definition of a PDP to become the commonly accepted definition. (It replaces the one provided in ACPO (2007) Guidance on Protecting the Public: Managing Sexual Offenders and Violent Offenders, section 1.4.4.)

The definition of a PDP is:

A person who is not eligible for management under MAPPA but whose behaviour gives reasonable grounds for believing that there is a present likelihood of them committing an offence or offences that will cause serious harm.

A present likelihood reflects imminence, and that the potential event is more likely than not to happen.

5.1.2 Definition of Serious Harm

Serious harm is defined in current MAPPA Guidance as: [harm] which is life-threatening and/or traumatic, from which recovery, whether physical or psychological, can be expected to be difficult or impossible.

5.1.3 Definition of Violent and Sexual Offences

Violent and sexual offences recognised as meeting the threshold of serious harm are outlined in Schedule 15 of the Criminal Justice Act (2003), see Appendix 3. Allegations that a person has committed such an offence or exhibits behaviour that indicates they are highly likely to commit such an offence may indicate that a person should be classified as a PDP.

To clarify, a PDP is a person who might have previous convictions for any type of offence, but also includes those with no convictions. They may have previously been considered for MAPPA management but found to be ineligible.

5.2 Multi-Agency Public Protection Arrangements

It is important to distinguish between those offenders who fall within MAPPA and those who fall outside MAPPA but may fit the definition of a PDP.

In summary, MAPPA is a set of arrangements under the Criminal Justice Act (2003) that require the RAs (Police, Probation and Prison Services) to assess and manage the risks posed by certain dangerous offenders. The legislation also imposes a duty to cooperate with a number of other agencies in order to share information and help manage that risk.
There are three categories of offender eligible for management under MAPPA:

- Category 1 offenders (registered sexual offenders (RSOs);
- Category 2 offenders (in the main, violent offenders sentenced to 12 months custody or more);
- Category 3 offenders (other dangerous offenders). This could be offenders who have been previously managed at MAPPA level 2 or 3 under Category 1 or 2 and still pose a risk of harm or other persons who, by reason of offences committed by them (wherever committed), are considered by the RA to be persons who may cause serious harm to the public.

### 5.2.1 Examples of Non-MAPPA Cases

There will be occasions when individuals fall outside the criteria for inclusion under MAPPA (as they have either not been convicted or cautioned of a relevant offence or they do not meet the criteria for management as a Category 3 offender) but they still pose a risk of harm. For example:

- A man who is charged with domestic abuse offences on a number of occasions against different partners but is never convicted of offences that would make him a MAPPA-eligible offender.
- An individual who is continuously investigated for allegations of child sexual abuse but is never charged, but who the agencies involved still believe poses a serious risk of sexual harm to children.
- A terrorist suspect not convicted of an offence.
- A community psychiatric nurse (CPN) shares information with police that a patient experiencing mental ill health has disclosed fantasies about committing serious violent offences and is not cooperating with the current treatment plan. The CPN believes serious violent behaviour is imminent.

These types of individuals could still benefit from an active risk management approach, however, they would not be managed within MAPPA. This management would usually involve two or more agencies, although, there may be isolated cases where only the police are involved.

The overarching principle is that there must be a present likelihood of the subject causing serious harm.
5.3 Identification of a Potentially Dangerous Person

The identification of a PDP may occur in several ways. For example:

- An unproven allegation of a Schedule 15 offence, see Appendix 3;
- Information of a case referred into MAPPA that does not qualify for management under MAPPA but meets the criteria for a PDP;
- A referral from another agency of a person believed to meet the criteria of a PDP;
- A referral from any individual or unit within the police force in receipt of information which leads them to believe that someone meets the criteria of a PDP.

The above list is by no means exhaustive.

Once a referral has been made, a record should be created on local intelligence systems which should be retrievable by INI/PND.

5.4 Initial Referral

Forces should decide who will initially receive the PDP referrals and how those referrals will be received, and then communicate this to staff internally and externally. Any person wishing to make a referral of a PDP may use the suggested template PDP Referral Form (see Appendix 4) and submit it for initial assessment.

The member of staff completing the initial assessment should have the appropriate training and experience to perform this role. This person will be responsible for checking the referral and confirming whether the case is eligible for management under MAPPA. If it is eligible for MAPPA, then it should be referred to the MAPPA Coordinator as per current MAPPA Guidance and local policy. If it is not eligible for MAPPA, the person should decide whether the referral merits further attention at this stage. This person will also be responsible for initiating intelligence work.

The initial assessment of the referral (which includes the initial risk assessment at 5.5 Initial Risk Assessment of Potentially Dangerous Persons) should take place as soon as possible, in any event this should take no longer than seven days.

5.5 Initial Risk Assessment of Potentially Dangerous Persons

Assessment of PDPs is particularly problematic because many of the available risk assessment tools are intended for use with convicted offenders. In addition, all PDPs, by definition, should have imminence in their potential to cause serious harm. For this reason, they should be managed as PDPs for a limited time period, and should be considered a high or very high risk of causing serious harm. Therefore, the requirement for risk assessing PDPs is that they pose such risk initially rather than to reassess risk periodically during long term management. In assessing the risk, any information available to the police or other agencies should be taken into consideration.
This could be information which indicates behaviour (either an isolated incident or a pattern of behaviour) that gives reasonable grounds to believe there is a likelihood of that person committing an offence or offences that will cause serious harm or that can reasonably be viewed as a precursor to more serious offending. The assessment should include details of the following:

- Nature and pattern of the individual’s behaviour;
- Nature of the risk;
- Who is at risk (eg, particular individuals, children, vulnerable adults);
- In what circumstances risk is likely to increase (for example, issues relating to mental health, medication, drugs, alcohol, housing, employment, relationships);
- What factors are likely to reduce the risk;
- All relevant medical evidence available and consideration of whether there is a reasonable medical explanation for the behaviour displayed.

Checks could be undertaken with the following agencies:

- Health (to include mental health);
- Local authority social care services (children and adults).

Checks with other agencies, including the Probation Service, the local housing authority, local education authorities and any other relevant agency should be undertaken if it is felt they may hold information pertinent to the prevention and detection of crime.

These checks should identify all relevant information held by the agency. Clarification should be sought on what the agency’s view is on the risk presented and what actions they are currently undertaking or intend to undertake to manage the risk.

As well as considering the above factors and conducting all relevant checks, a risk matrix that considers the likelihood and severity of risk could be used. This would assist in confirming imminence and the likelihood of causing serious harm. Such a matrix has been produced by the Home Office Safeguarding and Public Protection Unit, together with its "Managing Public Protection Information Risks: Effective Practice Manual For Managers" available at http://polka.pnn.police.uk

In many instances, a PDP is a person without any convictions for a criminal offence. The Prison and Probation Services do not, therefore, have an automatic role in managing the risk posed by such persons. In exceptional circumstances, however, it may be appropriate for either agency, or both, to be involved in a multi-agency process for assessing the risk. Given the statutory role of the Probation and Prison Services to work with offenders, the involvement of these agencies in the
management of unconvicted people should be exceptional and
decided on a case-by-case basis with the authority of the relevant
senior manager. As with MAPPA offenders, the response to identified
PDPs should include the other multi-agency structures outlined in
2.3 Other Multi-Agency Structures.

If the individual being referred is under 18 years of age, consideration
must be given to making a safeguarding children referral, and children’s
services (plus the Youth Offending Service, if applicable) should be
involved in any resulting processes to manage the individual as a PDP.

Forces must have SOPs in place for transferring this assessment,
together with all other records including management activities and
issues, if and when the offender moves from one force area to another.
For further information see 7.5.1 Force Responsibility and Ownership
of Offender Records.

The completed PDP referral form should be submitted to the supervisor
identified to make a screening decision. Forces should ensure this
supervisor has the appropriate training and experience to perform this
role. It will also be for forces to decide how these screening decisions
should be made and whether they should involve other agencies at
this stage.

The screening decision should be made as soon as possible, and in any
event, should take no longer than five days after the initial assessment.
The screening decision should be noted on the PDP referral form.

If the decision is made not to seek ratification, then the PDP referral
form and all associated documents should be retained in accordance

If the decision is made to seek ratification as a PDP, the form should be sent
to an officer of at least the rank of superintendent. This should include an
outline of actions which could be taken to manage the risk(s) presented.

The superintendent responsible for the ratification decision should have
appropriate training and experience to perform the role.

The decision whether to ratify or not should be made as soon as
possible, and in any event should take no longer than five days. The
ratification decision should be noted on the PDP referral form.

If the decision is made not to ratify, it should be recorded on
appropriate force and national systems, such as ViSOR, and the PDP
referral form together with all associated documents should be retained
in accordance with ACPO (2010) Guidance on the Management of
If the decision is made to ratify the individual, forces should determine which policing unit will be responsible for the management of the PDP, and this information made available to all relevant police officers and staff (eg, communications room staff). The decision to ratify should be recorded on appropriate force and national systems, such as ViSOR.

5.8 Creation of a ViSOR Record

Once a PDP is ratified, a ViSOR record should be created as per ViSOR standards. See current NPIA ViSOR Standards. Forces should determine which policing unit will be responsible for the management of the ViSOR record.

ViSOR is a confidential system and the legal grounds for information sharing should be clear before making any other agency a partner to a PDP’s ViSOR record.

5.9 Management of Potentially Dangerous Persons

Forces will determine how PDPs are managed and this may include convening PDP meetings. PDP meetings should include all relevant agencies involved. Any PDP meeting should be recorded on the PDP meeting form and the minutes should be attached to the ViSOR record.

Every PDP should have a risk management plan recorded on ViSOR.

Consideration should be given to the following areas as part of any PDP risk management plan:

- Information sharing;
- Disclosure to third parties;
- Appointing a senior investigating officer (SIO);
- Review of unsuccessful criminal investigations;
- Applying for a civil order;
- Risk management options used in the management of MAPPA offenders.

This would be in addition to the usual policing tactics for crime prevention and reduction of harm.

Consideration will need to be given as to whether it is appropriate to inform the PDP that they are being managed as such. This will be on a case-by-case basis and the rationale for any such decision will be fully documented. For example, if it is planned to engage the PDP as part of the actions in the risk management plan, it would be appropriate to inform them of their status. If, however, the actions included covert tactics, then this would not be appropriate.

PDP cases should not be managed indefinitely and should be reviewed at regular intervals. The PDP risk management plan should be reviewed and updated at least once every four to six weeks.
The police have primary responsibility for coordinating the management of PDPs. Other agencies may be given responsibility for leading on specific risk management actions.

Victim safety, preventing repeat victimisation and avoiding the creation of new victims is fundamental to public protection. It is vital that agencies ensure that their decision making is based on an effective engagement with current victims and, where practicable and appropriate, with potential victims.

Only by doing this can the agencies be satisfied that the risk assessment and risk management plans properly reflect victim concerns and provide appropriate measures to protect them.

The police should decide whether a third party disclosure is necessary. If a PDP meeting is being held, good practice recommends that disclosure is given due consideration on a case-by-case basis as a standard agenda item.

The Criminal Justice Act (2003) provides the legislative framework for the RA to establish arrangements in relation to MAPPA offenders but does not extend to PDPs.

Information sharing is covered by various acts including the DPA and any information sharing must comply with legislation. It is recommended that even where legislation exists, areas should refer to the *Information Commissioner’s Office (ICO)(2007) Framework code of practice for sharing personal information to ensure agencies adopt ‘good practice’ around the sharing of personal information*. This document can be downloaded from the ICO website [http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/pinfo-framework.pdf](http://www.ico.gov.uk/upload/documents/library/data_protection/detailed_specialist_guides/pinfo-framework.pdf)

There are a number of important issues to consider when sharing information. In particular, the sharing of information must:

- Have lawful authority;
- Be necessary;
- Be proportionate;

It must also be done in a way which:

- Ensures the safety and security of the information shared;
- Is accountable.
The meaning of each of these principles is explained below.

5.12.1 Lawful Authority Requirement

It is important to ensure that information sharing does not breach the provisions of the DPA, the HRA or the common law or statutory duties of confidence if it is to be lawful.

In their public protection role the police can decide that the risk posed by a PDP, for example, requires them to retain and share information, but they cannot rely on the CJA as the legal basis for so doing. The authority to retain and share information lies in the positive obligations within the ECHR, Article 2 (right to life) and Article 3 (right to freedom from torture or inhuman or degrading treatment or punishment). As in all cases where information is retained and shared, account must be taken of whether any infringement of Article 8 of the ECHR (right to respect for private and family life) is necessary for one of the reasons in Article 8 (2). These reasons include public safety, the prevention of disorder or crime or for the protection of the rights and freedoms of others. For further information about information sharing see 6.6 Sharing Public Protection Information.

Section 115 Crime and Disorder Act (1998) confers on any person a power to pass information to certain relevant authorities (including the Police and Probation Services, Health and Local Authorities) if necessary, to help implement the provisions of that Act, which includes local strategies to reduce crime and disorder.

The police have an important and general power at common law to disclose information for the prevention and detection of crime.

5.12.2 Necessity

Information should only be exchanged where it is necessary for the purpose of properly assessing and managing the risks posed. The specific purposes of sharing information will be to:

- Prevent or detect crime;
- Identify those persons who present a serious risk of harm to the public;
- Ensure that the risks they present are accurate;
- Enable the most appropriate plans to be drawn up and implemented to manage the assessed risks and thereby protect victims and the public.
5.12.3 Proportionality

It must be shown that the assessment and management of the risk presented by the PDP could not effectively be achieved other than by sharing the information in question.

Proportionality must consider the amount of information to be shared that is necessary for the purpose of managing risk and which staff in each agency actually require this information. For example, the PDP Referral Form may contain the personal data of multiple individuals (e.g., victims and perpetrators) and the interests of all of them will need to be considered when sharing this information. In addition, information shared with a single point of contact (SPOC) in an agency does not give that SPOC the authority to share the information more widely than necessary across their organisation.

The greater the amount of information shared which goes beyond what is actually necessary, the more likely the sharing will be disproportionate, and therefore unlawful.

5.12.4 Information is Kept and Shared Safely and Securely

All information about PDPs must be kept and shared safely and securely and it should only be available to, and shared with, those who have a legitimate interest in knowing it. Safeguards must be in place which ensures that those who do not have a legitimate interest in the information cannot access it either accidentally or deliberately.

The more sensitive the information, and the more serious the consequences of accidental loss or disclosure of such information, the more stringent the procedures that must be in place to protect it.

5.12.5 Accountable Information Sharing

Agencies must ensure that the administrative procedures underpinning the efficient operation of PDP procedures have the confidence of participants. Accurate, clear and timely record keeping is necessary to demonstrate that accountable information sharing occurs. Also, that safe and secure information storage and retrieval procedures are evident.

Police activity around PDPs will require information sharing to take place and staff should refer to ACPO (2010) Guidance on the Management of Police Information, Second Edition. This guidance sets out a framework for the management of police information based on the principle that effective policing is dependent on efficient information management.
5.13.1 Definition of a Policing Purpose

For the purposes of MOPI, police information is information that is required for a policing purpose. MOPI Code of Practice defines policing purposes as:

(a) Protecting life and property;
(b) Preserving order;
(c) Preventing the commission of offences;
(d) Bringing offenders to justice;
(e) Any duty or responsibility arising from common or statute law.

These five policing purposes provide the legal basis for collecting, recording, evaluating, sharing and retaining police information. The policing purposes set out in the MOPI Code of Practice do not replace or supersede any existing duty or power defined by statute or common law. The policing purposes set out in the Code do not, therefore, define every policing activity, and the fact that these are not set out does not mean that there is no legal basis for performing the activities. For example, information relating to key policing functions such as roads policing, public order, counter-terrorism or protection of children and other vulnerable groups, while not referred to explicitly are, nonetheless, legitimate policing functions requiring information.

The five policing purposes are not mutually exclusive. Information can be collected for one policing purpose and used for another that may not have been known about at the point of collection. It is essential that a policing purpose is established in order for information to be legally held.

The sharing of police information can be summarised as three distinct groups:

- Those required by or under statute (statutory obligation);
- Those permitted by or under statute (statutory power);
- Those made under common law to support the policing purposes (common law), including information sharing and dissemination.

It is important that consideration is given to MOPI requirements for information sharing protocols, and MOPI guidance in relation to retaining data.

5.14 Diversity Considerations

Those working under this PDP guidance are committed to ensuring equality and non discrimination for all groups, particularly in relation to race, gender, age, religion or belief, sexual orientation and disability. This means all actions undertaken or recommended by the agencies, and all policies and procedures, will be based on assessments of risks and needs. They will not draw on stereotypical assumptions about groups that will be discriminatory in outcome.
In undertaking its work, the agencies will be sensitive and responsive to people’s differences and needs and will integrate this understanding into the delivery of their functions to ensure that nobody is disadvantaged as a result of their belonging to a specific social group.

It is recommended that forces adopt a diversity monitoring tool which would provide a breakdown of PDPs managed against the six diversity strands.

The decision to deregister a PDP should take place if:

- The PDP becomes eligible for MAPPA management;
- There is no longer reasonable grounds for believing that there is a present likelihood of them committing an offence or offences that will cause serious harm;
- After review, it is no longer necessary for any other reason to continue to manage the individual as a PDP.

The decision to deregister an individual as a PDP should be ratified by a superintendent who has the appropriate training and experience to perform this role. This should be recorded on the original PDP referral form and noted on the ViSOR record. The ViSOR record will be archived at this point.

The management of MAPPA offenders attracts a significant amount of interest and areas receive many requests under FOIA for information on local processes and offenders. It is likely that the management of PDPs will attract similar levels of interest.

Police should refer to ACPO and Hampshire Constabulary (2009) Manual of Guidance Freedom of Information (p 29-31) and forward all requests on PDPs to the ACPO Central Referral Unit (CRU) (acpo.advice@foi.pnn.police.uk) who will provide advice, best practice and consistency. Once a referral is made, a response should not be sent without prior communication from the CRU being received.
Identification of possible PDP by any source (eg, police, partner agencies)

Completion of PDP Referral Form

Initial Assessor to complete initial assessment

Check if person meets MAPPA criteria

If person meets MAPPA criteria then refer to MAPPA Coordinator

If person does not meet MAPPA criteria initial assessor to decide if it merits further attention and initiate intelligence work

Risk Assessment (within 7 days of initial referral)

Submit to Supervisor identified by force to undertake screening decision (decision to be made within 5 days)

Decision made not to seek ratification as PDP. Retain documentation in accordance with MOPI

Decision to seek ratification: Supervisor consults with Superintendent for ratification (decision to ratify within 5 days)

Creation of VIsOR record

Risk Management Plan on VIsOR

RMP to be reviewed at least every 4-6 weeks

If PDP:
- Becomes MAPPA eligible OR
- There is no longer a present likelihood of serious harm OR
- After formal review or for any other reason management as a PDP is not necessary

The PDP should be deregistered.

VISOR record archived?

PDP Management

May include:
- PDP meetings
- Information sharing & disclosure
- Appointments of SIO
- Review of unsuccessful investigations
- Application for restrictive order
- Risk management of options used for MAPPA offenders

Does not meet Criteria

Returned to referrer for further information gathering

If person does not meet MAPPA criteria initial assessor to decide if it merits further attention and initiate intelligence work

Figure 2 PDP Flowchart
Managing Public Protection Information


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6.1 Public Protection Information

Public protection information relates to the three MAPPA Categories of offender and PDPs as defined in 1.4 Categories of Individuals Who Pose a Risk of Serious Harm. This includes any information that indicates a risk of serious harm by an unidentified person or that relates to a specific MAPPA offender or PDP. In general this information will focus on the offender, but victims will often be included as the primary purpose is to protect them.

In order for the police and other agencies to make an effective contribution to public safety, the right information about the right offenders needs to be available to the right individuals and agencies at the right time. This recognises that there may be a range of information for each offender. Some of this information may be sensitive and should have restricted access (eg, medical details) but other elements (such as MO, risk factors, licence conditions and specific individuals at risk) should be readily available to all officers.

Force SOPs should emphasise that all staff are responsible for being aware of issues of serious harm and for passing on information, intelligence and concerns to the PPU and other relevant investigating unit (eg, CAIU). It is the chief officer’s responsibility to ensure that their force implements a system that will guarantee MAPPA offenders and PDPs are suitably flagged, with sufficient information for operational officers and other staff to take any immediate actions that are required to protect the public. In particular, all staff should ensure that an appropriate intelligence entry is created on the nominal record of all MAPPA offenders, together with details of their probation officers where appropriate. This will direct officers and staff to the need for contacting the probation area as well as to the probation officer named and the PPU in the case of offenders who are subject to a prison licence and may be eligible for a prison recall.

**Note:** The current NOMS VISOR business model does not require the Probation Service to enter Category 2 level 1 offenders on VISOR. This poses a challenge in that police forces will not automatically be aware of who these offenders are via VISOR, to enable them to create the appropriate intelligence entry. The RANSG continues to explore a national solution for this issue. Forces are encouraged to explore local initiatives to address this issue.

Systems should have settings that trigger notifications or alerts for each nominal. At review periods, it is crucial that supervisors or managers undertake a basic check to ensure these settings are still appropriate, updating as and when necessary. System checks should include the INI/PND, PNC and local systems.

For an example of good practice see Flagging of RSOs on the Force Command and Control System.
6.2 Sources of Public Protection Information

Sources of information relating to public protection include offenders themselves, victims and witnesses, members of the public, other agencies and the media. Relevant information can come from CHIS, covert operations (e.g., surveillance), closed circuit television (CCTV), Automatic Number Plate Recognition (ANPR), other law enforcement agencies (e.g., SOCA) and other agencies (e.g., prisons and probation).

There are a number of national databases and other sources of information that are relevant to the management of sexual offenders, violent offenders and PDPs. Some of these are described in ACPO (2009) Guidance on Investigating and Prosecuting Rape. They include the Serious Crime Analysis Section (SCAS) of the NPIA, the National DNA Database, the National Method Index and the PNC. In addition, the following sources of information are particularly relevant for the management of sexual offenders and violent offenders.

6.2.1 Impact Nominal Index

The IMPACT Nominal Index (INI) is an index of named persons whose details have been recorded for policing purposes from up to six different business areas within policing. These are intelligence, crime, custody, domestic abuse, firearms (licence refusals and revocations) and child protection. Details of victims and witnesses should not form part of the records held.

The INI enables an investigator to identify which organisation(s) hold information about a named person. These organisations include the police forces of England and Wales, Scotland, the Police Service of Northern Ireland and the British Transport Police.

Only suitably trained and authorised individuals are allowed access to the INI. This is via a web browser using the CJX connection.

The INI does not facilitate access to a force local system but provides details of a single point of contact to which further enquiries or requests for information can be made. The displayed results include details of the force holding possible data, or, in the case of a number of records being held by a single force which relate to the same person, the number of records held. These records can be expanded so that individual records can be viewed. These will show the business area the record has resulted from, together with the place of birth, record input date, PNC identification number and force identifying number if available. For further information see http://www.police.homeoffice.gov.uk/operational-policing/impact

The INI will be replaced by the forthcoming Police National Database (PND) which will provide a centralised police intelligence system. The PND will be able to automatically pull intelligence on people, objects,
locations and events off the hundreds of incompatible local systems used by the forty-three forces in England and Wales. It will bring together copies of data from five operational areas of policing – custody, crime, intelligence, child abuse and domestic abuse, into one central system. All forces should be ready for the business use of the PND Release One by December 2010. For further information on the PND see [http://www.npia.police.uk/en/15091.htm](http://www.npia.police.uk/en/15091.htm)

### 6.2.2 Violent Offender and Sex Offender Register

ViSOR provides the Police, Probation and Prison Services with a confidential, shared national database to assist those services to identify, risk assess and manage sexual offenders, violent offenders and PDPs. All individuals identified as MAPPA cases should have a record on ViSOR. However, the current NOMS ViSOR business model does not require the Probation Service to enter Category 2 level 1 offenders on ViSOR. When a person is ratified as a PDP, a record should be created and maintained on ViSOR, see 4.1.2 Identifying Potentially Dangerous Persons and 5.8 Creation of a ViSOR Record. ViSOR is used primarily as an offender-management system, but it should also be used to identify potential suspects for violent crimes or sexual offences and as a tool to assist in the management of information. The record should be created at the point of ratification.

To reduce the opportunity for RSOs to breach their registration notification, it is good practice for forces to have a policy and SOPs in place for managing conviction data in accordance with current NPIA ViSOR Standards. For example, PPU Officers, or the designated staff responsible for this in force, should consider it their role to:

- Proactively collect and record information about convicted sexual offenders;
- Create a nominal on ViSOR as soon as there is a conviction;
- Record all information about notifications with a countdown flag to the offender’s release date and date within which they must register;
- Populate the record with any available pertinent information prior to release;
- Maintain a comprehensive synopsis of offending, relationships and any other relevant convictions;
- Liaise with custody/prison staff about offender’s behaviour, emotional and physical, during their sentence;
- Liaise with probation staff and other MAPPA partners, where necessary.
Early intervention by police PPUs will help to develop a more holistic picture of the offender and assist in an offender's early management on release.

A single record is used to manage information about each offender in the database. Those involved in the management of the individual are able to access a wide range of information and intelligence. Detailed risk assessments are stored on the system and updated over time, thereby maintaining a history of changes and enabling informed decisions to be made based on the information available on the system.

ViSOR provides officers fulfilling public protection roles with a confidential communication tool through which they are able to exchange information with others involved in multi-agency offender management. It supports MAPPA processes by allowing the storage of minutes of multi-agency meetings and providing a diary system that indicates, for example, when an offender is due to be visited.

In addition to being a valuable offender management, information management, and intelligence system, ViSOR can benefit all crime investigation. Notwithstanding the practical operational value of ViSOR, it also assists in demonstrating an audit trail, providing accountability and support for defensible decision making. Forces should take every opportunity to maximise the potential of ViSOR.

For out-of-hours enquiries where specialist PPU assets are not available and some research of ViSOR needs to be undertaken to support operational decision making, forces will benefit from their intelligence units, and control room supervisors and managers, at the very least, having been previously trained in basic search capabilities of ViSOR as it can provide an essential 24/7 intelligence capability. For larger forces, 24/7 intelligence research should not present a problem.

Consideration should be given to making NPTs aware of RSOs and dangerous offenders living in their areas. All operational staff should be aware that access to ViSOR information is available to them via the force control room and through regular, formalised briefing processes.

The Police Service in England, Wales, Northern Ireland and Scotland, all probation officers, criminal justice social workers and prisons in England, Wales and Scotland and other law enforcement agencies have access to ViSOR. For further information see current NPIA ViSOR Standards.

### 6.2.3 P-NOMIS

P-NOMIS is the new National Offender Management Information System for the Prison and Probation Services. It replaces the Local
Inmate Database System (LIDS) and incorporates:

- Replacement of several current prison systems;
- Creation of a national probation case management system based on an existing package called Delius;
- Introduction of a read-only data share facility between prison and probation;
- Creation of a single offender risk assessment system;
- Replacement of the current prison Inmate Information System.

The Prison Service now has a minimum standard that requires it to support the use of ViSOR with staff becoming a ‘Partner’ to the nominal record while the offender is in custody. This is as per the business model for the deployment of ViSOR across the Prison Service and will allow the Prison Service to access information that will assist it in managing the offender while they are in custody. It will also provide relevant information to ViSOR that has arisen during the offender’s time in custody, to assist the Police and Probation Services to supervise the offender on release into the community. For further information see Ministry of Justice (2009) National Offender Management Service PSI 27/2009 Mandatory Use of ViSOR.

6.2.4 Prisoner Intelligence Notification System

PINS has been adopted by a number of UK police forces as a vital piece of intelligence software. It disseminates prisoner release information from the Prison Service to the police, helping to ensure that local intelligence officers receive accurate prison release information before offenders are released into the community. By linking prisoner information to other sources of police data, PINS helps to ensure that offenders are not forgotten while they are in prison. PINS enables officers to:

- Match target offenders;
- View warrants data;
- Search for offenders in custody both locally and nationally through a number of search variables including:
  - name
  - PNC number
  - prison number
  - offence type
  - custody and release dates
  - MAPPA level
- Nationality.
6.3 Collecting and Collating Public Protection Information

Searches can also be broken down into each prison establishment with the ability to export data into a spreadsheet.

6.2.5 Scottish Intelligence Database

The single intelligence database for all Scottish police forces, the Scottish Drug Enforcement Agency and the Scottish branch of SOCA, is the Scottish Intelligence Database (SID). SID contains intelligence on nominals involved in all areas of criminality including sexual offenders. The system is based on the submission of intelligence logs by officers. The logs are processed using an assessment and evaluation process and the intelligence is linked to the nominal record, address, vehicle and other records. Every Scottish police force and relevant agency is then able to view all intelligence, no matter which force or agency it originated from. Work has commenced to automate links between SID, ViSOR, ANPR and the forthcoming PND, whereby a check on any of those systems will show a match in the others. At present every nominal on ViSOR also has a SID record. As SID covers the whole of Scotland, the database should be considered when conducting research into any offences concerning public protection.

ACPO (2010) Guidance on the Management of Police Information, Second Edition makes clear that it is the responsibility of all staff to contribute to the collection of information which is, or could be, relevant to protecting the public from serious harm.

There will be occasions when a particular piece of information appears trivial (eg, reports of a prowler or of an individual behaving suspiciously). All staff should recognise the value of piecing together different information to enable the police to carry out their public protection responsibilities. It is not unusual for information relating to a particular offender or PDP to be held on disparate information systems, both within a particular police force or agency and in different police forces or agencies.

Public protection information may be volunteered to the police from a range of sources (volunteered information), collected as a result of an intelligence requirement or as part of a risk management plan (tasked information). Routine collection of information within the day-to-day business of policing can include volunteered information and tasked information. When a member of the public provides the police with information, staff must be aware of the potential risk of harm and the police duty of care to that person and others who may be affected directly or indirectly by the information. This duty may arise because of the:

- Nature of the information;
- Way the information was obtained;
- Circumstances of the person providing the information which indicate that the information should be treated in a sensitive
and confidential manner (eg, their relationship with the person
to whom the information relates);

- Frequency of contact between an individual and the police
  which indicates that they may be maintaining a relationship in
  order to obtain that information;

- Tasking of an individual by a police officer or member of police
  staff to provide information. This does not include the requirement
  to provide evidential statements or the completion of diaries to
  record witness or victim experiences of a particular problem.

Specific examples of where these situations may occur and further
guidance can be found in ACPO (2007) Practice Advice:
Introduction to Intelligence-Led Policing.

6.3.1 Routine Collection

Routine collection refers to the collection of information as part of routine
operational and policing activity. It should include, but not exclusively:

- Responding to reports of incidents or concerns from members
  of the public (including those relating to anti-social behaviour);
- Probation area;
- Arrests;
- Patrol;
- Stop checks;
- Stop and search;
- Public order;
- Firearms licences;
- Traffic;
- Criminal investigations;
- Intelligence database;
- Missing persons’ database;
- CCTV;
- ANPR.

Information collected routinely may be submitted as a 5x5x5
Information/Intelligence Report. It may also be recorded on other force
systems including command and control, crime, records of criminal
investigations, stand-alone proactive or reactive operational databases,
or case management systems (eg, the Home Office Large Major
Enquiry System 2 (HOLMES2)). Information relevant to public
protection may also be held in records relating to firearms licensing,
stop checks (eg, Home Office Road Traffic 1 forms (HORT1s)),
community and partnership activities and meetings, custody, case files,
criminal justice units and disclosure and vetting checks.
6.3.2 Volunteered Information

Information relating to public protection can be volunteered by a member of the public, community contacts and partner agencies either as part of a report of a concern or an incident, or in response to a request by the police for information about a particular matter. All staff and police officers should be conscious of the fact that information that appears insignificant at a particular time may later (or if notified to another department or agency) be of critical importance. For example, information from children’s social care about a 16-year-old, who is pregnant as a result of an apparently consensual sexual relationship, may be relevant to the PPU if the person reported to be the girl’s sexual partner is a PDP against whom there have been previous allegations of rape. Volunteered information should be recorded and submitted on a 5x5x5 Information/Intelligence Report as appropriate.

Checklist 5 Routine Collection of Public Protection Information

To ensure that all operational police officers and police staff are able to fulfil their responsibility of the routine collection of public protection information, forces should develop SOPs for routing intelligence following an officer ‘hitting a ViSOR flag’. These procedures should describe what happens next and accountability for taking matters forward, eg, who has responsibility for contacting the named probation officer.

In addition, officers and staff should be familiar with:

- Procedures for notifying the PPU of relevant information, including issues relating to those who have been identified as MAPPA offenders or PDPs and those whose behaviour suggests that they may pose a risk of serious harm and, therefore, warrant specialist risk assessment;
- Identities and other details (eg, MO, curfews or other restrictions on movement, court orders or public protection sentences) of relevant offenders and PDPs living and frequenting their BCU area;
- Methods of identifying a relevant offender or PDP from existing information systems (eg, INI, PNC, ViSOR);
- All relevant information systems in their police force and held by partner agencies to which they have access (eg, Child Protection Register);
- Arrangements for accessing ViSOR and the information held on ViSOR.
6.3.3 Tasked Information

Public protection issues can require the collection of tasked information. This is information which is deliberately sought and collected for a specific purpose. Tasking can be at a national, regional, force, BCU or neighbourhood level. It can be the result of a long-standing intelligence requirement or a specific short-term operational need. For example, at national level there may be concerns about links between particular groups of offenders about whom information may be sought. At force level there may be concerns about an unidentified individual acting suspiciously near a school. The tasked information may be a general requirement for information about an ongoing issue, as in the second example, or specific information may be required about a particular individual. Tasking can occur as part of the daily briefing process or may require the deployment of specialist resources (e.g., a surveillance team, CCTV or ANPR).

Information collected from a tasking should be recorded by completing a 5x5x5 Information/Intelligence Report as appropriate, see ACPO (2010) Guidance on the Management of Police Information, Second Edition. This information may also need to be included in a verbal debrief. ACPO (2006) Guidance on the National Briefing.
Model advocates timely briefing to highlight any areas of good practice and actions that were less successful.

Asking a member of the public to provide information that is within their knowledge (e.g., maintaining a diary of the anti-social behaviour of a neighbour) or to provide witness evidence does not require any specific authorisation. The risk to an individual is, however, greatly increased when, without disclosing their true intentions (i.e., to obtain information and pass it to the police), they start or maintain an existing relationship with another person with a view to obtaining or accessing information which they then pass on to the police. If a member of staff identifies that such a situation has occurred, or where tasking a member of the public or other human source in these circumstances would be useful, they must contact the Dedicated Source Unit (DSU) for advice as this individual is likely to require authorisation as a CHIS. For further information see 6.3.6 Covert Human Intelligence Sources.

6.3.4 Information Provided on a Repeated Basis

Where an individual (who is not a CHIS or undergoing a process of recruitment or assessment as suitable for recruitment) contacts the police on a repeated basis with information relating to public protection, the relationship between the individual and the police should be notified to the relevant intelligence unit. These frequent contacts should not be referred to as confidential contacts or trade sources. It is the responsibility of all police officers engaged in the gathering of intelligence to detect unregulated intrusion and to respond accordingly. A review by the force intelligence bureau (or equivalent) should take place after an individual has had a maximum of three repeated contacts with the police. A contact in this context is a process of communication involving a substantial exchange of appropriate dialogue.

The force intelligence bureau (or equivalent) will review the circumstances of the frequent contact and the information they are providing in order to determine whether the individual is being managed with an appropriate level of sensitivity and confidentiality, and whether they should be considered for authorisation as a CHIS. Individuals that are suitable for authorisation as a covert source will be referred to the DSU. For further information see 6.3.6 Covert Human Intelligence Sources.

All those collecting information about public protection should be aware that the way a source obtains and provides information may change over time and they may fall within the statutory definition of a CHIS. It is vital that such a change (sometimes known as status drift) is identified and the source authorised so that they can be properly managed and controlled. This will help avoid the implications of status drift, which can include breaches of RIPA and HRA.
6.3.5 Sensitive Sources

A unique intelligence source reference (ISR) should be used to manage information received from a source which is deemed particularly sensitive, for example, the product of covert deployments; or where revealing the true identity of the source may result in an increased risk, for example, information from frequent contacts or vulnerable individuals.

A review and risk assessment of information reported by a frequent contact, or other sensitive source of information, may require the use of an ISR to ensure that the source is not identified on the intelligence report. In some cases ISRs may need to be used for each individual piece of information provided.

Advice on the use of ISRs and related issues should be sought from the local DSU or force intelligence bureau.


6.3.6 Covert Human Intelligence Sources

Covert Human Intelligence Sources (CHIS) (also referred to as covert sources) are a useful source of public protection information. All police staff should have a basic understanding of how, and under what circumstances, an individual becomes a CHIS.

Section 26(8) of RIPA states that ‘...a person is a CHIS’ if:

a) He establishes or maintains a personal or other relationship with a person for the covert purpose of facilitating the doing of anything falling within paragraph (b) or (c);

b) He covertly uses such a relationship to obtain information or to provide access to any information to another person; or

c) He covertly discloses information obtained by the use of such a relationship, or as a consequence of the existence of such a relationship.

A relationship is used covertly only if it is conducted in a manner calculated to ensure that the person being investigated is unaware of its purpose. It is the actions of the individual, on behalf of a law enforcement agency and in the manner described, that constitutes their status as a covert source that requires authorisation. If, therefore, either a particular offender who is being managed or another individual maintains a relationship with another person in order to covertly provide information to the police about that person, then the individual providing that information needs to be authorised as a CHIS.
Examples of this would include offenders maintaining relationships with other offenders in order to provide information to the police about them, or an associate or family member of a particular offender being tasked by an officer to provide information about the offender without the offender’s knowledge.

A CHIS does not include a member of the public who provides information to the police on suspected criminality that has been received by them ordinarily in the course of their life or through their trade or business, as part of their normal business practices. This could include, for example, the observations of a neighbour on the movements of a particular offender which are recorded in a diary, or information from a travel agent who is suspicious about the travel arrangements of a particular offender.

An individual is not a CHIS if no one attempts to direct any action by them or to develop or enhance the information obtained in any way that would breach the right to respect for their own or another person’s private and family life (as provided by Article 8(1) of the ECHR). Where an individual provides information to the police on a repeated basis, however, then the circumstances of the contact should be reviewed to ensure that the individual does not now require authorisation as a CHIS. For further information see *Home Office (2002) Covert Human Intelligence Sources Code of Practice*.

If an officer has contact with any individual who appears to fall within the definition of a CHIS, advice should be sought from the force intelligence bureau or DSU (or equivalent) and the appropriate force policies followed. This will ensure that information is obtained lawfully and the risk managed appropriately.

Covert sources can only be handled and managed by trained covert source handlers, but there may be circumstances in which arrangements are made for a PPU officer to be a co-handler. CHIS training which is designed for all non-specialist staff is available through the Initial Police Learning and Development Programme (IPLDP) to all student officers.

For further information on CHIS see *Home Office (2002) Covert Human Intelligence Sources Code of Practice*. Advice regarding the handling of a CHIS can be obtained from any DSU or central authorities’ bureau (CAB) which has access to the restricted document, *ACPO, HMRC and SOCA (2006) Guidance on the Management of Covert Human Intelligence Sources (CHIS)*.
The Specialist Operations Centre (SOC) service provided by the NPIA offers information, advice and guidance for managers, policymakers and operational staff on a range of law enforcement issues. The SOC Covert Advice Team specialises in providing detailed advice on the lawful and effective use of covert investigative techniques in given operational scenarios. The SOC service is available to all law enforcement agencies during office hours by telephone or email.

### 6.3.7 Information from Offenders

Generally, offenders will provide information about their own behaviour, lifestyle and activities. This should be recorded on the offender’s case file and ViSOR. For further information see 6.4.1 Offender Case Files and 6.2.2 Violent Offender and Sex Offender Register.

Sometimes offenders will provide information about other individuals who are MAPPA offenders or PDPs. Such information should be recorded on a 5x5x5 Information/Intelligence Report and treated in the same way as information volunteered on a one-off or repeated basis by any other individual. For further information see 6.3.4 Information Provided on a Repeated Basis. In some cases an offender may need to be registered and managed as a CHIS. For further information see 6.3.6 Covert Human Intelligence Sources.

### 6.3.8 Information from Prisons

There are a number of opportunities to acquire important information from prisons. Details of these can be obtained from police prison intelligence officers, see 3.3.4 Police Prison Intelligence Officer. In some cases it may also be necessary to contact the HMPS Police Advisors Section which is the law enforcement interface with the Prison Service.

### 6.3.9 Statistical Information

As part of the RA, the police have a duty to collect statistical information which is used to review the arrangements for public protection under section 326 of the CJA. For more detail about the type of statistical information that should be collected see 3.6 Performance Management and Indicators.

Staff should follow local procedures and ACPO (2010) Guidance on the Management of Police Information, Second Edition when recording public protection information. Maintaining accurate and complete records is essential so that public protection information can be used to manage the risk of serious harm posed by offenders and PDPs, and to investigate offences. Information on public protection is found on the following police systems or business areas, in addition to
those relating specifically to the management of sexual offenders, violent offenders and PDPs:

- Crime recording;
- Incident recording;
- Case and custody;
- Investigation of child abuse and abuse of vulnerable adults;
- Investigation of domestic abuse;
- Missing persons;
- Person record database;
- Firearms;
- Intelligence;
- ViSOR.

All staff should be familiar with the role and content of all of these systems and the access rights for each. Staff should ensure that when they record information on any police system, the principles set out in *ACPO (2010) Guidance on the Management of Police Information, Second Edition* are adhered to. Staff should also be familiar with their local intelligence system and details of processes relating to the 5x5x5 Information/Intelligence Report. For further details see *ACPO (2010) Guidance on the Management of Police Information, Second Edition*.

The sensitivity and high-risk nature of information relating to public protection requires thorough evaluation and assessment. This should be achieved by linking information about public protection to the intelligence system. In forces where public protection records are not routinely recorded using the 5x5x5 Information/Intelligence Report system, there should be a marker on the intelligence system to indicate the existence of a public protection record.

Staff should be fully aware of the arrangements that exist to ensure that information is cross-referenced and actioned, and double keying is minimised where information is relevant to two or more systems or business areas. For example, there should be a force procedure and a decision made on whether it is the force intelligence bureau or the PPU that submit intelligence logs to ViSOR. There should be links between information on public protection systems and that on the intelligence system. For further information see *ACPO (2010) Guidance on the Management of Police Information, Second Edition*. 

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6: Managing Public Protection Information

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6.4.1 Offender Case Files

ViSOR should be the primary mechanism for managing offender case files (see 6.2.2 Violent Offender and Sex Offender Register). All forces should adhere to current NPIA ViSOR Standards. Forces must comply with the provisions of the DPA and enhance efficiency by ensuring that information they hold or input about individual offenders is complete, up to date and accurate. These requirements are not just necessary to comply with the law, they are a means by which forces carry out their public protection responsibilities.

All case files should clearly identify whether the case is within MAPPA (eg, specifying Category 1, 2 or 3), at what level the case is to be managed and the offender’s current risk of harm or risk of reconviction, where that information is available. Records should also be made of any conversation between police and probation or prison staff about a particular offender. When one conversation relates to different

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**Checklist 7 Recording Public Protection Information**

All records of information relating to, or suspected of relating to, public protection should include details of the following:

- Identity and contact details of the person recording the information;
- Date the information was recorded;
- All details of the incident or concern or circumstances leading to the record, including date, time, location and identities, contact details of individuals involved and details of the source of the information;
- If information is recorded on an individual who is the subject of an existing record, then the record should reflect this and an appropriate link made;
- Where possible, the identity, description and any other relevant details of the individual offender or PDP to whom the information relates (eg, details of the individual’s vehicle), and whether the individual is aware of the information collected;
- Actions resulting from the information including that taken by other individuals, senior officers, internal police departments (eg, PPU or CAIU) or other agencies (eg, children’s social care, Probation Service, Prison Service) who have been notified of the information;
- GPMS marking, if relevant (see 6.4.4 Government Protective Marking Scheme).
offenders, the record of the discussion should be separated out by offender and recorded in each offender’s file.

All information from victims, some third parties and details of certain police tactics should be separate from the offender case file or contained in a confidential section. Section 29 of the DPA enables personal data to be contained within a confidential section if it is necessary to prevent or detect crime or apprehend or prosecute offenders, and where disclosing the information to the offender would be likely to prejudice those purposes.

6.4.2 MAPPA Document Set

The MAPPA Document Set has been developed to establish consistency in how MAPPA level 2 and 3 cases are managed. The primary initiators of these documents are the Police and Probationary Services. For further information see current MAPPA Guidance.

These documents will also ensure that there is a standard for the quality and content of MAPP meeting minutes. All minutes will form part of the offender’s VISOR record.

6.4.3 MAPPA Minutes

MAPPA minutes should include full records of all decisions made and justifications as to why they were made together with agreed time scales for completing each action which should also be recorded on VISOR. Copies of MAPPA minutes or equivalent electronic records should be kept on the offender’s case file, see 6.4.1 Offender Case Files. This is so that the MAPPA action plan can be readily integrated into the overall risk management plan and changes in risk of harm and MAPPA risk management level can be tracked. It should be made clear where information could put an individual at risk (eg, if identified as a victim or as a source of information) or undermine public protection (eg, by revealing covert police tactics) if disclosed to the offender.

Copies of MAPPA minutes should be handled according to the GPMS, see 6.4.4 Government Protective Marking Scheme. A national MAPPA document set, see 6.4.2 MAPPA Document Set, can be found in the current MAPPA Guidance. For further information on MAPPA minutes, see current MAPPA Guidance and 2.1.8 MAPPA Meetings. For details about recording MAPPA minutes on VISOR, see current NPIA VISOR Standards.

6.4.4 Government Protective Marking Scheme

All information relating to public protection should be handled
6.5 Evaluating Public Protection Information

Public protection information should be evaluated in accordance with established local procedures based on ACPO (2010) Guidance on the Management of Police Information, Second Edition. The 5x5x5 Information/Intelligence Report along with recording information, forms part of the evaluation process. ACPO (2010) Guidance on the Management of Police Information, Second Edition states that all information relating to threats to public safety should be recorded on a 5x5x5 Information/Intelligence Report because of the potential risk to the source, and content of the information.

An evaluation should be carried out at various stages of the information collection and recording process. The most in-depth evaluation should, however, be carried out by the force intelligence bureau (or equivalent), in consultation with the PPU as necessary. This helps to ensure that operational officers have relevant information on which to base their decisions. Evaluation of information relating to public protection includes a review of the reliability and credibility of the source, the recording of the information and the value of the content of the information. It should also identify links to other business areas including intelligence. In doing so decisions can be made about the priorities and resources needed to manage risk and provide an efficient and effective service.

The evaluation should also determine whether any action is required as a result of the information and if so what is required of the police and/or another agency. Action can include an immediate response, further research and development of the existing information, sharing the information with others or retaining a record of the information for future use. The record of the evaluation should include details of the action that followed. Knowledge of particular risk factors will be important for the police when evaluating the significance of new information gathered about offenders and public protection matters more generally. It will also assist in searching and making connections with other records. A series of reports relating to similar or connected events may require a more in-depth analysis to see if they are linked. Systems should be in place to ensure that all relevant information is accessible, eg, by using markers in the intelligence business area so that it is known where information is held.

ACPO (2010) Guidance on the Management of Police Information, Second Edition, Appendix 3 describes a priority assessment process designed to ensure that the highest priority intelligence is actioned at the earliest opportunity. The questions set...

### Checklist 8 Evaluating Public Protection Information

The following questions should be asked regarding any public protection information so that the significance of such information and the actions required can be thoroughly evaluated.

- Is there evidence of a capacity to inflict serious harm by a known or unknown individual or individuals?
- Are there concerns about children or vulnerable adults?
- Does the offence or behaviour to which the information relates involve a breach of trust?
- Is there evidence of established links or associations which might increase the risk of harm?
- Are there concerns about substance misuse?
- Are there concerns that an individual’s mental state might exacerbate risk?

### 6.6 Sharing Public Protection Information

Sharing public protection information with third parties should be included as part of the overall risk assessment and management process. Information sharing should be carried out in accordance with the principles of the DPA and the HRA and related case law. Firstly, the information being considered for sharing with third parties should be checked to ensure it is accurate. If there is any concern as to accuracy of the information, further checks should be undertaken and completed before any other action is taken. Once the information has been assessed as accurate, it must be established that there is a specific purpose to be achieved within the DPA (eg, crime prevention or detection) for the information to be shared.

While the evaluation and dissemination of the 5x5x5 Information/Intelligence Report will be conducted by force intelligence bureau staff (or equivalent), PPU officers should have a thorough understanding of the guidance relating to the dissemination of information submitted through this process. Using their specialist knowledge, PPU officers can provide recommendations on the grading to be applied, the reasons for each grading and the need for continuous risk assessment during dissemination.

Current MAPPA Guidance provides more detailed information about sharing information in the context of MAPPA.
6.6.1 General Principles for Sharing Public Protection Information

Current MAPPA Guidance states that information sharing must:

- Have lawful authority;
- Be necessary;
- Be proportionate;
- Be undertaken in ways which ensure the safety and security of the information shared;
- Be accountable.

The general assumption should be that if there is sharing of information, even on a restricted basis (e.g., to a school or employer), then that information may (officially or unofficially) reach the public domain and become known by the national and/or local media. In any case where information sharing is being considered, advice should be sought from supervisors, advisers and other agencies, as appropriate.

All decisions to share, or not to share information that relate to a MAPPA offender or PDP should be recorded, including the reasons for the decision and action taken.

**Checklist 10 Sharing Public Protection Information**

Whenever public protection information is shared the individual taking that action should ensure that:

- The decision-making process in Checklist 9 Decisions Relating to Sharing Public Protection Information has been adhered to and documented;
- It has been established exactly what information the individual or agency receiving the information has already, so that information is not shared unnecessarily;
- The correct individual has been given the information and knows what to do and not to do with it (eg, the confidential status of the information and any action expected as a result of it);
- The correct information has been shared;
- Full details of the information sharing decision and action has been recorded, including when the information was provided, the content of the information, with whom the information was shared and the purpose of sharing it.

### 6.6.2 Sharing Information within the Police Service

Forces should ensure that all staff have access to appropriate information about MAPPA offenders and PDPs to enable them to carry out their roles. This includes NPTs, communications room staff, operational police officers, specialist investigators and crime analysts. Staff should be trained in how to access information (eg, knowledge of the systems described in 6.2 Sources of Public Protection Information) and how it should be used to assist in the management of sexual offenders, violent offenders and PDPs.

In some cases detailed information will need to be provided to individual officers and members of staff on a case-by-case basis. Forces should ensure that there are systems in place which enable twenty-four hour access to the information held by PPU. Where a search on ViSOR is required to assist operational decision making and 24/7 force intelligence capability is not practicable, it is good practice for force intelligence officers and/or control room supervisors to have at least received prior training in limited search capabilities on ViSOR to enable them to handle such enquiries. This is particularly important should a
critical incident occur involving a MAPPA offender or PDP during out-of-hours when specialist PPU staff are not available.

For further information see ACPO (2007) *Practice Advice on Critical Incident Management*. PPUs should be informed of and, where appropriate, involved in any police action relating to an offender or PDP being managed. PPUs should also be informed of all actual or suspected sexual or sexually motivated crime in the force area.

### 6.6.3 Criminal Justice Disclosure

The Criminal Procedure and Investigations Act 1996 (as amended) introduced the statutory test for disclosure of unused material to the defence in a criminal case. This statutory disclosure regime is triggered post charge and should not be confused with the sharing of information before an individual is charged. The regime refers to any prosecution material which has not previously been disclosed to the accused and which might reasonably be considered capable of undermining the case for the prosecution against the accused, or of assisting the case for the accused.

The Act provides that material need not be disclosed if the court, on an application by the prosecutor, concludes it is not in the public interest to disclose it and orders accordingly (sometimes referred to as public interest immunity or PII). Full information on the statutory regime for criminal justice disclosure can be found in *Crown Prosecution Service (2005) Disclosure Manual* and *Crown Prosecution Service (2010) Guidance Booklet for Experts Disclosure: Experts’ Evidence, Case Management and Unused Material*. The duties of the police under the statutory disclosure regime are part of the obligation for investigators to pursue all reasonable lines of enquiry whether these point towards or away from the suspect. For further information about criminal investigations, see ACPO (2005) *Practice Advice on Core Investigative Doctrine*.

In addition to the provisions in the Criminal Procedure and Investigations Act 1996, criminal justice disclosure includes a range of issues relating to disclosure during the criminal justice process that may not undermine the prosecution case or assist the case for the defence, but are covered by other rules (eg, disclosure of pre-sentence reports and police misconduct).

### 6.6.4 Sharing Information as Part of the MAPPA Process

Current MAPPA Guidance clarifies the principles on which MAPPA agencies may share information among themselves, and where the RA may disclose such information to other persons or organisations.
6.6.5 Sharing Information with Individual Agencies

Police forces should establish individual ISAs or protocols, similar to the pre- and post-sentence ISA between ACPO and NOMS, with each partner agency including adult and children’s social care services, prisons, mental health agencies concerning patients receiving escorted or unescorted leave into the community, healthcare bodies and voluntary sector agencies such as the NSPCC and refuges.

For examples of good practice see Information Sharing Protocol with Mental Health Services and Over-arching Information Sharing Protocol.

The following national protocols and guidance may also need to be considered:

- **Probation Circular 05/2007 Post Release Enforcement – Inter-Agency Working, Unlawfully at Large Offenders, and Extradition**;
- **Youth Justice Board (n.d.) Guidance for Youth Offending Teams on Information Sharing**.

**ACPO (2010) Guidance on the Management of Police Information, Second Edition** explains the process of developing an ISA and **Appendix 6** provides a sample information sharing agreement template for forces to adapt accordingly.

6.6.6 Sharing Information with the Parole Board

As stated in current MAPPA Guidance, it is essential that the Parole Board has access to information about offenders to ensure that they make appropriate decisions about offenders’ release and licence conditions. The Parole Board should be informed of the MAPPA risk management plan and OASys assessment through the offender manager Parole Assessment Report. More information about this and the circumstances in which information can be withheld from an offender can be found in **Ministry of Justice Probation (2009) Instruction Recall of Prisoners on Licence – Sharing Information**.

The police may serve a Confidential Letter of Assistance (commonly known as a ‘text’) on the Parole Board in an individual case. The submission of a text is subject to a protocol that exists between the Parole Board and the ACPO National Source Working Group. This details the handling conditions involved in the submission of texts by law enforcement and the Parole Board. The purpose of this protocol is to reduce the chances of compromise of the source assistance to law enforcement. For further advice contact the force DSU or CAB.

6.6.7 Sharing Information About Supervision, Revocation and Recall for Prisoners Released on Licence

HMIP (2009) Risk of Harm Inspection

Following the reports by the IPCC and Her Majesty’s Inspectorate of Probation (HMIP) on the Metropolitan Police Services response to the prison recall notification of Dano Sonnex, it is essential that forces have an SOP in place to ensure that:

- An intelligence record for all MAPPA offenders is created, to include including details of the probation offender manager, where relevant, and guidance on the procedure to be followed for alerting probation service staff in the event that the offender should come to the attention of the police;
- Records are updated with relevant new police information;
- A reassessment of risk is carried out by the relevant lead agency under MAPPA where offenders are subject to recall to prison, and that that information is recorded on police intelligence (and any other relevant local) systems in order that it can inform the arrest process;
- All police staff know which offender is on licence and/or MAPPA eligible;
- All police staff know the importance of ensuring any relevant information they have from dealings with the offender is passed to Probation;
- Contact is made with the relevant partners to check for information such as significant developments or further charges in a timely fashion;
- Information is communicated to partners promptly when it is believed to be of relevance.
HMIP (2009) Risk of Harm Inspection Report, A Stalled Journey, the following concerns were highlighted:

- Gaps in multi-agency management included late referral into the MAPPA, and insufficient contact with social care services and police community safety units. Examples of poor communication between the police and probation were identified where staff had not recognised the importance of collaborative working to deal with significant developments in a case. There were other instances where offender managers were unaware of further charges and where there were delays in obtaining information needed in order to process an application for recall.

- A lack of clarity in referral procedures and documentation was of particular concern in relation to high risk of harm (RoH) cases, of which a number had no clearly identified MAPPA level. In a few cases there was no evidence of referral to MAPPA, although this appeared to be necessary.

- Work with offenders was let down by inadequate recording; case records did little justice to the content of the sessions with the offender.

- Information about prison behaviour had rarely been received or sought by the offender manager, yet the behaviour of a prisoner is potentially a significant source of information for the overall assessment of an offender’s RoH. For example, their adjudications record or their behaviour towards other prisoners, visitors, or male and female staff, could provide relevant information. On the other hand, there is a danger that compliant behaviour within prison may be mistaken for a reduction in the offender’s RoH to others.

- Targets set in the prison were not transferred into the community sentence planning documents, and post-programme reports were inadequately used to inform ongoing work on release.

- Offender managers were not always well informed about prison sentence plans and in a number of cases there were no copies of these in the case file. This was a missed opportunity to capitalise on work undertaken in the prison.

In the context of managing sexual offenders and violent offenders the responsibilities of each police force include:

- Providing intelligence and/or information to the Probation Service before the release of relevant offenders in order to allow suitable licence conditions to be imposed;
- Complementing and, where appropriate, assisting the Probation Service in the monitoring and supervision of those released on licence;
- Providing the Probation Service with details of a SPOC, who is available twenty-four hours a day, to enable the Probation Service to make direct contact with the police when a revocation notice has been issued;
- Providing information, intelligence or evidence to the Probation Service where it is believed revocation would be appropriate (e.g., for public protection or the prevention and detection of crime).

For an example of good practice see *Effective Partnership with the Probation Service Supporting the Management of Sexual Offenders in Approved Premises*.

### 6.6.8 Sharing Information with the UK Border Agency

The primary legislation (paragraphs 27 and 27B of Schedule 2 to the Immigration Act 1971) which can be found at [http://www.opsi.gov.uk/acts/acts1971/pdf/ukpga_19710077_en.pdf](http://www.opsi.gov.uk/acts/acts1971/pdf/ukpga_19710077_en.pdf) and sections 32 to 37 of the Immigration, Asylum and Nationality Act 2006 [http://www.opsi.gov.uk/acts/acts2006/ukpga_20060013_en_1](http://www.opsi.gov.uk/acts/acts2006/ukpga_20060013_en_1) creates powers for the UK Border Agency (UKBA) and the police to obtain passenger, crew and service data from carriers in advance of all movements into and out of the United Kingdom. It also creates a duty for the border agencies to share that data among themselves. This was followed by five statutory instruments in 2007 and 2008, which:

- Commenced those powers;
- Extended the powers to cover channel tunnel trains;
- Specified the data that can be requested by the UKBA and the police;
- Specified the data that must be shared between the border agencies;
- Brought the Code of Practice regarding data sharing into force.

ACPO/NPIA and UKBA have agreed to undertake remote, data matching between all live ViSOR subjects and the Home Office Warnings Index (HOWI).
Flagging RSOs on the HOWI will create alerts when an offender’s passport is checked at a UKBA terminal on their return to the UK, indicating foreign travel. However, this is provided that the RSO is not exploiting the ease with which their name can be changed. See 7.7 Offenders Travelling Abroad. This alert system has the potential to be the most useful tool in establishing the true picture of travel by RSOs until the e-Borders Programme is fully implemented.

UKBA has agreed to provide a notification report detailing information obtained on the subject’s movements. This will be sent to the relevant national PPU SPOCs email address and will greatly enhance intelligence and knowledge and identification of potential notification breaches, resulting in improved management.

Forces must ensure that administrative procedures are robust and adequately resourced to enable intelligence to the VISOR Foreign Travel attachment to be transferred, and so that all such confirmations of foreign travel can be monitored and evaluated in a timely and accountable manner.

For further information on the role of the UKBA, see 7.7.2 Role of the UK Border Agency, 8.10 UK Border Agency and 7.7.4 E-Borders Programme.

6.6.9 Employment Vetting


Under the new Safeguarding Vulnerable Groups Act 2006 (SVGA), offenders convicted of specified sexual offences and other serious offences (Prescribed Offences), as listed in the SVGA 2006 (Prescribed Criteria and Miscellaneous Provisions) Regulations 2009, will automatically be added to one or both of the Independent Safeguarding Authority Barred Lists and prohibited from working with Children and Vulnerable Adults. See 7.9.3 Disqualification Order. Individuals referred to the Independent Safeguarding Authority for any other reason may be added to one or both of the Barred Lists if the Independent Safeguarding Authority considers that they pose a present or future risk to either vulnerable group.
The SVGA provides the legislative framework for the new Vetting and Barring Scheme. The Act sets out:

- A new body, the Independent Safeguarding Authority, will make all decisions about who should be barred from working with children and vulnerable adults;
- The Vetting and Barring Scheme will deal with activities that are classified as ‘regulated’ or ‘controlled’ – these activities include both paid and unpaid (voluntary) work;
- There will be two separate but aligned Independent Safeguarding Authority Barred Lists (one for those prohibited from working with children, and one for those prohibited from working with vulnerable adults). Barred individuals can be placed on one or both of these lists.

The Independent Safeguarding Authority has been created to help prevent unsuitable people from working with children and vulnerable adults. This Authority will work in partnership with the Criminal Records Bureau (CRB) to deliver the new Vetting and Barring Scheme.

The new scheme widens the scope of workers who are subject to vetting and barring processes to cover employees, volunteers and contractors in the education, care and health industries. It is a criminal offence for individuals barred by the Independent Safeguarding Authority to work or apply to work with children or vulnerable adults in a wide range of posts, including most NHS posts, the Prison Service, education and childcare. Employers also face criminal sanctions for knowingly employing a barred individual across a wider range of work.

The new arrangements introduced by the Act will replace the existing arrangements provided for under the Protection of Children Act 1999, the Care Standards Act 2000, the Criminal Justice and Court Services Act 2000 and the Education Act 2002. The three former barred lists (POCA, POVA and List 99) and disqualification orders are replaced, in part, by two new Independent Safeguarding Authority-barred lists.

For the purpose of enabling the smooth transition from the current barring schemes to the new barred lists, offenders who are already on at least one of the three former lists, or who are subjects of disqualification under the current regimes (that provided for under the 1999 Act, the CSA, the 2000 Act or the 2002 Act), are either included in the new lists or, being considered for inclusion.

The police have a duty to refer to the Independent Safeguarding Authority, information about individuals working with children or vulnerable adults where they consider them to have caused harm or pose a risk of harm to others.

6.6.10 Sharing Information with Specific Members of the Public

Where there is a particular risk to an individual or individuals, it is appropriate to consider sharing information about an individual offender or offenders with specific members of the public or groups. Examples include the victims or potential victims of an offender, neighbours of an offender, the partner of the offender, teachers or parents when an RSO has unsupervised access to children.

All documentation relating to contact with victims or potential victims should be retained separately from the offender case file or contained in a confidential section.

The decision to disclose, or not, about a MAPPA level 1 offender to an individual is the responsibility of the lead agency. In the case of Category 1 (RSOs) level 1, where the police are the lead agency, it will be for police forces to determine in their SOPs at what rank the decision on disclosure should sit. For more guidance, see current MAPPA Guidance Section 6.7 Level 1 Cases.

In level 2 and 3 cases, decisions about sharing information with individuals should be made as part of the MAPPA meeting and should involve all appropriate agencies (e.g., children’s social care services when there are children involved). There is a duty to consider disclosure in every case.

If disclosure is made at any level, the lead agency must ensure that it is appropriately managed and documented. For more detailed information see current MAPPA Guidance Section 5 Information Sharing and Section 6 Disclosure.

6.6.11 Child Sex Offender Disclosure Scheme

In June 2007 the Government published the Review of the Protection of Children from Sex Offenders. Action 4 of the Review has created a process which allows members of the public to register a child protection interest in an identified individual who has access to a particular child or children or a connection with them.
If an individual is found to have convictions for sexual offences against children and poses a risk of causing serious harm, there is a presumption that this information will be disclosed to the person who is best placed to protect the child or children, where it is necessary to do so for this purpose.

**It should be noted that under the scope of the disclosure process the presumption for disclosure will only exist in cases where the individual has convictions for child sexual offences.**

However, to restrict access to information regarding convicted child sexual offenders would severely limit the effectiveness of the process and ignore significant issues regarding offences committed against children.

The disclosure process includes routes for managed access to information regarding individuals who are not convicted child sexual offenders but who, nonetheless, pose a risk of harm to children including:

- Persons who are convicted of other offences, for example, serious domestic abuse;
- Persons who are unconvicted but for whom the police or any other agency hold intelligence indicating that they pose a risk of harm to children.

There would not be a presumption to disclose such information.

It is important that the disclosure of information about previous convictions for offences which are not child sexual offences continues. It is not the intention of the disclosure process to make access to information concerning safeguarding children more restricted.

**Note:** The disclosure process will build on existing procedures, such as MAPPA and Safeguarding Children Procedures, to provide a clear access route for the public to raise child protection concerns and to be confident that action will follow.

It is of paramount importance to all those involved in delivering this process that children are being protected from harm. By making a request for disclosure, a person will often also be registering their concerns about possible risks to the safety of a child or children. For that reason, it is essential to this process that police forces, local authority children’s social care and LSCB work closely together to ensure that any possible risks of harm to the child or children are fully assessed and managed.

This process is due to be rolled-out nationally to all forces by April 2011. Details of progress and national and local contact details about the Child Sex Offender Disclosure Scheme can be found on the Home Office website [http://www.homeoffice.gov.uk](http://www.homeoffice.gov.uk)

6.6.12 Sharing Information with the Media and General Public

The media are always interested in sexual offending and violent offending, but this can become heightened at short notice after high-profile incidents. Any information provided to the public through the media must avoid identifying individuals, locations of offenders, planned releases from prison or covert police tactics. Opportunities should be sought to inform the press of the multi-agency arrangements for public protection and the risk assessment and management processes in order to balance any alarmist messages about sexual offending. For further information see 3.9 Communication and Media Strategies.

In situations where a violent or sexual offence or issues relating to an offender covered by this guidance have triggered major press interest, the force press office should develop a media strategy and quickly produce a press statement covering the key points. If there is danger to the general public or specific groups, press conferences should be held to provide safety information. Messages should also focus on the need to exercise restraint in order to prevent a subsequent prosecution from being undermined and to avoid vigilante action, reinforcing that such action is illegal. There are certain key messages which need to be emphasised when dealing with the media. The purpose of these is to engender public confidence and allay public fear.

- The primary aim of the police and partner agencies is to ensure the safety and protection of the public.
- The management of offenders in the community and public protection issues are a multi-agency responsibility which includes the Police, Prison and Probation Services.
- Under current legislation there are a range of options available to the police and other statutory organisations to deal with sexual offenders and violent offenders. The priority is to manage the risk to the public.
- The term sexual offender applies to all sexual offenders and not just to those who sexually abuse children.
- The police do not discuss individual cases. Only when it is in the public interest to name or identify an individual, who could pose a serious risk of harm or threat to the community, may details be issued in full consultation with relevant agencies.
• The RA is managing the situation and would be grateful for the help, cooperation and tolerance of the community.

**ACPO Media Advisory Group (n.d.) Guidance Notes** state that refusal to respond to media enquiries is only an appropriate response in the most exceptional cases and as a last resort. Those guidance notes and this document offer acceptable alternatives to such a course of action. Section 5 of **ACPO Media Advisory Group (n.d.) Guidance Notes** states that the general presumption is that information about specific individuals should not be shared for a range of reasons. These include the risk of violence to others and the risk that the sharing of information might drive the offender underground, thus increasing the risk to the public.

**General Media Enquiries about Offenders**

Requests for public protection information from the press should be directed to the force press office or, where appropriate, the ACPO press office. The relevant press office should make contact with the PPU and involve them in any decisions about releasing information. Wherever other agencies are involved in the management of a particular offender or PDP those agencies should, where possible, be consulted before a police press statement is issued. Other agencies should also be involved if the circumstances about which information is requested could be relevant to them, eg, if there is a risk to a particular child or children, children’s social care services should be consulted. For further information about police policies and procedures regarding the media, see **ACPO Media Advisory Group (n.d.) Guidance Notes**.

Forces should respond to general media enquiries about the management of sexual offenders by providing information about local MAPPA processes. In general, individual offenders should not be identified or discussed and nothing should be revealed which might jeopardise the effectiveness of future police operations.

**Specific Enquiries about an Individual Offender**

If information about an offender enters the public domain, a decision has to be made as to how much detail is confirmed by the police and/or other relevant agency. Refusing to make any comment would almost certainly lead to unhelpful, inaccurate speculation, causing public alarm and potentially public disorder.

If a decision is made by the RA or the police to give information about an individual to the media, it should be recorded in the MAPPA minutes. In general, such a decision should be made by an officer of ACPO rank. To manage the media, it may be appropriate to give them a briefing to provide guidance about the individual, and to explain the risk assessment and management process.
Proactive Release of Information about an Individual Offender

There are a number of situations where it might be appropriate to take a proactive stance in releasing information about an offender. For example:

- A particularly high-profile offender who has recently been released from prison moves into the area and this becomes known by the public and/or media;
- An offender who is considered to be of such a high risk of reoffending that the public need to be warned;
- An RSO fails to meet notification requirements under the SOA and efforts to trace the individual are unsuccessful (see 7.6 Missing Registered Offenders and 7.3 Notification Requirements for Registered Offenders).

ACPO Media Advisory Group (n.d.) Guidance Notes state that an ACPO rank officer (or an officer acting under his or her delegated authority) should give final approval for sharing information with the media or general public about a specific sexual offender or other dangerous offender. A police press officer should be part of the risk assessment and management discussions involving the PPU and other agencies as appropriate so that an effective media strategy can be developed. This strategy will include the processes by which information is released, eg, via a news conference, statement or interviews.

In some circumstances it will be useful to consult ACPO Media Advisory Group (n.d.) Guidance Notes, Section 8 and current MAPPA Guidance on releasing information about named individuals to the media.

6.6.13 Sharing Sensitive Information from a Third Party

In some cases third parties will share sensitive information with the police, such as medical records, which must not be shared without the consent of the originator of that material. In cases where consideration is being given to sharing such sensitive information for public protection purposes, local information-sharing protocols should be followed and legal advice sought. For further information on medical confidentiality and related issues, see Department of Health (2003) Confidentiality: NHS Code of Practice.
6.6.14 Sharing Information with Other European Countries

All UK law enforcement agencies, including UKBA, HMRC and SOCA, will have access to the Schengen Information System (SIS) which is part of the Schengen Convention on border controls. The SIS is a law enforcement intelligence exchange and alert system in operation across mainland Europe that involves the sharing of information about people who are wanted under the European Arrest Warrant or are of interest. Information about property that is lost or stolen, or which has been used in crime or has an intelligence requirement is also shared. This increases opportunities to deal with cross-border crime and extends the reach of UK law enforcement across Europe.

When PNC alerts a law enforcement officer that an SIS match has been made, the text will inform them what action to take and to contact the UK SIRENE Bureau. SOCA will carry out all international communication relating to the SIS and will hold, or can obtain, extra information on the alerts on the SIS. Additionally, the SIRENE UK Bureau can assist in gathering information in other countries and tracing fugitives from justice.

The information held on SIS under Article 36 of SIS, deals with the issue of placing information reports on high-risk criminals, including RSOs and their associated vehicles onto the system. The purpose of these alerts is to discreetly monitor the movement of offenders to other countries, and to request responses to such checks that may lead to action being instigated on the offender’s return to the UK. These alerts currently cover the equivalent of PNC and immigration data systems of all countries. Care needs to be exercised when using these alerts as it may be necessary to obtain RIPA authority.

If an offender is believed to be travelling outside the European/Schengen member states, existing procedures regarding Interpol and the CEOP Overseas Tracker Team should be followed.

6.6.15 Requests to the Police for Public Protection Information

Requests for public protection information can relate to a particular incident or crime, or to a particular offender or PDP. They can also be for more general information about public protection such as the number of RSOs in a particular area. Each request should be thoroughly considered, taking into account the relevant legislation including the HRA, DPA and FOIA. For further details about requests to the police for information, see ACPO (2010) Guidance on the Management of Police Information, Second Edition.
Requests from Members of the Public

Requests for public protection information from members of the public should be directed to the PPU.

Requests from Partner Agencies

Requests from partner agencies for information should be made according to local ISAs, where they exist. Generally, the PPU should respond to such requests where appropriate. PPUs should be consulted to ensure that full information is provided to partner agencies, for example, requests for checks by children’s social care on people caring for children on a temporary basis.

Requests for Personal Information from Offenders

Requests for personal information from offenders (sometimes referred to as subject access requests under the DPA) should be processed according to the DPA 1998, local procedures and the ACPO (2006) Data Protection Manual of Guidance Part 1: Standards.

Requests Under the Freedom of Information Act 2000

There are certain risks associated with the disclosure of the types of information held by the Police Service. These risks range in severity from the minor upset of a partner agency to the death of an individual and/or damage to the national infrastructure. Actually refusing to provide information, even if appropriate, can sometimes be more damaging than releasing it. This is because of the adverse publicity and complaints it may attract. In order to combat these issues and reduce the risks, a Central Referral Unit (CRU) has been created and ratified by all Chief Constables in the UK.

Forces should consider forwarding all requests on MAPPA and RSOs to the ACPO CRU (acpo.advice@foi.pnn.police.uk) who will provide advice, best practice and consistency. Once a referral is made, a response should not be sent to the applicant before one has been received from the CRU.

Requests for information on public protection matters will often require consideration of the following exemptions in the FOIA:

- Section 31 (law enforcement) if sharing the information would, or would be likely to, prejudice the prevention or detection of crime, the apprehension or prosecution of offenders and/or the administration of justice;
- Section 36 (prejudice to effective conduct of public affairs) if sharing the information would, or would be likely to, prejudice the effective conduct of public affairs;
Section 38 (health and safety) if sharing the information would, or would be likely to, endanger the physical or mental health or safety of any individual.


It is ACPO policy to share information on requests about the number of RSOs down to BCU level. This is because of the risks of endangering the health and safety of particular individuals whose location could be deduced from more detailed information.

Requests for information from the police to other agencies should take into account existing local and national information-sharing agreements. These requests for information should be made in writing to the relevant agency or individual and include the information in Checklist 11 Requests for Information from the Police to Other Agencies.

Checklist 11 Requests for Information from the Police to Other Agencies

Requests for information from the police to other agencies should include details of the following:

- Contact details for the officer in the case or PPU officer named as the contact for the particular offender or PDP;
- Contact details for the police disclosure officer, if relevant;
- Summary of the case and the details of the offences or concerns being investigated, or the risk assessment being conducted;
- Statement of the relevant information being sought from the records in order to pursue all reasonable lines of enquiry, and why that information is likely to be relevant to the investigation or concern being investigated;
- Statement of how failure to share relevant information would prejudice or delay the investigation or undermine public protection.
6.8 Review, Retention and Disposal of Public Protection Information

**ACPO (2010) Guidance on the Management of Police Information, Second Edition** provides information about the review, retention and disposal of all police information. This includes timeframes for reviewing information and the National Retention Assessment Criteria to be used in deciding whether to retain information or dispose of it. **ACPO (2010) Guidance on the Management of Police Information, Second Edition, Appendix 5** provides a template for establishing whether or not information should be retained, focusing on the harm presented by individuals and offences. The key questions in this template are similar to those in **Checklist 8 Evaluating Public Protection Information**.

### Management Issues

- Ensuring staff are trained to understand their legal responsibilities and the operating rules for the relevant information systems, including internal force systems, INI and VISOR.
- Linking internal police IT systems, where possible.
- Using the INI and VISOR to ensure links with other force and agency information systems and databases so that the information relevant to public protection is available.
- Establishing systems to ensure that police officers and staff record relevant information for the identification of public protection concerns and the effective identification, assessment and management of risk.
- Establishing appropriate systems between PPUs, DSUs and force intelligence bureaux to ensure that information is evaluated and risk assessed, and that policies relating to CHIS are adhered to.
The Police Role in Offender Management

This section is relevant to all officers involved in the management of sexual offenders, violent offenders and PDPs. It contains information about monitoring offenders and related intelligence gathering and investigation. It also includes guidance on the notification requirements for RSOs, home visits, covert investigation, the court orders and sentences that are available for public protection, and police responses to offenders who go missing and those who travel abroad.
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7.8 Covert Investigation

7.9 Court Orders and Sentences Available for Public Protection

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7.10 Applying for Civil Orders

7.11 Monitoring and Enforcement of Orders

7.12 Special Considerations for Particular Offenders and Potentially Dangerous Persons

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The management of sexual offenders and violent offenders is a multi-agency responsibility which is described in the current MAPPA Guidance. This section focuses on the police role in the management of offenders. Although investigation is a core aspect of the police role in offender management, the process of investigating particular offences is not given in detail here. This section should be read in conjunction with ACPO (2005) Practice Advice on Core Investigative Doctrine. Officers should also be familiar with all relevant guidance and practice advice relating to specific offences including:

- ACPO (2010) Guidance on Responding to People with Mental Ill Health or Learning Disabilities
- ACPO (2005) Practice Advice on Investigating Harassment;
- ACPO (forthcoming) Murder Investigation Manual;

Other recent documents that officers should be familiar with are:

- IPCC Commissioner’s report (2009) following independent investigation into Metropolitan Police Service response to the prison recall notification of Dano Sonnex;
- Criminal Justice Joint Inspection (2010) Thematic Inspection Report, Restriction and Rehabilitation: Getting the Right Mix, An inspection of the management of sexual offenders in the community;

Where a MAPPA offender or PDP is suspected of committing an offence, PPU officers should ensure that other investigators involved in the case are fully briefed about the offender’s previous MO and other relevant information. Investigators involved in the case should include those specialising in the investigation of child abuse, vulnerable adult abuse, domestic abuse and sexual offences, as appropriate.
Information obtained during the process of offender management and other investigations may be relevant in several different contexts including the following:

- Identifying, assessing and managing risk;
- Investigating or prosecuting particular offences (see sections 98 to 113 of the CJA for further information see ACPO (2008) Practice Advice on Evidence of Bad Character, Second Edition);
- Providing information to allow suitable sentences, court orders (see 7.9 Court Orders and Sentences Available for Public Protection), bail conditions and licence conditions to be imposed and to ensure licences are revoked when necessary.

Some police actions to manage offenders are more effective if undertaken with other agencies. For example, home visits with probation officers mean that the expertise of police and probation staff can complement each other. Similarly, for offenders due to be released from prison, joint visits by police and probation before and after release can be used to gauge compliance and ensure understanding of conditions imposed. Most police action will need to be taken after consultation with other agencies, depending on the circumstances of the case. Urgent action should not, however, be unnecessarily delayed in order to enable such consultation.

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It is the responsibility of police offender managers to ensure that all information is checked and, where there is any suggestion of relevance, that it is communicated to the appropriate partners promptly, particularly to prison and probation colleagues.
Robust information management is particularly important for ViSOR records managed by Probation, and it is essential that these records are maintained and updated with relevant new police information. It is also the responsibility of the force PPU to ensure that all police staff know which offenders are on licence and/or MAPPA-eligible, and are aware of the potential risks and issues if relevant information they have from dealings with the offender(s) is not passed to Probation, especially Category 2, level 1 offenders.

**Note:** The current NOMS ViSOR business model does not require the Probation Service to enter Category 2 level 1 offenders on ViSOR. This poses a challenge in that police forces will not be automatically aware of who these offenders are via ViSOR, in order to share the appropriate information. The RANSG continues to explore a national solution for this issue and forces are encouraged to explore local initiatives to address this.

It is good practice for PPU officers to:

- Carry out timely checks with Probation and other agencies to ensure all information regarding the offenders managed by the police is current and relevant, in particular MAPPA level 1 cases where there are no regular meetings to facilitate information sharing;
- Ensure fit-for-purpose ISAs or protocols are implemented, regularly reviewed and updated to help avoid poor, or lack of, communication. See Appendix 6.

### 7.2 Prosecution

In all aspects of managing offenders, officers should be familiar with the requirement to consult CPS prosecutors to obtain early legal advice and decisions on charge. For further information see *Director of Public Prosecutions (2005) The Director’s Guidance on Charging* (issued under section 37A(1)(a) of the Police and Criminal Evidence Act 1984 (PACE), as amended by the CJA). Where PPU officers suspect that an offence has been committed, they should liaise, as appropriate, with prosecutors during the early stages of the investigation.

Crown prosecutors can advise investigators throughout the investigative process. This includes lines of enquiry, evidential requirements and assistance in pre-charge procedures which enable evidential deficiencies to be rectified. All PPU officers should be familiar with the MG3 procedure for recording pre-charge advice. The MG3 is not disclosable as it is subject to legal privilege between the police and the CPS. For further information see *Crown Prosecution Service*
Crown prosecutors are responsible for the decision to charge, and for specifying or drafting the charges in the majority of offences which are encountered during the management of sexual offenders and violent offenders. For further information see Director of Public Prosecutions (2005) The Director’s Guidance on Charging, Annex A.

Whenever the CPS is involved in the prosecution of an offender or PDP, it will have a role in the management of risk in terms of prosecution decisions, the presentation of evidence in court (including bad character evidence) and the information provided to the court to make bail decisions and conditions, and sentencing. The CPS can also apply for a SOPO on conviction, see 7.9.10 Sexual Offences Prevention Order.


Force systems must be in place, including protocols with other agencies, to record and act on information about those subject to notification requirements (ie, RSOs, RTOs or RVOs). Police forces should ensure that the process for recording the details of notification requirements involves individuals who are suitably trained and, where possible, PPU personnel. Forces should also have systems in place to inform offenders of the notification requirements (eg, by a formal induction process).

A registered offender must, if requested to do so by a police officer, allow the officer to photograph any part of him or her and take fingerprints when notification requirements are being met. This is for the purpose of verifying the identity of the offender.

Sections 94 and 95 of the SOA provide powers to help the police verify that an RSO has notified the full and correct details by comparing them with details held by other agencies (eg, Department for Work and Pensions (DWP), Identity and Passport Service (formerly the UK...
Passport Service), Driver and Vehicle Licensing Authority (DVLA). This is especially important in a climate where multiple name changing is not currently perceived to be a risk, see 7.7 Offenders Travelling Abroad.

Full information about all registered offenders should be recorded on ViSOR with local and other national systems directing staff to either view ViSOR if they are an authorised user, or directing an authorised ViSOR user to the ViSOR record, when an alert such as a flag and/or an intelligence log appears. This should include instances where some or all of the notification requirements have not been met by an offender. Police forces should also have systems to update notification periods to reflect further convictions or cautions, and to ensure that the offender is fully aware of the duration of the notification period. For further information about recording information on ViSOR, see current NPIA ViSOR Standards.

### 7.3.1 Initial Notification

The registered offender has three days from the date of conviction, caution, or the date of a finding of not guilty by reason of insanity or a finding that they are under a disability and have committed the act charged against them in respect of an offence requiring notification, to notify the police of the relevant details. If notification depends on the sentence reaching a qualifying threshold the relevant offender must notify the police three days from the sentence date. Initial notification by RSOs must be made in person at a prescribed police station in the area in which the offender is residing. Initial notification by RTOs and RVOs may be made at any police station in the area in which the offender resides.

The information required to be notified includes the offender’s name, date of birth, national insurance number, home address and address of any other premises in which the person regularly resides or stays.

### Checklist 12 Initial Notification

When an offender attends the police station, the person responsible for recording the notification details should complete the following actions:

- Prior to registering the notification by the offender, carry out a PNC check to establish the identity of the offender and whether they are notifying within the required time-period.
- Ensure that the offender where possible, is seen or interviewed in private.
7.3.2 Definition of Home Address

Under section 83(7) of the SOA, the definition of a registered offender’s home address is either a person’s:

(a) …sole or main residence in the UK; or
(b) where he has no such residence, the address or location of a place in the UK where he can regularly be found and, if there is more than one such place, such one of those places as the person may select.

Homeless offenders and offenders who are part of the traveller community may not be able to give a residential address and so must supply the address of a precise location where they can regularly be found. A shelter, a friend’s house, a caravan or a park bench should not simply be registered as ‘no fixed abode’ as this does not fulfil the requirements. The precise location where they can regularly be found must be notified.
The individual responsible for recording the details of the offender should take advice from the PPU when deciding whether an address is suitable for notification purposes. When the location of a place where a person can regularly be found changes, it should be notified in accordance with the legislation, see 7.3.3 Notification of a Change to Notified Details.

7.3.3 Notification of a Change to Notified Details

An offender has three days to notify the police of a change of their name or address. Although name-changing is not currently recognised as a perceived risk by the police, multiple name changes should attract critical examination and be recorded on ViSOR.

The offender must also notify the police within three days if they are residing or staying at another address for a cumulative total of seven days or more in a rolling twelve-month period. They also have three days from their release from custody following an order of a court, from imprisonment, service detention or detention in a hospital, to notify the police of the fact of their release and the other information listed in 7.3.1 Initial Notification.

Notification must take place in person at a local police station in the area in which the offender intends to reside. Offenders also have the option of making an advance notification of a change of their details at the local police station in the area that they are currently residing in.

7.3.4 Periodic Notification

As and when required, an offender must re-notify the police of the relevant details within one year of either the initial notification or the notification of changes, unless the person has already notified them within that period as a result of changing circumstances. Foreign travel notifications do not affect the periodic notification date, however, if a person is outside the UK when the periodic notification date falls, the periodic notification date will then fall three days after they have returned to the UK, see 7.3.5 Notification of Foreign Travel.

In the case of RVOs, if the offender has not registered a residential address (notified ‘NFA’), the periodic notification period is weekly not annual.

7.3.5 Notification of Foreign Travel

Offenders who are the subject of the notification requirements and intend to travel abroad must inform the police of:

- The date of departure from the UK;
• The country (or, if there is more than one, the first country) to which they will travel and their point of arrival (determined in accordance with the regulations) in that country.

The additional notification requirements for relevant offenders who travel outside the UK have been made:

• Where they intend to travel to more than one country outside the UK, the intended point of entry in each additional country;
• The identity of any carrier or carriers they intend to use for the purpose of their departure from and return to the UK, and for travelling to any other point of arrival;
• Details of their accommodation arrangements for their first night outside the UK;
• In a case in which they intend to return to the UK on a particular date, that date;
• In a case in which they intend to return to the UK at a particular point of arrival, that point of arrival.

The requirements above apply if an offender intends to leave the UK for three days or longer. The information should be provided not less than seven days prior to their departure.

The regulations only require the offender on return to the UK to provide the date of return to the UK and point of arrival in the UK within three days, if they did not provide it before they travelled.

Foreign travel notifications should be entered on the Foreign Travel section of ViSOR as soon as possible, see current NPIA ViSOR Standards. Officers should examine the foreign travel arrangements of offenders and not merely record the details. Offenders travel abroad specifically to commit offences which put children and adults at risk. The repeated visit to a particular destination and/or application(s) for a name change could be significant. All travel arrangements should be risk assessed and appropriate action taken. For examples of such action, including sharing information with other agencies and countries, see 7.7 Offenders Travelling Abroad.

7.3.6 Registered Offenders with Mobility Impairments

Registered offenders with mobility impairments have no legal exemptions from the notification requirements. It can be made clear to the offender that, as part of their current risk management plan, assistance will be provided with transport to a designated police station, and this arrangement will be under regular review. Where possible, the offender should produce evidence of a medically diagnosed condition to support any request for such arrangements. If the offender moves to another force area they should be
told that those arrangements will not apply until re-negotiated with the new force. That the offender has been told this should be recorded on ViSOR to prevent them using it as an excuse for failing to register.

### 7.3.7 Home Visits to Registered Sexual Offenders

In addition to the statutory notification requirements for RSOs, they should be visited at home in order to check their domestic circumstances and residence. For further information see 7.4 Home Visits and NPIA (2009) Managing the Offender: Home Visits [DVD].

### 7.3.8 Breach of Notification Requirements

A person commits a criminal offence if they fail to meet the notification requirements without reasonable excuse, or they knowingly provide false information in purported compliance with those requirements.

An actual or suspected breach of notification requirements should be recorded on relevant local and national systems (eg, PNC and ViSOR) and the information distributed as appropriate.

For an example of good practice see Minimum Standards for Breaches in Notification Requirements.

Once it has been established that the offender is in breach, this should be recorded on the relevant local and national systems within twenty-four hours. All parties involved in the management of the offender (eg, PPU officer or probation officer) should be informed. An urgent MAPPA meeting may be required in some cases.

### 7.4 Home Visits

Home visits are a limited risk management tool unless carried out by staff who are adequately trained, informed about the individual case and able to undertake visits in the most appropriate circumstances. They should also, when practicable, vary the days and times of visiting, including evenings and weekends. There are currently no minimum standards for home visit schedules and each should be assessed, planned, managed and reviewed on a case-by-case basis.

Current MAPPA Guidance recommends the following police home visit regime for RSOs:

- Very high risk – monthly;
- High risk – every three months;
- Medium risk – every six months;
- Low risk – every twelve months.
Inadequately planned and risk-assessed visits can undermine officer and staff safety. They may also lead to harm to the offender if, for example, the visit draws attention to their presence. Generally, this section refers to home visits to RSOs but it can also be applicable to other offenders.

All those involved in planning, managing and/or conducting home visits and the risk/risk management of these visits, will find the NPIA (2009) Managing the Offender: Home Visits useful. The DVD is available by contacting NPIA Investigative Skills, General Enquiries: 01480 401822, email: enquiries_investskills@npia.pnn.police.uk.

### 7.4.1 Purpose of Home Visits

Visiting officers should be clear about the purpose of the home visit.

**Checklist 13 Purpose of Home Visits**

Depending on the circumstances of the case, the purpose of a home visit may be to:

- Check compliance with legislation and court orders (eg, to ensure notification requirements, bail or licence conditions are being complied with);
- Confirm that the offender resides or frequents the address or place notified;
- Fulfil the duty of care to the public to manage the risk posed by the offender;
- Monitor the risk of the particular offender, identify changes in risk factors and ensure appropriate action is taken to manage and, where necessary, review the risk;
- Gather information for risk identification or review, assessment and management of the particular offender and other linked offenders, and for intelligence management processes;
- Detect offences;
- Fulfil the duty of care to the offender including referral to other agencies for the provision of welfare, mentoring and support.
7.4.2 Frequency of Home Visits

There are currently no multi-agency minimum standards stipulating how often visits should take place, however, it is good practice to conduct a home visit at the time of the initial registration or when there is a change of address. Thereafter, the frequency of home visits should be determined by regular assessment and review of risk in each individual case and recorded in the risk management plan. See 7.4 Home Visits and current MAPPA Guidance for recommended good practice.

For details about action to take when home visits are unsuccessful, see 7.4.9 Unsuccessful Home Visits.

7.4.3 Officer and Staff Safety

All home visits should have a pre-visit risk assessment for the purposes of officer and staff safety. This risk should be reviewed following each visit. As a minimum, checks should be made of ViSOR and current intelligence records held on the offender and their address in order to identify possible risks before attending. Any other agency staff conducting a visit (eg, probation officers, community mental health workers or social workers) should also be informed of any known or suspected safety issues.

Systems should be in place to record when staff are visiting an offender’s home. For example, staff should inform the force control room at the beginning and end of each visit. Care must be taken if and when communicating information about home visits over open air waves; the consequences and implications of such information getting into the wrong hands should not to be taken lightly. Appropriate officer safety equipment should be taken on the visit. Any officer safety issues that were encountered should be recorded afterwards on ViSOR. Personal vehicles should not be used because of the risk of police officers and their families being identified from them.

7.4.4 Nature of Home Visits

To ensure officer and staff safety and the quality of home visits, either sole or joint agency, they should not be conducted by lone officers. Visits should generally be unannounced or conducted with minimal prior warning (eg, a telephone call before leaving the office). They should be carried out at different times and include evenings and weekends. They should also be conducted by officers in plain clothes using unmarked police vehicles (not personal vehicles) to avoid accidentally revealing the offender’s circumstances.
7.4.5 Officers and Staff Conducting Home Visits

All officers and staff involved in home visits should be trained in MAPPA, risk identification and assessment, and safeguarding children issues. All offenders should receive visits from a PPU officer. In general, visits should be made by two plain-clothed officers or one plain-clothed officer with a member of staff from another agency (eg, a probation officer). Visits should be conducted by one of the same officers who have previously visited the offender. This officer will be able to recognise any changes in the offender’s physical appearance, behaviour or other circumstances. Any such changes, including a name change or application for a name change, should be considered to be a potential warning of heightened risk. Visits by a deputy should only be conducted in exceptional circumstances. In preparation for this, full records from previous visits should be examined.

Home visits should not be conducted by officers who are not specialists (eg, neighbourhood policing team officers). This is because non-specialists are unlikely to have suitable training in risk identification, assessment and related matters, and there is the danger of undermining confidentiality (eg, where known police officers regularly visit a particular address). There are also issues relating to the welfare of officers and the risk of manipulation by the offender that make it inappropriate for visits to be conducted by officers without specialist training and the necessary supervision structure. For information about the role of NPTs in the management of sexual offenders violent offenders and PDPs, see 3.1.6 Public Protection and Neighbourhood Policing.

7.4.6 Discreet Policing and Maintaining Confidentiality

Consideration should be given to confidentiality and, unless there are exceptional circumstances, visits should be made discreet by officers wearing plain clothes and using unmarked police vehicles.

Information about the individual’s offending history or circumstances should not be shared with any member of an offender’s household, or any other person, unless the officer is certain that the offender has already self-disclosed. In general, those undertaking visits should avoid confirming or denying any suggestions made about the purpose of the visit or the offender’s circumstances. If it is suspected that information about the offender has become known, this should form part of any risk assessment and risk management plan, see 3.7 Managing Community Knowledge and Suspicions.
7.4.7 Conducting Home Visits

Generally offenders should not receive prior warning of home visits. Visits should take place during office hours and at evenings and weekends.

Section 58 of the Violent Crime Reduction Act 2006 amends the SOA to include section 96B, which allows the police to seek a warrant from the magistrates’ court to enter and search, by force if necessary, the premises of an RSO. This can be the last home address they notified to the police in accordance with the notification requirements, or other premises where there are reasonable grounds to believe they are residing or are to be regularly found. The purpose of entering the home will be to ensure that the police discover the information they require to assess the risk posed by the offender and develop plans to manage that risk. Any application for a warrant must be made by a senior police officer, not below the rank of superintendent. It must also be the case that on at least two previous occasions, a constable has sought entry to the premises and been denied. This will ensure that the power is only used in appropriate cases and against those offenders who, by their actions, have displayed an unwillingness to cooperate with the authorities. For further information see Home Office Circular 17/2007 Power of Search and Entry to Risk Assess Sex Offenders Subject to the Notification Requirements and NPIA (2009) Managing the Offender: Home Visits [DVD].

The offender should be informed of the reason for the visit and that it is part of the ongoing risk management process. An officer can ask questions about the offender’s lifestyle and circumstances but they do not have to answer.

Prior to a home visit, the officer conducting it should be familiar with the information about the offender held on ViSOR, including their appearance. Checks should be made on PNC and local intelligence systems to ensure that the offender is not wanted.

It can be useful to have one person who always visits the same offender, for continuity, and for the second person to differ each time. It is easier to identify signs of officers being manipulated if someone who is not familiar with the offender observes it. Officers should be able to recognise potential manipulation themselves and accept that, generally, this will happen to them at some time when dealing with these types of offenders. It is important to recognise this as an issue so that preventive action can be taken. Officers conducting home visits should always adopt an investigative approach (see 1.1.2 Investigative Approach) and be aware that offenders can make convincing attempts to befriend and manipulate those who are responsible for managing them.
Officers making home visits should be fully aware of the details of previous offences. They should not, however, base their investigations on the assumption that the offender will restrict any further offences to a particular type of offence, and their observations should be focused accordingly. For example, a person who has offended against a family member may also be a risk to strangers, and someone who has offended against adults may be a risk to children too. See 1.6 Nature of Sexual Offending and Violent Offending. ACPO (2007) Restricted Checklist: Observations when Conducting Home Visits and Other Risk Management Actions and Checklist 3 Factors to be Monitored to Identify, Assess and Manage Risk may assist those conducting home visits to target their observations of, and conversations with, the offender in such a way as to elicit the appropriate information. ACPO (2007) Restricted Checklist: Observations when Conducting Home Visits and Other Risk Management Actions is available as a restricted document on the POLKA website.

7.4.8 Outcomes of Home Visits

After each home visit VISOR should be updated with all necessary information, see current NPIA VISOR Standards. This should include any officer safety issues that have been encountered. If no safety issues were encountered, this should be recorded to keep risk assessments complete and up to date. A revised risk assessment may need to be prepared for future visits. In addition, the risk assessments relating to the particular offender or PDP should be updated to identify additional risk factors or changes in risk factors, and to record all potentially relevant information from the visit. Depending on the circumstances there may also need to be an intelligence submission using the 5x5x5 Information/Intelligence Report. The visit may also necessitate information sharing with another agency such as the Probation Service or adult and children’s social care. Referral of any ongoing accommodation issues should be referred to the appropriate agency (eg, the Probation Service or the local authority).

7.4.9 Unsuccessful Home Visits

Unsuccessful home visits are those in which access to the offender and/or the home is denied or is not possible. Following such a visit, a plan should be made by the visiting officer(s) to conduct a further home visit as soon as possible.

For an example of good practice see Dealing with an Uncooperative RSO.
All unsuccessful home visits should be recorded for the purposes of defensible decision making (see 1.1.3 Justifiable and Defensible Decisions) and performance management (see 3.6 Performance Management and Indicators). Such records will also be relevant in exercising powers under the Violent Crime Reduction Act 2006, see 7.4.7 Conducting Home Visits.

When there is evidence that a registered offender is no longer staying at a home address, details of this should be recorded (eg, the date the offender left or any details of a forwarding address). This information should be passed immediately to the PPU to be actioned who should conduct immediate enquiries to establish whether the offender has left the address, and to attempt to locate them. Once it is established that the offender is in breach of notification and cannot be located, the PPU should circulate them as wanted/missing via local and national systems within twenty-four hours. See 7.6 Missing Registered Offenders.

The RA which has included an offender in any of the MAPPA Categories 1 to 3 has the responsibility for using the MAPPA framework to formally transfer cases to other areas.

It is essential that the PPU of the force from which the offender is transferring, conducts a review of that offender prior to transfer. This may include a home visit or requesting the offender to visit their police station. The outcome of this review should then be discussed with the receiving force.

For detailed guidance about the transfer of cases, see current NPIA ViSOR Standards and MAPPA Guidance, Probation Circular 06/2007 and Probation Circular 52/2004 Case Transfer Instructions and Probation Circular 06/2007 Critical Public Protection Cases.

7.5.1 Force Responsibility and Ownership of Offender Records

The responsibility for creating and maintaining a ViSOR record is with the investigating police force or relevant NOMS area. In relation to the police, where more than one force is part of the offender’s management, the ViSOR system should be used to create partners. Transfer of ownership of ViSOR records should occur when a permanent address is registered by an offender in a different force area and/or when a particular RA (of which the investigating force is not part) becomes responsible for an offender. Where the investigating force is in a different RA from the probation area responsible for preparing a pre-sentence report, this should be reflected in the creation of partners on the ViSOR system. For more information about ViSOR, see current NPIA ViSOR Standards.
When an owning force is notified that an offender is due to move to another force area (e.g., by advance notification), contact should be made with that force area. All forces should have systems in place to ensure that such information is appropriately managed internally. The owning force is still responsible for the offender’s record on ViSOR until the receiving force accepts responsibility. This should occur when the offender registers their new address with that force. Notification to the receiving force is relevant for both MAPPA- and PDP-managed offenders. At any particular time it should be clear which is the owning force, and transfer of responsibility from one force to another should be clearly recorded. This includes cases in which an offender moves temporarily from one area to another.

On receipt of notification of an imminent transfer, the receiving force should initiate consultation with regard to risk, response plans and threats to life, between internal and external parties which may be affected by, and/or involved with the transfer of the offender. For example, forces with specialist units for the management of matters such as witness protection or intimidated/at risk people, for which the transfer of a MAPPA subject may have implications.

### 7.5.2 Escorting Offenders

In exceptional circumstances it will be appropriate for one police force to take responsibility for escorting an offender from one force area to another. The following points need to be considered before a decision is made about whether to escort an offender:

- Availability of funding and staff;
- Outcome of any risk assessment relating to the police officers escorting the offender, see 3.4.2 Welfare and Safety;
- Outcome of any risk assessment relating to the offender which suggests the need for the offender to be escorted;
- Arrangements for accommodation and supervision of the offender in the destination force area.

The Metropolitan Police has produced *Guidance on the Return of Deported Child Sex Offenders to the United Kingdom (2010)* which provides broad guidance to UK police forces, where they are seeking the return of a UK child sex offender to the UK; the person concerned being deported from a foreign country. Much of this guidance is equally applicable to an offender associated with another area of criminality, rather than child sex offences. In particular, it considers issues associated with the offender transiting another country where there are no direct return flights to the UK.
This may involve:

- Dissemination via Interpol to the transit country concerned;
- The assistance of the Foreign and Commonwealth Office (FCO) in the country holding the offender and the FCO in the transit country to gain the cooperation of the authorities in the transit country;
- The assistance of the SOCA Liaison Officer and/or Airline Liaison Officer (Chief Immigration Officers, UKBA deployed abroad) if there is one that covers the country concerned;
- The foreign country’s authorities should be encouraged to stamp the offender’s passport indicating that they are being deported from their country – this should assist considerably with the transit country denying entry;
- Press lines being prepared and agreed amongst all UK law enforcement agencies that are a party to the deportation and the FCO.

Further media issues that should be considered include:

- The foreign country’s authorities may wish to promote widespread media coverage at the point of deportation. This may not assist UK law enforcement in achieving a smooth departure as it may antagonise the offender.
- It may be possible to broker a news embargo to a particular date/time. Media coverage, and its potential deterrent impact, should be encouraged.
- Consideration should also be given to the impact of any media coverage on past victims of the offender and the offender’s immediate family.

The guidance also provides advice for situations where the force concerned decides to go to the foreign country and accompany the offender back to the UK. It covers where the force is unable to accompany the offender back to the UK and the foreign country’s own law enforcement agency offer to accompany the offender back to the UK. The guidance does not include:

- Matters associated with international arrest warrants and extradition;
- Possible investigations relating to the offender’s sexual abuse of children in the destination country, including the safeguarding of children identified as victims.

For further information on this deportation guidance email: OperationJigsaw@met.pnn.police.uk
7.6 Missing Registered Offenders

All forces should have SOPs in place for tracing missing offenders. Every effort must be made to locate missing registered offenders with a designated responsible owner held accountable for the actions and outcomes of all searches undertaken, in particular, checks made via agencies such as DWP, and IPS for change-of-name applications. This should include, as a minimum, the responsible owner maintaining a record of action taken to trace the missing offender and ensuring actions and outcomes are subject to review periods by supervisors to make sure all lines of enquiry are pursued.

For an example of good practice see Unaccounted For Missing RSOs.

Once it is established that the offender is in breach of notification and cannot be located, the PPU should circulate them as wanted/missing via local and national systems within twenty-four hours.

When an individual does not fulfil the notification requirements and all operational efforts to track down the person have failed, a decision may be made to proactively appeal for help in tracking down the person, including the release of a photograph. Any such decision should include a full assessment of the risk of harm from the offender and from others (eg, risk of vigilantism), and risk of attacks on the offender or their family or someone with a similar name or appearance as the offender. In such cases, the force press office should be consulted and reference made to ACPO Media Advisory Group (n.d.) Guidance Notes, particularly sections 5 and 8.

Only the minimum details about the offences committed should be included in any public appeal or press statement. Unless a twenty-four hour information-gathering facility is available, then the Crimestoppers number should be given in a public appeal for information.

7.6.1 Child Exploitation and Online Protection Centre UK Tracker Team

The Child Exploitation and Online Protection Centre (CEOP) UK Tracker Team assist UK police forces in locating the highest risk non-compliant RSOs who have convictions against children. Where an offender meets the referral criteria, the managing police force should refer to the UK Tracker Team at the earliest opportunity. This will ensure prompt action can be taken to commence tracking and locating the offender. The statutory responsibility for the child sexual offender remains with the managing police force. The CEOP case officer and the force PPU Officer will agree the actions to be taken. The UK Tracker team will then assist with enquiries in the UK and abroad, as required, to locate the offender.
Where the team has capacity and can add real value, assistance can be provided to MAPP Panel (MAPPP) cases where the offender is high risk/MAPPA level 3, there is a network of offenders, or where there is likely to be significant public interest.

The CEOP criteria for referral to the UK Tracker Team is that the offender:

- Is a UK RSO;
- Has a sexual offence against a child/children, i.e., the offender has been convicted of a contact offence(s) with a person(s) less than 16 years of age, or has been convicted of a non-contact offence(s) with a person(s) less than 18 years of age;
- Is assessed as very high or high risk (Risk Matrix 2000);
- Is wanted for Breach of the Notification Requirements of the SOA.

The UK Tracker Team may also consider referrals where the offender:

- Is managed at MAPPA level 3;
- Is involved in a serious sexual offender network;
- Has dynamic risk factors that suggest that the offender is likely to imminently go missing or commit a serious offence against a child;
- Is likely to have access to multiple victims;
- Has a high public profile;
- Is a prisoner to be released in the near future who is assessed as likely to breach licence conditions or breach notification requirements, and is assessed as likely to commit a serious sexual offence against a child on release.

If the non-compliant child sex offender does not fall into one of the above categories, advice and guidance to the local force is available from the UK Tracker Team, but a referral will not be accepted.

The UK Tracker Team manages the CEOP Most Wanted website (http://www.ceop.gov.uk/wanted), in conjunction with Crimestoppers. Offenders can only be posted on the Most Wanted website if they are a current UK Tracker case. The website is used as a last resort, once all other lines of enquiries have been exhausted. The offenders posted to the website are shown as being wanted for breach of Notification Requirements and their convictions are not detailed. A rigorous risk assessment (signed at ACC level) is required before posting an offender to the website, to fully consider issues of proportionality and impact on the victim’s and offender’s families, and risks to the offender. A joint media strategy is also agreed, with press statements being released.
The CEOP Most Wanted website has a proven deterrent effect. The UK Tracker Team has produced handouts to be given to RSOs who have committed offences against children and are currently being managed within the community. This highlights that if an offender goes missing, they lose their right to anonymity.

The UK Tracker Team can be contacted at uktracker@ceop.gsi.gov.uk or by telephone on 020 7238 2371.

When registered offenders travel abroad, a number of issues arise including tracking the offender in order to prevent the commission of offences and the possibility of disrupting travel (eg, using FTOs, see 7.9.4 Foreign Travel Order).

There are notifications requirements for registered offenders who travel abroad, see 7.3.5 Notification of Foreign Travel. Offenders on licence are not allowed to travel abroad unless there are exceptional circumstances and they have received written authorisation from a probation senior manager. For further details see Probation Circular 04/2006 Temporary Travel Abroad While on Licence.

All travel arrangements should be risk assessed and appropriate action taken, including sharing information with other agencies and countries. Officers should examine the travel arrangements of offenders and not merely record the details.

Offenders may travel abroad specifically to commit further offences, which can put children, adults in danger, and the reputation of UK law enforcement agencies at risk.

The team managing the offender in consultation with relevant partner agencies should initially consider whether to pass information onto another country. It is essential that all decisions made in this regard, along with the justifications for them, are clearly recorded. It is important that this power does not overburden the system for transmitting information between countries and, for this reason, it should only be used for those offenders who pose a higher risk of offending in the destination country.

Forces must ensure adequate administrative processes exist for the receipt of foreign travel notifications by station office staff and the rapid transfer to the relevant PPU.

Child Exploitation and Online Protection (CEOP)

CEOP has agreed to undertake a quarterly analysis of foreign travel notifications, downloaded from ViSOR and will produce a spreadsheet to summarise the results. The analysis of this data (which will primarily be in respect of RSOs who have offended against children) will then be
shared with the ACPO Travelling Sexual Offender Sub-Group, and in turn with UK PPUs. It is expected that this analysis will assist in identifying ‘hotspot’ destinations and trends in RSOs travelling overseas.

The results will permit forces to make a more accurate judgment when considering disclosure to the country concerned and help to inform the necessary risk assessments in conjunction with existing threat assessments from FCO/SOCA. It will also assist with FTO applications.

The CEOP (n.d.) Travelling Child Sex Offenders Guide on the Dissemination of Intelligence Reports is available to assist forces in standardising the decision-making processes on when and how to disseminate intelligence on sexual offenders who travel overseas. This includes advice on how to find current high-risk destinations and a link to a worldwide Age of Sexual Consent website, to enable more assured decision-making. This guide is applicable to both child and adult sex offenders and can be requested from the CEOP Overseas Tracker Team by telephone: 020 7238 2350/2351, or email: intelligence@ceop.gsi.gov.uk

The CEOP Centre, through the ACPO Public Protection Working Group Best Practice Sub-Group are working to produce a training course for covering all issues concerning travelling sexual offenders. The course will be available to officers in 2010. In addition, CEOP has created a computer-based training package for public protection officers and local training units, that provides an easy route to aid defensible decision making regarding dissemination. For further details email CEOP’s training team at training@ceop.gsi.gov.uk

A list of courses can be found at https://www.ceop.police.uk/training/training_courses.asp

UK Central Authority for the Exchange of Criminal Records (UKCA-ECR)

- UKCA-ECR supports operational policing requirements on behalf of all police forces in England, Wales, Northern Ireland and Scotland. Its primary focus is on the notification to relevant Member States, of any convictions imposed in the UK on a national from that EU Member State and the receipt of notifications of convictions of UK nationals in other EU Member States.

- It also receives and responds to requests from all UK police forces and other law enforcement agencies, for extracts of criminal records of nationals from other EU Member States if they are being managed or investigated by UK forces.

Their services should be considered in all cases where offenders are vague about their travel plans for extended periods abroad, and where enquiries may reveal existence of subsequent criminal activity. UKCA-ECR can be emailed at UKCA@acro.pnn.police.uk
Identity and Passport Service (IPS) Watch list/Browse

The IPS watch list, also known as the ‘stop list’ or ‘browse’ is a flagging service. Whenever an offender whom IPS has been made aware of, makes any contact with the IPS (eg, for a new passport application or any change of personal details), the police will be notified. This is particularly useful when trying to trace an offender, especially if they have made their application at an overseas embassy.

If there is good enough reason to delay the passport issue, the IPS can assist with this. Alternatively, if the applicant is wanted for an offence and they are overseas, the IPS can be requested to issue them with a one way temporary travel document back to the UK instead.

The watch list also provides the opportunity to collect intelligence such as obtaining photocopies of the pages in the old passport showing the stamps and enabling their previous travel to be tracked, identifying any trends in the movements, flagging any change of name or identity, or requesting a copy of the new passport application. By creating an entry on the IPS watch list, any subsequent applications made in the UK or overseas (through the FCO), will be referred to the Operational Intelligence Unit, which then liaises with the relevant force. This is particularly useful in pre-empting the use of Change of Name (by deed poll) by suspects and offenders.

Name or identity changing for the purpose of criminal activity is not a new trend and while name changing may not currently be recognised as a perceived risk, it is essential that the police give due consideration to the risk of RSOs using Change of Name (by deed poll) in order to avoid detection. See Checklist 14 Risk Factors Around RSOs and Identity Issues.

Where an individual has had to surrender a passport to a court or force, and falsely declares it to be lost or stolen to IPS, once the report is actioned, the document in question will additionally become part of the lost or stolen passport data extract sent to UKBA for inclusion on HOWI and Interpol via SOCA.

Officers should make requests for information/flagging (including a change of name, see Checklist 14 Risk Factors Around RSOs and Identity Issues) on a DPA, section 29/3 pro-forma. An overt action, such as stop and alert the police, will need to be authorised by an inspector or equivalent, before forwarding it to the IPS via the force intelligence bureau (FIB). Requests should be made electronically and, therefore, the inspector, or their equivalent, is able to authorise in the email chain. The FIB will then forward the authorised request to the IPS mailbox: police3.referral@ips.gsi.gov.uk.

Officers can request one or all of the following but will need to specify on the pro-forma what exactly they require:
• A check conducted against IPS records to report back passport history/current passport;
• Provide detail from most recent passport or all passports or provide copies of records including photo;
• Exhibit a passport record and provide witness statement;
• Create entry on IPS watch list and notify of any subsequent contact, especially if there has been a change of name, see Checklist 14 Risk Factors Around RSOs and Identity Issues.

For further information see ACPO (2010) Public Protection Working Group Best Practice Sub-Group Briefing Document on Identified Good Practice from forces across the UK in relation to investigating, disrupting and bringing to justice travelling sexual offenders. This is available from http://polka.pnn.police.uk

Checklist 14 Risk Factors Around RSOs and Identity Issues

Areas for concern and which are likely to trigger the use of name changing include:

1. Overseas travel

Where an RSO:

• Is likely to leave the UK because of previous travel abroad to commit offences;
• Has an occupation which entails regular overseas travel;
• Has previously travelled to a hub airport and only declared travel to the country of that airport (the local Special Branch officer should be able to provide details of the key hub airports);
• Travels overseas regularly.

2. Vocation or profession

• Where an RSO has regular contact with vulnerable persons, eg, teaching or working in a hospital; they will be very aware that it will much more difficult to continue to obtain work in that area if CRB checks are going to be required.

3. Previous conviction for fraud

• Where an RSO is very aware of how change of identity is a tool for committing fraud and, therefore, they may be more likely to consider alternatives for circumnavigating CRB and law enforcement checks.

Where there is a risk of a suspect or offender leaving the UK and/or changing their identity, pre-emptive actions include:

a) Requesting IPS and/or DVLA to put a marker on the file to alert the officer in charge whether an application should be made.
b) Checking more than once with the RSO what identity credentials they have in their possession (ie, driving licence and UK passport).

c) Checking for change of name and/or identity-related web searches and activity when monitoring the RSO’s internet use.

To avoid unnecessary, high volumes of requests to these agencies, it is important that such enquiries are limited to the above areas for concern. Officers need to be aware that highlighted markers such as a DVLA enforcement marker, will show on PNC and IPS markers may show on Omnibase.

In addition, accessing any DVLA driver record on PNC via #DL, will link previous records held by the licence holder and show any name changes. However, officers should bear in mind that an offender will attempt to obtain a new driving licence or passport by submitting false identity documents to support the obtaining of the genuine document. It should be noted that accessing the driver record via the Drivers Validation Service which is available in all forces, does not have the facility to link any existing name changes via the PNC route. The PNC, therefore, should be the preferred option for such research and/or direct liaison with the agency concerned.

Note: The DVLA and IPS have strict rules on accessing their records via PNC and Omnibase. Outside of this, data can always be obtained from the agencies via the normal liaison channels.

### 7.7.1 Child Exploitation and Online Protection Centre Overseas Tracker Team

The CEOP Overseas Tracker Team proactively investigates UK nationals who are suspected of travelling overseas to sexually offend against children. The focus of the team is on those individuals who have never been convicted or come to the attention of UK law enforcement, but who are suspected of offending against children overseas, as well as those offenders who have convictions which pre-date the introduction of the UK Sex Offender Register. This means that the team concentrates its efforts on those individuals who are not subject to the requirements of the SOA and may otherwise fall below the radar.

The Overseas Tracker Team brings together a number of various disciplines and enhanced resources, to develop intelligence on suspected offenders and to identify the most appropriate means of disruption. It receives reports from a variety of sources including law enforcement, NGOs, the travel industry and members of the public. In the first instance, the team will undertake checks to corroborate referrals on suspected
offenders. It then disseminates timely and accurate intelligence on suspected offenders to local and international law enforcement agencies, seeking authority to disclose to other non-governmental agencies where it is considered necessary and proportionate to the investigation.

The action taken depends on the country and case in question. If an individual is successfully convicted or cautioned for sexual offences committed overseas, then they will be made subject of a Notification Order on their return to the UK and placed on the Sex Offender Register. If it is not possible to secure an overseas prosecution the team will assist UK police forces to bring a prosecution against that individual in the UK using extra-territorial provisions which enable offences committed overseas to be investigated and prosecuted within the UK. The team works closely with immigration agencies around the world in target countries and disseminate intelligence which may positively impact on whether entry visas are issued or revoked.

The Overseas Tracker Team works closely with the UK police to provide consultancy on cases and joint working to assist investigations to impart expertise of knowledge of travelling sex offenders. The team provides intelligence which can be used as grounds for imposing civil preventative orders on travelling child sex offenders on their return to the UK. For example, RSHOs can be used to place prohibitions on non-convicted offenders and FTOs, to prevent offenders with previous convictions for sexual offences against children from travelling abroad.

The team also records data on UK nationals who are arrested or convicted overseas, and works with the UK Central Authority and police forces to ensure that these individuals are made subject of an NO on their return to the UK.

As a national unit, the team is actively involved in the work of the ACPO Public Protection Working Group Best Practice Sub-Group to drive forward improvements in this area. The team regularly provides advice to UK police forces in order to instil best practice on working with foreign law enforcement. As part of this the team has produced a guidance document on how to correctly disseminate intelligence on travelling sex offenders overseas which is available on request.

The Overseas Tracker Team accepts referrals by email. For those who are in possession of any information concerning the following, the team can be emailed at intelligence@ceop.gsi.gov.uk:

- The welfare of a child/children overseas, or incidents which indicate a child may be or is being sexually abused by a UK national overseas;
- A UK national is suspected of being engaged in the commission of sexual offences against children overseas;
• A UK national is suspected of offering the sexual services of a child whilst abroad;

• An organisation is suspected of being involved in facilitating the sexual exploitation of children overseas by UK nationals.

For more information on the role of CEOP, see 7.6.1 Child Exploitation and Online Protection Centre UK Tracker Team and 8.3 Child Exploitation and Online Protection Centre.

7.7.2 Role of the UK Border Agency

UKBA is a single border force formed in April 2008 to improve the UK’s security through stronger border protection while welcoming legitimate travellers and trade.

UKBA brings together the work previously carried out by the Borders and Immigration Agency (BIA) customs detection work at the border from HMRC, and UK Visa Services from the FCO. It is responsible for managing immigration control in the UK. It also considers applications for permission to stay, citizenship, and asylum. As part of the new border protection, UKBA has introduced new technology to screen high risk people and goods, count people in and out of the UK and check the fingerprints of visa applicants.

7.7.3 Role of Her Majesty’s Revenue and Customs

HMRC can pursue customs investigations in certain circumstances where the police are unable to progress the case. HMRC can also support the police in targeting individual suspected offenders passing through customs controls.

*ACPO and HM Customs and Excise (2003) Protocol between HM Customs and Excise and the Association of Chief Police Officers Relating to Child Sex Abusers* establishes that HMRC will conduct checks on any RSOs detected entering the UK and notify the police and SOCA of any relevant intelligence discovered. It will also inform the police of any change to the details required to be notified under the SOA and notify the police of any persons passing through customs who are identified as being subject to notification requirements but have failed to meet them. As well as advising HMRC of any investigations relating to the importation of child abuse images, police forces should have policies in place to ensure that SOCA are advised of target offenders who may have a national or international dimension to their offending. Forces should also ensure that HMRC are advised of day-to-day operational targets that are suspected of travelling abroad or have contacts with child abusers who are resident abroad.

For further information on the role of HMRC see 8.6 Her Majesty’s Revenue and Customs.
7.7.4 E-Borders Programme

e-Borders is a UKBA owned system operated in partnership with police and other agencies. The e-Borders system screens every passenger or crew member entering, leaving or transiting in the UK in advance of their journey. The coverage provided by the system is still growing, with 95% of all journeys scheduled to be screened by the end of 2010.

The system screens travellers against a number of watch lists including the PNC, which includes VISOR markers, to identify those of current interest to police, UKBA and others. Where a VISOR subject is identified, the details are presented to police personnel in the National Border Targeting Centre (NBTC) (formerly the JBOC). They will confirm the traveller as identical with the VISOR subject and where appropriate send an alert to port if intervention during the travel process is required or, via VISOR to the supervising officer.

e-Borders will identify and enable police to monitor which VISOR subjects are entering or leaving the UK, and whether they have complied with notification requirements. See 7.3.5 Notification of Foreign Travel.

It is important that VISOR records are updated with foreign travel notification and other relevant information without delay, see current NPIA VISOR Standards. The police force responsible for managing an offender identified by the system, is responsible for investigating any apparent offences.

It should be noted that where a registered offender intends to travel to more than one country, the point of arrival in each country, if it is known, should be notified to the police. All such information should be included in the foreign travel attachment of the offender’s VISOR record.

The data obtained by the e-Borders Programme, together with full VISOR records, will assist in detecting and preventing offences both in the UK and abroad.

7.7.5 Role of Interpol

One of Interpol’s most important functions is to help police in member countries share critical, crime-related information using the organisation’s system of international notices.

Based on requests from National Central Bureaus (NCBs), the General Secretariat produces notices in all of the organisation’s official languages.
An international warning notification may be issued about any person who is suspected of being an international criminal for a number of reasons.

The most commonly used in the case of an RSO is the Green Notice. These notices are used to provide warnings and criminal intelligence about persons who have committed offences, and who are likely to repeat these crimes in other countries. The notice will inform Interpol member states about the risk an offender poses when they enter the country. A Green Notice is a useful tool when trying to locate offenders who may travel to several countries. In the past, Green Notices have been notoriously underused but Interpol has recently improved the processes and the resulting system is considerably more efficient. Interpol is keen to encourage officers to utilise the Green Notice whenever appropriate, and ACPO fully supports their position on this.

An alternative to the Green Notice is the Blue Notice. This is issued to collect additional information about a person’s identity activities in relation to a crime and enables a message to be sent when an offender crosses the border of an Interpol member country. A Blue Notice acts as an international locate/trace marker, similar to the UK markers held on PNC.

Other Interpol Notices

Red Notice – A Red Notice is not an international arrest warrant. The persons concerned are wanted by national jurisdictions (or the International Criminal Tribunals, where appropriate) and Interpol’s role is to assist the national police forces in identifying or locating those persons with a view to their arrest and extradition. These red notices allow the warrant to be circulated worldwide with the request that the wanted person be arrested with a view to extradition.

A distinction is drawn between two types of red notice: the first type is based on an arrest warrant and is issued for a person wanted for prosecution; the second type is based on a court decision for a person wanted to serve a sentence.

Yellow Notice – This is issued to help locate missing persons, especially minors, or to help identify persons who are not able to identify themselves.

Orange Notice – This is issued to warn police, public entities and other international organizations about potential threats from disguised weapons, parcel bombs and other dangerous materials.

INTERPOL – United Nations Security Council Special Notice – This is issued for individuals and entities associated with Al-Qaida and the Taliban, as listed by the 1267 Committee on the Consolidated List and
therefore subject to sanctions (freezing of assets, travel ban and arms embargo). These Special Notices are circulated to all INTERPOL member countries and have two principal functions:

1. To alert national law enforcement agencies that certain individuals are the target of United Nations sanctions and are, therefore, subject to an assets freeze, arms embargo, and travel ban;
2. To improve the accuracy of the Consolidated List.

Notices contain two main types of information:

- Identity particulars – comprehensive identity details, physical description, photograph, fingerprints and other relevant information, eg, occupation, languages spoken, identity document numbers.
- Judicial information – for example, offence with which the person is charged; references to the laws under which the charge is made or conviction was obtained; the maximum penalty which has been or can be imposed and, in the case of the Red Notice, references to the arrest warrant or sentence imposed by a court; and details about the countries from which the requesting country will seek the fugitive’s extradition.

For further information see http://www.interpol.int/public/notices/default.asp

### 7.8 Covert Investigation

Intelligence or subject profile development, together with associated tactical and risk management plans, may recommend the use of covert investigative techniques.

If it is appropriate to seek the use of such techniques in order to support a pro-active investigation or the ongoing management of a sexual offender, violent offender, or PDP, the officer in the case should approach the Covert Management Unit (or force/agency equivalent) with their objectives.

The Covert Management Unit will assess the request and send it to the appropriate dedicated covert teams for action. This enables specialists to manage each request and to decide upon the most appropriate covert technique to fulfil the objectives set by the operational team, eg, Surveillance or communications data.

Some investigations or management plans will necessitate the use of force resources while others, at a lower level, may only require local BCU support. For further information see *ACPO (2009) Guidance on the Lawful and Effective Use of Covert Techniques Local Volume Crime and Disorder [Restricted]*.
A number of court orders and sentences are available to support the police in managing offenders and protecting the public. Police staff should understand the meaning of each order and its limitations so that they can carry out their responsibilities in terms of public protection, including applying for orders, enforcing orders and keeping victims informed. There are a number of orders which are relevant for public protection issues. ACPO (2009) Guidance on Investigating Child Abuse and Safeguarding Children provides information about court orders available for the protection and care of specific children. Orders available for particular suspects or offenders are listed in the following subsections. Whenever a court order or sentence for public protection is in place, police forces should work with their local probation service to ensure that offenders understand the requirements of each order or sentence (e.g., by a formal induction process).

Orders or sentences appear alphabetically. The suitability of a particular order will depend on the nature of the risk posed by the individual offender and their circumstances (e.g., whether they have a mental illness which necessitates a Guardianship Order). Not all orders will be relevant to every offender. For information on covert techniques which may be relevant in the enforcement of some of these orders, see 7.8 Covert Investigation.

7.9.1 Anti-Social Behaviour Order

An Anti-Social Behaviour Order (ASBO) is a community-based civil order available under the Crime and Disorder Act 1998. It can be applied for by a relevant authority, including the police or local authority, against a person who acts in an anti-social manner that causes, or is likely to cause, alarm, distress or harassment to one or more people not in the same household as that person. The order must also be necessary to protect relevant persons from further anti-social acts. ASBOs are preventive orders. They are intended to be used to stop persistent and serious anti-social behaviour which can affect the quality of life of a community. Although these are civil orders, a breach of them is a criminal offence that carries the risk of imprisonment. For further information see Home Office (2006) A Guide to Anti-Social Behaviour Orders.

For examples of good practice see Use of an ASBO for Relapse Prevention and Application of a CRASBO.
7.9.2 Community Orders with Drug Rehabilitation Requirement

From 4 April 2005, Drug Treatment and Testing Orders (DTTOs) for those aged 18 years and over were replaced by Community Orders with a Drug Rehabilitation Requirement under section 177(1)(i) of the CJA. Sections 209 to 211 of the Act provide further definitions of the requirements of such orders. Probation Circular 36/2007 – Managing Drug Misusers Under Probation Supervision: Guidance for Probation, CJITS and CARAT Teams and Probation Circular 57/2005 Effective Management of the Drug Rehabilitation Requirement (DRR) and Alcohol Treatment Requirement (ATR) provide detailed information on this type of community order.

7.9.3 Disqualification Order

Under the new Independent Safeguarding Authority vetting and barring scheme, Disqualification Orders will no longer be issued for Prescribed Offences. Disqualification Orders may still be issued for other serious offences committed against children which will result in the individual being barred on the childrens’ list.

Offenders who are already in receipt of a Disqualification Order will automatically be transferred to an Independent Safeguarding Authority-barred list, and will receive notification from the Independent Safeguarding Authority informing them.

Those referred to the Independent Safeguarding Authority for barring will be entered onto the PNC. The CRB will then make a decision on eligibility and to which of the two lists they are to be added.

7.9.4 Foreign Travel Order

The SOA (sections 114 to 122) allows an FTO to be applied for against individuals convicted of, or cautioned for, a qualifying offence (Schedule 3, SOA) or found not guilty by reason of insanity, and persons found to be under a disability and who have done the act they have been charged with. An FTO may also be made against those with convictions or cautions received in respect of equivalent offences overseas. It must appear to the person applying for the order that ‘the defendant has, since the appropriate date, acted in such a way as to give reasonable cause to believe that it is necessary for such an order to be made’. Section 22 of the Policing and Crime Act 2009 removes the requirement to comply with section 127 Magistrates Court Act, which will permit applications to be based on intelligence or activity beyond the former six-month timeframe. The appropriate date means the day the offender was convicted, found not guilty due to insanity or to have
a disability and to have done the act charged, or cautioned (section 115(5)).

An FTO may be made on application by the police to a magistrates’ court and, if made, will place a prohibition on a sex offender from travelling abroad either to a named country or countries, to anywhere in the world other than a named country or to anywhere in the world.

Under section 114(3)(b) of the SOA, a court may make an FTO to protect children generally or to protect any child from serious sexual harm from the defendant outside the United Kingdom. Section 23 of the Policing and Crime Act 2009 confirms the age of a ‘child’ being protected as increasing from under 16 to being under 18.

There needs to be a reasonable belief that it is necessary to apply for an order to protect persons under the age of 18 years from serious sexual harm. This is defined as serious physical or psychological harm caused by the defendant doing anything, outside the UK, which would constitute an offence listed in Schedule 3 if done in any part of the UK.

Section 24 of the Policing and Crime Act 2009 extends the valid period for FTO from six months to five years. The order can prohibit the offender from travelling outside the UK to specified or non-specified countries, or prohibit travel outside the UK at all. Section 25 of the Policing and Crime Act 2009 requires the offender to surrender all of their passports or other travel documents only when a worldwide FTO is imposed upon them. In accordance with Section 117A(2) SOA, unless the magistrate states otherwise, the order must require the defendant to surrender all of the defendant’s passports, at a police station specified in the order –

(a) On or before the date when the prohibition takes effect; or
(b) Within a period specified in the order.

In most circumstances this will apply to both UK and non-UK passport-holders.

**Guidance on Passport Surrender**

**Section 25 Policing and Crime Act 2009**

Section 25 of the Policing and Crime Act 2009 (PCA) provides a power to require a sexual offender subject to a blanket Foreign Travel Order (FTO) which prevents travel outside the UK, to surrender their passport(s) to police. The power came into force on 1 April 2010.

If an offender attends a police station having been instructed to surrender their passport(s) after the imposition of a worldwide FTO, the following procedure is suggested.
When the offender reports to a Police Station to surrender their passport(s)

Check the passport(s) against other available identity documents to verify their identity. Seize the passport(s) following local procedures for seizure of property. Issue a receipt acknowledging possession of the document. The passport(s) should be stored in accordance with local force procedures regarding property retention.

It is the responsibility of each individual PPU to keep original documents secure and to ensure sufficient audit trails exists upon the VISOR system. This should guarantee sufficient standards capable of proving a case in court if a FTO were to be breached.

Failure to surrender passport(s)

If the offender fails to surrender their passport(s) they are breaching their FTO and commit an offence against Section 25 PCA.

If the offender attends the police station to surrender their passport but claims not to have a passport (or to have lost it) and, therefore, cannot surrender it, then the offence of failing to surrender their passport(s) is committed. Although the offender may be offering a reasonable excuse for failing to do so, the offence is committed when they fail to surrender the passport as instructed. It would be appropriate to caution the offender at this point. Any comment they make in relation to this should be appropriately recorded (in the format of a significant statement) and the offender invited to sign this as an accurate record of what was said. Any further questioning about the circumstances of the offender not having their passport(s) should be undertaken in interview under caution.

It is essential for effective enforcement of FTOs that any person who fails to surrender their passport is swiftly brought to justice and the passport(s) recovered. As such situations are anticipated to be rare, the advice of a supervisor (or if available a member of staff from the Public Protection Unit) should be sought on how to deal with the offender. It may be appropriate to arrest the person for the offence at this point to secure and preserve evidence (or to deal with the offender voluntarily and interview them under caution). If such action is not appropriate in the circumstances, then local tasking and coordinating procedures should be utilised to ensure action is taken at the earliest opportunity and in any case within twenty-four hours.
A person who breaches an FTO without reasonable excuse commits a criminal offence. This is a civil preventive order and can be applied for at the same time as an RSHO (see 7.9.9 Risk of Sexual Harm Order) or a SOPO (see 7.9.10 Sexual Offences Prevention Order).


For an example of good practice see A Worldwide FTO.

### Public Protection Unit involvement

The relevant PPU staff should be aware of, or in attendance at, every FTO hearing and should ensure the court confirms with the offender the appropriate police station to attend to surrender their passport(s). The court should also confirm how long the offender has to attend this station and surrender the passport(s). The station reception staff at that location need to be briefed accordingly to deal with the offender when they attend to surrender the passport(s) and any attempts to deposit at another location will be refused and dealt with as a breach of the Court Order.

Whenever a worldwide FTO is imposed, a request should be submitted to the Identity and Passport Service (IPS) for information/flagging on a DPA section 29/3 pro-forma, see 7.7 Offenders Travelling Abroad: Identity and Passport Service (IPS) Watch list/Browse.

The SPOC should forward the request to the IPS mailbox at police3.referral@ips.gsi.gov.uk. The requests should be made electronically and authorised in the email chain. This will ensure that any attempts to hide the existence of a passport or to claim it has been lost but not formally reported, will be identified and will also record the police interest in the subject with IPS.
7.9.5 Restraining Order

Section 12 of the Domestic Violence, Crimes and Victims Act 2004 (in force since 30th September 2009) which inserted sections 5 and 5A of the Protection from Harassment Act 1997. This enables the courts to impose a restraining order, against a defendant convicted (section 5) or acquitted (section 5A), of any offence, to provide protection from harassment, as described in the order, for any person(s) named in the order.

7.9.6 Hospital Order and Guardianship Order

Hospital Orders and Guardianship Orders (under section 37 of the Mental Health Act 1983 (MHA)) allow a court to send a person to hospital for treatment or to make a person subject to Guardianship when otherwise the outcome might have been a prison sentence. A Guardianship Order can be made by a Crown Court where a person over the age of 16 years has been convicted of an offence punishable by imprisonment, or by a magistrates’ court where a person has been convicted of an offence punishable on summary conviction by imprisonment. These Orders are made instead of imprisonment or a fine or a community order.

Under section 37 of the MHA, a Guardianship Order will only be granted if the court is satisfied, on the written or oral evidence of two registered medical practitioners, that the offender is suffering from mental disorder, psychopathic disorder, severe mental impairment or mental impairment. The court must also be satisfied that the other criteria in the Act are met. For example, that the nature and degree of the mental disorder makes it appropriate for the person to be detained in a hospital for medical treatment and that appropriate medical treatment is available for them, or in the case of an offender who has attained the age of 16 years, the mental disorder is of a nature or degree which warrants their reception into guardianship.

A section 37 Hospital Order directs the admission of the offender to a named hospital which has consented to admit them for an initial period of six months which may be renewed for a further six months and then at yearly intervals thereafter. Once the court implements a section 37 order, it has no further involvement and does not have to be informed if the patient is discharged. A notice of appeal against a Hospital Order made by the magistrates’ court must be received by the clerk of the magistrates’ court within twenty-one days of the decision of the court. A notice of appeal against a hospital order made by the Crown Court must be received within twenty-eight days of the decision. The leave of the Court of Appeal is required in the latter case unless the trial or sentencing judge certified the case to be fit for appeal. Patients and the
The nearest relative of those detained under section 37 can only apply to the Mental Health Review Tribunal after the initial six-month period has elapsed. They can apply once in that second six-month period and once in each twelve-month period thereafter.

When the Crown Court imposes a Hospital Order, it may also make a Restriction Order under section 41 of the MHA, where it is necessary to protect the public from serious harm. This order puts restrictions on the patient’s discharge, transfer or leave of absence from hospital without the agreement of the Secretary of State for Justice.

For further information please see the following resources:

- **ACPO (2010) Guidance on Responding to People with Mental Ill Health or Learning Disabilities, Appendix 4** includes a list of websites which maintain directories of mental health services;
- Office of Public Sector Information (OPSI) website, 49.1 Remand by magistrates’ court for medical inquiries and 49.2 Hospital or guardianship order imposed by a magistrates’ court at [http://www.england-legislation.hmso.gov.uk/si/si2010/uksi_20100060_en_38](http://www.england-legislation.hmso.gov.uk/si/si2010/uksi_20100060_en_38);
- Care Quality Commission (CQC) website at [http://www.cqc.org.uk/usingcareservices/mentalhealthact.cfm](http://www.cqc.org.uk/usingcareservices/mentalhealthact.cfm)

The CQC is the new health and social care regulator for England and replaces the Mental Health Act Commission. It monitors the use of the MHA and publishes reports and provider responses of all visits it makes to NHS trusts and independent providers in England which detain patients under the MHA.

### 7.9.7 Notification Order

Under sections 97 to 103 of the SOA, an NO requires a sexual offender who has been convicted or cautioned abroad to be subject to notification requirements under Part 2 of the Act. A chief officer of police may apply for an NO if they believe that the offender is in, or is intending to come to, the relevant police force area. An NO should, for example, be sought for a UK citizen who has been convicted of a sexual offence overseas and who is deported to the UK on release from prison abroad. The police should also apply for an NO for a foreign citizen coming to the UK who the police know has been convicted of a sexual offence in another country.
Section 57 of the Counter Terrorism Act 2008 makes provision for NOs. Schedule 4 makes provision for NOs applying the notification requirements of this Part to persons who have been dealt with outside the United Kingdom in respect of a corresponding foreign offence.

Where an offender is in the UK illegally or where previous offending history may be sufficient for the Secretary of State to request that the offender is deported or removed, contact should be made with UKBA. The police, however, should continue to pursue an NO in anticipation of delay in removal or a decision that the offender can remain in the UK.

In cases where prohibitions on an individual are necessary to protect the public from serious harm, a SOPO should be considered, see 7.9.10 Sexual Offences Prevention Order.


### 7.9.8 Public Protection Sentences

Public protection sentences are defined in sections 225 and 226 of the CJA. Section 225 provides for a new sentence of imprisonment for public protection. This is an indeterminate sentence. It may only be passed by a court if the offender is convicted of a specified sexual or violent offence (listed in Schedule 15, Appendix 3) carrying a maximum sentence of ten years or more, and the court considers that the offender poses a significant risk of serious harm to members of the public as a result of further specified offences being committed. For the purposes of public protection sentences, section 224(3) of the CJA defines serious harm as ‘death or serious personal injury, whether physical or psychological’.

Section 226 applies the sentence for public protection to those aged under 18 years, although for juveniles it is a sentence of detention rather than imprisonment. In addition, section 227 provides for extended sentences for persons aged over 18 and replaces the provisions of section 85 of the Powers of Criminal Courts (Sentencing) Act 2000. Section 227 makes provision for the extended sentence for certain violent and sexual offences and sets out the conditions which must be met in order for this sentence to be passed. These conditions require that the offender is 18 or over, has committed a specified sexual or violent offence (listed in Schedule 15, Appendix 3) carrying a maximum penalty of under ten years, and is judged by the court to pose a significant risk of serious harm to the public. If these conditions are met then subsection (2) requires the court to pass an extended...
sentence (of imprisonment for offenders aged 21 or over, detention for offenders aged 18 to 20). Subsection (2) also provides that the extended sentence is made up of the appropriate custodial term and an extension period on licence of such length as the court considers necessary to protect members of the public from serious harm occasioned by the commission of further specified offences. The appropriate custodial term must be for the shortest term (not exceeding the permitted maximum) that in the opinion of the court is commensurate with the seriousness of the offence (subject to a minimum of twelve months). The court may add an extension period of up to five years for violent offenders and eight years for sexual offenders. Section 228 applies the same provisions regarding detention of offenders under 18. As soon as a prisoner serving an extended sentence under CJA sections 227 or 228 has served one half of the appropriate custodial term as determined by the court, it is the duty of the Secretary of State to release them on licence.

Information provided by the police to the CPS about patterns of offending and issues relating to risk assessment can assist the court in making decisions about public protection sentences.

**Important Notice**

Sections 13 to 18 and 25: Public protection sentences of the Criminal Justice and Immigration Act 2008 contain a package of reforms to the public sentencing legislation set out in the CJA, Part 12. The reforms make changes to sentences of imprisonment and detention for public protection (also known as IPPs/DPPs/indeterminate sentences) and extended sentences for public protection (EPPs).

The Act makes changes to public protection sentences for both adults and juveniles.


**7.9.9 Risk of Sexual Harm Order**

Under sections 123 to 129 of the SOA the police can apply for a RSHO. This is a civil order which can be applied for in respect of a person over the age of 18 years where it appears to the chief officer of police that a person has on at least two occasions participated in one or more of the following acts:
Engaged in sexual activity involving a child under 16 or in the presence of a child under 16;
Caused or incited a child to watch a person engaging in sexual activity or to look at a moving or still image that is sexual;
Given a child anything that relates to sexual activity or contains a reference to such activity;
Communicated with a child where any part of the communication is sexual.

And, as a result of those acts, there is reasonable cause to believe that it is necessary for such an order to be made.

Section 22 of the Policing and Crime Act 2009 removes the requirement to comply with section 127 Magistrates Court Act 1980, and permits applications to be based upon intelligence or activity beyond the former six-month timeframe.

Under section 123(4) the court will grant an order if it is satisfied that the defendant has on at least two occasions committed a relevant act and it is necessary to make such an order, for the purpose of protecting children generally or any child from harm from the defendant.

For an example of good practice see A Vulnerable Adult RSHO.

An RSHO may prohibit the offender from doing anything specified in it and has effect for a fixed period of not less than two years. An RSHO should not be used as a substitute for a criminal prosecution, but is appropriate where the behaviour of the individual suggests that intervention at this earlier stage is necessary to protect a child.

It is a criminal offence to breach an RSHO or an interim RSHO unless the defendant has a reasonable excuse for doing so. If an offender breaches an RSHO they will be subject to the notification requirements in Part 2 of the SOA, see 7.3 Notification Requirements for Registered Offenders.


7.9.10 Sexual Offences Prevention Order

Under sections 104 to 113 of the SOA, a SOPO supersedes (with amendments) both the Sex Offender Order and the Restraining Order. It is essential that the police ensure SOPOs are obtained on conviction, where appropriate.
Forces should have provisions in place to ensure that officers dealing with any sexually-motivated offences (as listed in Schedules 3 and 5 SOA) are aware of the need to ask for SOPOs to be considered on conviction.

A court may make a SOPO when it deals with a person in respect of an offence listed at Schedule 3 or 5 of the SOA. It may also do so in the case of a person who is not guilty of an offence listed in Schedule 3 or 5 by reason of insanity or is under a disability and has done the act charged.

Where an offender is behaving in a way that suggests that they might commit a sexual offence, an application for a SOPO should be considered.

For an example of good practice see Application for a SOPO.

The police may make an application for a SOPO if two conditions are met. Firstly, the person must be a qualifying offender (eg, found guilty of, or cautioned for, an offence listed in Schedule 3 or 5) or has been found guilty of, or cautioned for, an offence abroad, and which would, if committed in the UK, have constituted an offence. Secondly, the person must have, since the appropriate date, acted in such a way as to give reasonable cause to believe that it is necessary for such an order to be made to protect the public, or any member of the public, from serious sexual harm.

Section 22 of the Policing and Crime Act 2009 removes the requirement to comply with section 127 Magistrates Court Act, thereby permitting applications to be based on intelligence or activity beyond the former six-month timeframe.

An order can be applied for in relation to an offender who may not yet be in a particular area, but is intending to go there (eg, an offender due to be released from prison).

An order may prohibit the offender from doing anything specified in it. The prohibitions must be necessary “for the purpose of protecting the public or any particular members of the public from serious sexual harm from the defendant” (section 107(2) of the SOA). Section 106 of the SOA provides a definition of protecting the public from serious sexual harm for the purposes of section 104 as ‘serious physical or psychological harm, caused by the defendant committing one or more offences listed in Schedule 3’.

For examples of good practice see A SOPO with Prohibitions and Use of SOPOs in Association with Using Software to Restrict Computer Use by RSOs.
The period of the order must be specified and last for a minimum period of five years. It is a criminal offence to breach a SOPO or interim SOPO. For further details about SOPOs see Criminal Justice System (2004) Guidance on Part 2 of the Sexual Offences Act 2003.

7.9.11 Violent Offender Order

The Criminal Justice and Immigration Act 2008 Part 7 makes provision for a new civil preventive order: the Violent Offender Order (VOO).

Under section 98, a VOO is an order made in respect of a qualifying offender which:

- May contain prohibitions, restrictions, or conditions which prevent their access to places, premises, events and people as the court making the order considers necessary for the purpose of protecting the public from the risk of serious violent harm caused by the offender;
- Makes the offender subject to notification requirements (similar to RSOs);
- Has effect for such period of not less than 2, nor more than 5, years as is specified in the order (unless renewed or discharged under section 103).

Under Section 98(3) a ‘specified offence’ means:

(a) Manslaughter;
(b) An offence under section 4 of the Offences against the Person Act 1861 (c. 100) (soliciting murder);
(c) An offence under section 18 of that Act (wounding with intent to cause grievous bodily harm);
(d) An offence under section 20 of that Act (malicious wounding);
(e) Attempting to commit murder or conspiracy to commit murder; or
(f) A relevant service offence.

Under section 99, a ‘qualifying offender’ means a person aged 18 or over who is within subsection (2) or (4):

(2) A person is within this subsection if (whether before or after the commencement of this Part) –

(a) The person has been convicted of a specified offence and either –
   (i) a custodial sentence of at least 12 months was imposed for the offence, or
   (ii) a hospital order was made in respect of it (with or without a restriction order),
(b) The person has been found not guilty of a specified offence by reason of insanity and subsection (3) applies, or
(c) The person has been found to be under a disability and to have done the act charged in respect of a specified offence and subsection (3) applies.

(4) A person is within this subsection if, under the law in force in a country outside England and Wales (and whether before or after the commencement of this Part) –

(a) The person has been convicted of a relevant offence and either –
   (i) a sentence of imprisonment or other detention for at least 12 months was imposed for the offence, or
   (ii) an order equivalent to that mentioned in subsection (3)(a) was made in respect of it,

(b) A court exercising jurisdiction under that law has made in respect of a relevant offence a finding equivalent to a finding that the person was not guilty by reason of insanity, and has made in respect of the offence an order equivalent to one mentioned in subsection (3), or

(c) Such a court has, in respect of a relevant offence, made a finding equivalent to a finding that the person was under a disability and did the act charged in respect of the offence, and has made in respect of the offence an order equivalent to one mentioned in subsection (3).

Under section 100, a chief officer of police may by complaint to a magistrates’ court apply for a violent offender order to be made in respect of a person who:

(a) Resides in the chief officer’s police area, or

(b) The chief officer believes is in, or is intending to come to, that area, if it appears to the chief officer that the following conditions are met.
   (i) that the person is a qualifying offender, and
   (ii) that the person has, since the appropriate date, acted in such a way as to give reasonable cause to believe that it is necessary for a violent offender order to be made in respect of the person.

‘The appropriate date’ means the date (or, as the case may be, the first date) on which the person became a person within any of paragraphs (a) or (c) of section 99(2) or (4), whether that date fell before or after the commencement of this Part.

An application under this section may be made to any magistrates’ court whose commission area includes:

(a) Any part of the applicant’s police area, or

(b) Any place where it is alleged that the person acted in such a way as is mentioned in (b)(ii) above.

When considering applying for any civil order in relation to a MAPPA offender or PDP, PPU staff should consult the force solicitor. In some cases the advice of the CPS should also be sought, for example, on the wording of unusual or complex prohibitions to ensure that any breaches are capable of being proved to the criminal standard. All police officers and staff involved in the application process and the decision to apply for an order should record all relevant information, including the reasons for the decisions. Criminal Justice System (2004) Guidance on Part 2 of the Sexual Offences Act 2003 provides further details about applying for orders under the SOA. See also 7.9 Court Orders and Sentences Available for Public Protection.

Civil orders may be applied for in any magistrates’ court in the area where the offender resides or is intending to reside. As the applications are usually made in open court, the effects of disclosure should be considered. It may be appropriate to make the application in a court outside the area where the offender resides or to make an application for the court to prohibit publication of the individual’s name and address.

Although these are civil orders, effectively the police need to prove their case to the criminal standard, eg, beyond reasonable doubt. Hearsay evidence is admissible when applying for civil orders. Proof of acts or behaviour can come from a number of sources including victims, police officers, probation officers, psychologists and psychiatrists. Expert evidence in the form of a report or statement from a probation officer, psychiatrist or psychologist who has had dealings with the defendant should be considered. The author of the report should be available to give evidence at the hearing. Travel agents can also give evidence if offenders are planning to visit a country where sex tourism is common, or if the offender has suggested their purpose of travel.

Checklist 16 Information to be Provided When Applying for Civil Orders

When applying for a civil order as part of the management of a sexual offender or violent offender, an overview statement should be provided by the officer in the case, setting out the following:
<table>
<thead>
<tr>
<th>Proposed prohibitions should be necessary, proportionate, specific and enforceable. They should result from an analysis of the circumstances of the individual case and include advice and information from other agencies. Legal advice should be sought on the precise wording of particular prohibitions. Examples of prohibitions on the offender, depending on the nature of the civil order applied for but particularly relevant to SOPOs and RSHOs, include the following:</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Not to seek work either paid, unpaid or voluntary where they may have access, directly or indirectly to anyone under the age of 18;</td>
</tr>
<tr>
<td>• Not to have contact with any past victims, until they reach the age of 18;</td>
</tr>
<tr>
<td>• Not to frequent any educational establishment, including nursery or pre-school groups where persons under the age of 18 may be present;</td>
</tr>
<tr>
<td>• Not to enter any premises where a person under the age of 18 is currently staying;</td>
</tr>
<tr>
<td>• Not to engage in private-hire taxi work;</td>
</tr>
<tr>
<td>• Not to obtain employment as an escort, or otherwise engage in escort services;</td>
</tr>
<tr>
<td>• Not to enter particular areas as defined by maps or postcodes;</td>
</tr>
</tbody>
</table>

**Probation Circular 29/2007 Post Release Enforcement – Licence Conditions** provides useful information about the wording of additional licence conditions and may be of assistance when formulating prohibitions for other court orders.
7.11 Monitoring and Enforcement of Orders

Once a civil order is obtained, the PPU is responsible for updating all local and national databases (e.g., PNC and VISOR). Systems should also be in place to ensure that police officers and staff have appropriate information, for example, NPTs. Other agencies should also be informed about civil orders and any contribution they can make in monitoring and enforcement.

Offender records and risk management plans should include details of how particular conditions in an order will be monitored and enforced. This will include agreeing arrangements for enforcing orders with other agencies, e.g., providers of approved premises, see 8.1.4 Approved Premises. The rigorous enforcement of minor breaches can demonstrate to offenders that agencies are working together to ensure vigilant management.

Prosecutions for breaches of orders are conducted by the CPS in accordance with Crown Prosecution Service (2004) The Code for Crown Prosecutors. The CPS should be consulted at an early stage if an order is breached. Breach of one of the civil orders listed in 7.9 Court Orders and Sentences Available for Public Protection is a criminal offence but only if done without reasonable excuse. The Crown must prove that the defendant did not have any reasonable excuse whether or not one is put forward as a defence. This requires clear individual instances of the defendant committing acts or behaving in breach of the order. The proof required is that of the criminal standard.
7.12 Special Considerations for Particular Offenders and Potentially Dangerous Persons

7.12.1 Offenders or Potentially Dangerous Persons with Mental Ill Health

Offenders experiencing mental ill health should be subject to public protection measures through the criminal justice system and given access to appropriate healthcare. Healthcare should not be viewed by police officers as an alternative to charging and prosecuting offenders. Where offenders or PDPs are known or believed to have a mental illness, contact should be established with health and adult and children’s social care services to ensure that action is coordinated.

Management of PDPs experiencing mental ill health should, wherever possible, take place within the Care Programme Approach (CPA). This is a health and social care services framework for care coordination for those who have been accepted as requiring specialist mental health services. This approach involves risk assessment and allows for a multi-agency approach which includes criminal justice agencies, where appropriate. There will also be cases where the risk posed by the individual will require police action in addition to that of other agencies.

For further information on the roles and responsibilities of health services, see 8.5 Health Services.

Conditionally Discharged Restricted Patients under the Mental Health Act 1983 (MHA)

Dangerous mentally disordered offenders may be sentenced using a Hospital Order instead of a prison sentence. This requires their detention in hospital for treatment and they can subsequently be discharged conditionally into the community, subject to recall to hospital by the Secretary of State for Justice.

The Mental Health Unit in the Ministry of Justice is responsible for overseeing the management of these offenders. The Mental Health Unit applies the delegated powers of the Secretary of State under section 41 of the MHA.

Conditionally discharged patients will usually be supervised by both a psychiatrist and a social supervisor. It is the responsibility of the Secretary of State to be satisfied that the danger to the patient or to others is being minimised by effective supervision and appropriate support in the community. Supervisors are responsible for submitting updates to the Ministry of Justice, reporting on compliance with conditions, current mental state and the current level of risk.

Detention of Non Offenders under the Mental Health Act 1983 (MHA)

The MHA governs the admission of people to hospital against their will, their rights while detained, discharge from hospital and aftercare. While this kind of detention cannot be applied for by the Police Service, officers should be aware of its existence and applicability. People are normally detained in
this way in the interests of their own health and safety and/or because it is possible that other people may be at risk from the person’s behaviour.

**Dangerous and Severe Personality Disorder (DSPD) Programme**
For details of the entry criteria, referral and assessment processes for the Dangerous and Severe Personality Disorder (DSPD) programme, see *Probation Circular (2008) Managing High Risk of Serious Harm Offenders With Severe Personality Disorder PC21/2008.*

### 7.12.2 Young Offenders or Potentially Dangerous Persons

Special considerations may apply to the management of young offenders. For young offenders or PDPs are also particularly vulnerable to being harmed by others and becoming victims of crime. Depending on the young offender’s age and circumstances, children’s social care or LEAs and/or special educational needs coordinators should be involved to ensure young offenders have their educational and other needs met. If a young person is looked-after, they ultimately remain the responsibility of children’s social care (see §8.9 Social Services Authorities), although there should be dual case management with the YOT if a MAPPA referral is required. For further information about YOTs and the provision of youth services, see *8.11 Youth Offending Teams, Youth Justice Board (2006) Criminal Justice Act 2003, ‘Dangerousness’ and the New Sentences for Public Protection: Guidance for Youth Offending Teams* and *Youth Justice Board (2006) Multi-Agency Public Protection Arrangements: Guidance for Youth Offending Teams.*

**Management Issues**

- Ensuring all staff involved in the management of sexual offenders, violent offenders and PDPs are trained in order to identify, assess and manage risk.
- Ensuring that ACPO guidance and practice advice relating to specialist investigations are fully implemented.
- Establishing systems and processes to meet police responsibilities regarding notification requirements for RSOs.
- Establishing systems and staffing arrangements which maximise the benefits of home visits when monitoring offenders and managing the risks they pose.
- Ensuring that covert investigation resources can be accessed by the PPU.
- Ensuring that available court orders and sentences are appropriately enforced and monitored, and applied for when necessary.
Roles and Responsibilities of Other Agencies

This section is relevant to all police officers and staff involved in public protection work. It provides a brief outline of the key functions of a range of statutory and voluntary sector national organisations with a responsibility for, and involvement in, public protection. The list of agencies in this section is not exhaustive. Many other agencies, particularly specialist ones, provide services to victims, witnesses and offenders.
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The National Offender Management Service (NOMS) is the umbrella organisation, encompassing the Prison and Probation Services, which manages the risk presented by offenders who pose a risk of serious harm. It does this by participating in, and using, a number of processes, tools and procedures. These include MAPPA, OASys (or Asset), notification requirements, various civil court orders, safeguarding children and a range of interventions to challenge offending behaviour.

The NOMS Offender Management Model creates a single framework for understanding the requirements for the management of the whole NOMS offender population. The model is based on a tiered concept which provides a consistent and transparent way of matching different approaches and resource levels with different offenders. It includes consideration of risks, offender needs and complexities, and maps these against four offender management modes.

**Tier 1** is referred to as PUNISH, which requires the organisation of straightforward punishment and monitoring of compliance.

**Tier 2** is referred to as HELP and adds to the tier 1 requirement, the need to introduce practical help and interventions to deal with life situations and problems.

**Tier 3** is referred to as CHANGE and requires the approach of tiers 1 and 2, plus an integrated change programme (e.g., drug, alcohol or mental health treatment).

**Tier 4** is the highest mode or level and is referred to as CONTROL. It combines the approach of the other three modes within a framework of controls, restrictions and inter-agency management. Offenders suitable for this intensive, expensive approach are those who are assessed as representing a high risk of causing serious harm, and those whose offending is so prolific that arrangements need to be made to contain their current and future behaviour.

High-risk offenders are all those offenders assessed as presenting a high or very high risk of serious harm (according to OASys or Asset) who are either on community sentences or on licence following release from prison. They can include any offender sentenced to a determinate sentence under either the Criminal Justice Act 1991 or the CJA and released on licence, and any offenders sentenced to an extended sentence for public protection under sections 227 and 228 of the CJA who remain a high risk of serious harm but who must be released at the end of the custodial part of their sentence (see 7.9.8 Public Protection Sentences). Offenders sentenced under sections 225 and 226 of the CJA are assessed by the court at the time of sentence as presenting a high or very high risk of serious harm and they are not released into the community until the Parole Board have assessed them and decided that it is safe to do so.
The risk management process assumes that, for determinate and indeterminate prisoners, OASys or Asset will be the starting point for risk identification and continuing dynamic assessment throughout the sentence.

The offender manager role is currently being developed to ensure that a single staff member within NOMS has the lead responsibility for managing a specific case. The formation of NOMS introduces a split between service commissioners and service providers. Within each of the regions it will be the role of regional offender managers to commission services to assist in public protection work. For further information about offender management see http://www.justice.gov.uk/about/noms.htm

8.1.1 National Probation Service

The National Probation Service (NPS) has a statutory duty to supervise offenders in order to reduce offending and to protect the public. The NPS supervises convicted offenders on community sentences, and those released from custody on licence. It is the role of the Probation Service to ensure compliance with a sentence in the community and to initiate breach proceedings at court where necessary. In the case of a licence, the Probation Service requests that the licence be revoked. Revocation is decided on, and undertaken, by the relevant section in NOMS acting on behalf of the Secretary of State.

The Probation Service, the Prison Service and the Police Service all work closely to manage offenders in the community and when they have been released from prison. Ministry of Justice Probation (2009) Instruction Recall of Prisoners on Licence – Sharing Information and Performance Monitoring P1 04/2009 and Probation Circular 05/2007 Post Release Enforcement – Inter-Agency Working, Unlawfully at Large Offenders, and Extradition provide a framework for partner agencies to work together to supervise offenders, enforce their licences and to effect an efficient recall to custody of those who breach their licence conditions. Further information about recall can be in PSO 4700 Indeterminate Sentence Manual found at http://www.hmprisonservice.gov.uk/resourcecentre/psispsos/listpsos/
MAPPA are in place in each probation and police area. These arrangements ensure that agencies work together to share information and manage the risks posed by offenders in the community, see 2 The Police Role in MAPPA and Other Multi-Agency Structures. Under the CJA, the Probation Service is part of the RA in each area which has a duty to establish MAPPA.

The Probation Service also has a statutory duty, under sections 35 to 44 of the Domestic Violence, Crime and Victims Act 2004, to provide services to victims (or their families) of sexual or violent offences where the offender has received a custodial sentence of twelve months or more or, in the case of mentally disordered offenders, where certain hospital orders have been made. The probation board must ascertain whether a person who appears to the board to be the victim of the offence, or acts for the victim, wishes to make representations about whether the offender should be subject to any licence conditions or supervision requirements in the event of release and, if so, what licence conditions or supervision requirements. Generally, conditions relating to victims will be concerned with non-contact or exclusion zones. Under the Act victims should be informed if the offender will be subject to any licence conditions or supervision requirements on release and, if they relate to the victim or their family, given the details of what these licence conditions are.

Important Notice: Sections 29 to 32 of the Criminal Justice and Immigration Act 2008

- **Section 29** introduces new recall provisions for determinate sentence prisoners.
- **Section 30** amends existing powers within the CJA pertaining to the further review and re-release from recall of determinate sentence prisoners.
- **Section 31** amends section 32 of the Crime (Sentences) Act 1997 specifically to remove the requirement for a Parole Board recommendation before the Secretary of State decides whether to recall a life sentence prisoner or a prisoner serving an indeterminate sentence for public protection.
- **Section 32** has the practical effect that all prisoners sentenced under the provisions of the Criminal Justice Act 1991 and who are recalled to prison will, when released, remain on licence until their sentence expiry date and be liable to recall should their behaviour give cause for concern.

The NPS reviews its service delivery, in particular, using diversity monitoring to try to make sure that services are available and appropriate to the individual needs of all victims and offenders. For further information about the Probation Service see http://www.probation.justice.gov.uk

8.1.2 Prison Service

Following the introduction of the CJA the Prison Service has a statutory responsibility under MAPPA as one of the RA, along with the Police and Probation Services. The Prison Service, therefore, has a duty to share risk management and other relevant information with MAPPA partners, and to participate in the planned release of those offenders subject to MAPPA.

Under Her Majesty’s Prison Service (2004) Multi-Agency Public Protection Arrangements (MAPPA) Prison Service Order No. 4745 and Prison Service standard 47 (Public Protection), prison governors are required to ensure that the relevant police and probation contacts having joint responsibility for a particular prisoner are:

- Reminded of, or updated on, the release dates of those managed by referral to MAPPA. This should be four months before release as a minimum but, where possible, this should be six months.
- Informed and aware of the arrangements for the day of the prisoner’s release, and that no changes to these will be made without consulting the Police and Probation Service.

Governors are also required to contribute fully to the risk assessment and risk management planning before release occurs.

The Prison Service works closely with other agencies to identify any prisoner who may present a risk to the public on their release. Regular risk assessments take account of progress made during a prisoner’s sentence and this information is used to make decisions on sentence planning, including Sex Offender Treatment Programmes (SOTPs), for individual prisoners.

The Prison Service role within MAPPA is as follows:

- Identifying MAPPA offenders following reception and flagging their status on P-NOMIS, see 6.2.3 P-NOMIS;
- Calculating sentences accurately;
- Advising MAPPA colleagues on prison systems and procedures (eg, transfers between establishments and regime programmes);
- Using the various systems of assessing prisoners in custody, such as monitoring them in proportion to their perceived risk,
sentence planning, providing information for pre-release preparation which includes interventions to manage and reduce risk, and using MAPPA contacts to compile parole reports;

- Working with MAPPA colleagues as early as practicable prior to the release of a high-risk offender – this is likely to involve sharing information relevant to the risk assessment, risk management planning and attending or convening MAPPA meetings;
- Preparing and, where necessary, refining the details of release arrangements to fit post-release risk management plans;
- Reviewing the risk management plan on a periodic basis at MAPPA meetings.

As part of the Safer Custody Programme, all prisons are required to have a strategy to reduce violence and prevent bullying. This underpins a consistent approach to anti-social and abusive behaviour, and promotes personal safety. The Prison Service also delivers a range of accredited programmes to address offending behaviour, see **8.1.3 Accredited Programmes**.

Additionally, the NOMS Victim Helpline provides a facility for victims to report unwanted contact by letter or telephone from a prisoner. Their concerns are then notified, in confidence, to the appropriate prison governor and action is taken to prevent further contact.

For more information on the Prison Service see [http://www.hmprisonservice.gov.uk](http://www.hmprisonservice.gov.uk)

**8.1.3 Accredited Programmes**

The availability and suitability of accredited programmes for offenders depends on a number of factors. These include the offences involved, the offender’s sex, age, whether they deny the offence and local provision of programmes in prisons and in the community. The Prison Service has specific national programmes designed for sexual offenders and other programmes for domestic abuse offenders. These are rehabilitation programmes designed to help prisoners address the offending behaviour that caused them to come to prison. Offender programmes are one part of a package of interventions which include assessment, risk assessment, and reviewing and evaluating progress. The Prison and Probation Services work closely to implement these programmes, although demand for some interventions frequently exceeds supply and there can be long delays for their provision to individuals. Very few programmes are available to those without convictions.

**Sex Offender Treatment Programmes**
The Probation Service and Prison Service provide a range of interventions for sexual offenders. The Sex Offender Treatment
Programme (SOTP) is designed to help participants develop the skills and attitudes that lead to a personally satisfying life that does not involve reoffending. The programmes focus on the offender developing a better understanding of their offending behaviour and of dynamic risk factors. Treatment targets also include tackling deviant arousal, distorted thinking patterns, lack of empathy, denial and minimisation, and offending patterns. The primary purpose of these programmes is to increase the offender’s motivation to avoid reoffending and to develop the self-management skills necessary to achieve this. Such programmes use methods suited to an individual offender’s needs and capabilities, using a combination of group and individual therapy.

SOTPs have been developed to match intensity to the offender’s treatment needs, for example, an offender may attend a core programme during the early part of the sentence and an extended programme prior to release. It is also possible that as a condition of a licence, an offender can attend treatment in the community. Offenders may also be sentenced to community orders with a requirement to attend an accredited treatment programme. Treatment programmes in the community can vary between twelve months’ and two years’ duration, depending on the risk posed. Feedback from the treatment staff can be provided as part of MAPPA to help monitor the risk management plan.

For further information see Prison Service and National Probation Service (2002) The Treatment and Risk Management of Sexual Offenders in Custody and in the Community.

Domestic Abuse Offender Programmes
Accredited domestic abuse offender programmes are available in all probation service areas and a small number of prisons. The programmes are for convicted male perpetrators of domestic abuse who were, or are, in heterosexual relationships. They are integrated programmes delivering a core group work curriculum as part of a wider system designed to enhance the safety of victims and hold offenders to account. The programmes consist of the same infrastructure:

- Multi-agency risk assessment and risk management, involving information exchange protocols with the police and other relevant agencies;
- Contact by women safety workers with known victims and new partners of the men accepted on the programme, to encourage realistic expectations and safety planning, and to give information about the programme;
- Proactive management of the offender by the supervising offender manager to ensure a speedy return to court in cases of non-attendance;
• Active liaison with the police and woman safety worker;
• Delivery of some individual structured sessions;
• Group work sessions with the offender.

All of these aspects of the programme must be in place for it to be implemented as designed.

**Drug Treatment Programmes**

A range of accredited drug treatment programmes are available in prisons and the community. For more information see *National Offender Management Service (2005) Strategy for the Management and Treatment of Problematic Drug Users Within the Correctional Services*.

For further information on accredited programmes see [http://www.probation.homeoffice.gov.uk](http://www.probation.homeoffice.gov.uk) and [http://www.hmprisonservice.gov.uk](http://www.hmprisonservice.gov.uk)

### 8.1.4 Approved Premises

The term approved premises was introduced by the Criminal Justice and Court Services Act 2000. It applies to all those establishments formerly known as probation hostels or bail hostels, and includes those managed by voluntary sector providers and probation boards.

Approved premises are a national public protection resource. Their purpose is to provide an increased level of residential supervision for offenders likely to pose a risk of serious harm to others. They also aim to protect the public by reducing the likelihood of reoffending and promoting rehabilitation. Such premises are designed for adult offenders (aged 18 and over) and are considered inappropriate for those aged 16 to 17 years.

Offenders reside there for the purposes of assessment, supervision and management. *Probation Circular 37/2005 The Role and Purpose of Approved Premises* states that approved premises as defined in section 13 Offender Management Act 2007 (OMA), are primarily intended for:

- Defendants on bail in criminal proceedings, where there is a clear need to protect known or potential victims and/or to avoid excessive media or public interest;
- Offenders serving community sentences with a condition of residence attached or who must reside at a place directed by the offender manager;
- Offenders released on post-custodial licences with a condition of residence.
Approved premises can include the provision of a planned, structured regime of interventions, including one-to-one key working and treatment programmes, derived from the offender manager’s sentence or supervision plan. Such premises also deliver a range of services (e.g., health, education, life skills, employment and resettlement) in the interests of effective rehabilitation. Different approved premises will be suitable for different offenders, and agencies should ensure that the actions in risk management plans can be supported by the particular premises (e.g., enforcement of curfews and other restrictions). In exceptional circumstances, and with the approval of the Secretary of State, the chief officer or someone acting on their behalf, approved premises can also accommodate voluntary residents where it is considered necessary for the purposes of protecting the public and/or enabling the offender to receive supervision or treatment. Most placements in approved premises are in an offender’s home area, but some are outside in order to protect known or potential victims, avoid excessive media or public interest, or to resettle the offender away from that area.

For more information on approved premises see:

- **Frequently Asked Questions What are Approved Premises?**
- **Probation Circular 37/2005 The Role and Purpose of Approved Premises;**
- **Probation Circular 19/2007 Implementation of National Rules for Approved Premises.**

### 8.2 British Transport Police

British Transport Police (BTP) is a national police force and has the unique task of policing the rail network, London Underground, Docklands Light Railway and some tram and metro systems.

Their role is to serve the community through actively managing offending and anti-social behaviour on UK railway networks. Their mission is to maintain a safe railway that is free from disruption and fear of crime. They work in seven regional areas and have the ability to work across boundaries. They are part of the VISOR community, working closely with police forces across England, Wales and Scotland and they should be involved in the risk management of MAPPA Offenders, where this is appropriate and necessary.

For further information see current **MAPPA Guidance, sections 23.1 to 23.4.**
The Child Exploitation and Online Protection (CEOP) Centre is the UK’s national police centre for protecting children. As such, it delivers a holistic multi-agency response that incorporates expertise from, and in partnership with, NGOs, industry, government and the wider child protection community. In February 2010, the Government announced its intention to not only give the CEOP Centre its own fully independent status, but also that it will become the focus for new services such as Missing Children.

The functions of the Centre are to:

- Receive, assess and disseminate intelligence coming into the UK about online and offline offenders, specifically those seeking to offend against children;
- Facilitate a unique reporting process that is efficient, expedient and minimises delay in responding to risks to children;
- Support, coordinate and assist national and international investigations into online child abuse;
- Enhance the police capacity to identify the victims depicted in child abuse images and ensure that support is provided once they have been identified;
- Identify and recover criminal assets from those profiting from such abuse;
- Work in an inter-agency and multi-disciplinary way to develop news, holistic models for safeguarding children from abuse;
- Keep up to date with research, technical developments and risk analysis, thereby becoming a reference point for the identification of trends and sharing of information;
- Deliver comprehensive, specialist and effective educational and training programmes; and
- Represent the UK in the Virtual Global Taskforce, an international alliance of law enforcement agencies working together to tackle the sexual abuse of children.

For more information see 7.6.1 Child Exploitation and Online Protection Centre UK Tracker Team and 7.7.1 Child Exploitation and Online Protection Centre Overseas Tracker Team.

The CPS makes decisions about charging suspects and whether or not to prosecute a case. This is done in consultation with the police, but ultimately the decision is that of the CPS. The CPS will first consider all the evidence and then provide the police with advice on charging. Following charge, the CPS is responsible for preparing and presenting cases at court. If a decision is made to withdraw or discontinue a case or substantially alter a charge, it is the responsibility of the CPS to inform the victim.
Many CPS areas have protocols and local service level agreements with the police. *Crown Prosecution Service (2004) The Code for Crown Prosecutors* provides guidance for crown prosecutors when making decisions on whether or not to prosecute. The Code contains a two-stage test: firstly, there must be sufficient evidence to provide a realistic prospect of conviction; secondly, a prosecution must be in the public interest. If the first ‘evidential’ test is not passed then a case cannot proceed no matter how serious or sensitive it might be. For further information on the functions of the CPS and to download this publication see [http://www.cps.gov.uk/publications/code_for_crown_prosecutors/index.html](http://www.cps.gov.uk/publications/code_for_crown_prosecutors/index.html)

For further information about the role of the CPS in charging, prosecuting and sentencing in the context of managing sexual offenders and violent offenders, see 7.2 Prosecution, 7.9.10 Sexual Offences Prevention Order, 7.10 Applying for Civil Orders and 7.11 Monitoring and Enforcement of Orders.

### 8.5 Health Services

Health services play an important role in responding to the needs of individuals who pose a risk of serious harm to the public and victims of crime. Under section 325(6) of the CJA, Health Authorities or Strategic Health Authorities, PCTs or Local Health Boards and NHS Trusts have a statutory duty to cooperate in MAPPA. For more information see [2.1.3 Agencies that have a Duty to Cooperate.](#)

The majority of offenders within MAPPA will come from the prison system, but some will have received hospital disposals. The duty of health services to cooperate with the RA including appropriate referrals to MAPPA. In health service agencies that operate a CPA, any referral to MAPPA would be expected to have been considered and risk assessed within the CPA first. The CJA, while requiring the duty to cooperate, does not, however, impose a duty to disclose information. In addition it does not override the common law duty placed on doctors to protect patient confidentiality, or the duty to preserve confidentiality imposed by the DPA and the HRA.

For further details about sharing sensitive information from a third party, see [6.6.13 Sharing Sensitive Information from a Third Party.](#)

**Mental Health Services**

Mental health staff are able to make an early identification and assessment of risk which may prompt a referral to MAPPA or for the person to be managed as a PDP. See [7.12.1 Offenders or Potentially Dangerous Persons with a Mental Ill Health.](#) Health professionals can provide interventions to reduce risk where mental ill health is a key factor in offending behaviour.
For details on sharing information with the Mental Health Services, see Department of Health (2009) Information Sharing and Mental Health Guidance to Support Information Sharing by Mental Health Services which can be found at http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_104948.pdf and the current Royal College of Psychiatrists (2006) Good Psychiatric Practice: Confidentiality and information sharing CR133 which is accessible at http://www.rcpsych.ac.uk/files/pdfversion/cr133.pdf

A list of Offender Health publications and guidance by the Department of Health can be found at http://www.dh.gov.uk/en/Healthcare/Offenderhealth/index.htm

8.6 Her Majesty’s Revenue and Customs

Her Majesty’s Revenue and Customs (HMRC) is responsible for enforcing import prohibitions in relation to indecent and obscene materials. It gathers intelligence on and, where appropriate (ie, where police are unable to progress a case), investigates and prosecutes organisations and individuals contravening these prohibitions. HMRC is in a prime position to detect child abuse images carried by passengers through customs controls or imported into the UK by other means, particularly via the post. HMRC are also able to actively assist in the identification of persons committing, or suspected of committing, offences against children while abroad. Similarly, the police may have information which would assist HMRC to detect persons and also material passing through their controls. For further information see 7.7.3 Role of Her Majesty’s Revenue and Customs.

8.7 Housing Providers

The availability of good quality and appropriate housing for offenders is essential for the protection of the public. Its provision has been found to be a significant factor in the successful completion of offender programmes (see 8.1.3 Accredited Programmes) and reducing reoffending. Housing providers such as housing authorities have an important part to play in the management of risk posed by offenders who are assessed as presenting a risk of serious harm. Suitable housing can contribute to the ability of the police and others to successfully manage the risk such individuals pose. Knowledge of an offender’s address allows for effective monitoring and surveillance, enables successful resettlement and helps in devising victim protection strategies. Under section 325(6) of the CJA, local housing authorities and RSLs have a statutory duty to cooperate in MAPPA. For more information see 2.1.3 Agencies that have a Duty to Cooperate.

8.7.1 Local Housing Authorities

Local housing authorities have responsibility for allocating long-term accommodation and providing housing assistance for people who are homeless. For example, a person who is vulnerable as a result of time
spent in custody has a priority need for accommodation under homelessness legislation. Local housing authorities must secure accommodation until a settled home becomes available, or some other circumstance brings the duty to an end. There will not always be a specific duty to accommodate an offender but the advice of local housing authorities about the availability, type and location of housing and the procedures by which it is allocated, and the suitability of available accommodation will provide a valuable contribution to multi-agency risk management. For further information about the role of local housing authorities in MAPPA, see current MAPPA Guidance.

8.7.2 Housing Associations and Registered Social Landlords

Housing Associations provide suitable and affordable housing for individuals in need. Such associations are non-profit making and can provide a range of services to increase the tenant’s quality of life and ensure safety and security.

Housing associations that are registered with the Housing Corporation are known as Registered Social Landlords (RSLs). RSLs are not-for-profit, independent bodies, responsible for their own management. RSLs provide suitable and affordable housing for individuals in housing need. They also carry out a range of activities, in addition to housing, which can enhance the tenant’s quality of life. RSLs have a statutory duty to cooperate with local authorities to enable the latter to fulfil their duties to homeless people, people in priority housing need, to vulnerable people and those covered by the Government’s Supporting People policy.

For further information about RSLs see http://www.rsls.co.uk

8.8 Parole Board

The Parole Board is the independent body that protects the public by making risk assessments about prisoners in order to decide who may be released into the community and who must remain in, or be returned to, custody. It was established, under the provisions of the Criminal Justice Act 1967 and the Criminal Justice and Public Order Act 1994 (as amended by the CJA), to advise the Justice Secretary on the early release of prisoners. The Parole Board is an Executive Non-Departmental Public Body. The Parole Board has the functions listed in Chapter 6 of the CJA in relation to fixed term prisoners. It also has the functions listed by the Crime (Sentences) Act 1997, Part 2, Chapter 2 with respect to life sentence prisoners (including those serving sentences of imprisonment for public protection). Under the 2003 Act, the Parole Board ceases to have any jurisdiction over the release of prisoners serving determinate sentences. The Parole Board also decides on the release of offenders sentenced to extended sentences.
The Parole Board is guided in its work by directions issued to it regarding life sentence prisoners and determinate sentence prisoners. Procedures for the release of life sentence prisoners and those serving sentences for public protection are governed by the Crime (Sentences) Act 1997, as amended by the CJA and the Parole Board Rules 2004.

The Parole Board’s aims and objectives are linked closely with those of the Ministry of Justice in seeking to reduce reoffending and protect the public. The Parole Board recognises that it is unable to deliver these aims without the reports and advice received from a range of professionals involved in monitoring the progress of prisoners both in custody and in the community. The Parole Board works closely with the Ministry of Justice, the Probation Service and the Prison Service (including the Applied Psychology Group) to ensure that they know the standard of information the Parole Board needs to make accurate risk assessments. The Parole Board also works with organisations representing victims and prisoner groups, the legal profession and others involved in the criminal justice system.

For more information see http://www.paroleboard.gov.uk and 6.6.6 Sharing Information with the Parole Board.

8.9 Social Services Authorities

Under section 325(6) of the CJA social services authorities have a statutory duty to cooperate in MAPPA. For more information see 2.1.3 Agencies that have a Duty to Cooperate. In England these services are organised into adult social care and children’s social care. The latter are usually part of the local authority children’s services department. The primary focus for engaging local authorities with adult and children’s social service functions within MAPPA is in relation to the assessment and management of risk posed by sexual or violent offenders. This includes individuals who are considered to pose a risk, or potential risk, of harm to children. Social care services offer a valuable input on all dangerous offenders for whom they provide social care, including older people, those with a disability, young people or offenders with mental ill health. In the case of looked-after children, who are young offenders, case responsibility is with children’s social care, although YOTs will have an important role, see 8.11 Youth Offending Teams. Links with local authorities through MAPPA and LSCBs should ensure that MAPPA contribute to, and are reinforced by, the work of local authorities and other partners in protecting children and vulnerable adults.

Local authorities have legal duties, under section 17 of the Children Act 1989, to safeguard and promote the welfare of children who are in need in their area. These duties, provided they are consistent with the child’s safety and welfare, are to promote the upbringing of such children by their families, by providing services appropriate to the child’s needs. They also have a duty to investigate, under section 47 of
the Children Act 1989, where they have reasonable cause to suspect that a child who lives, or is found, in their area is suffering, or is likely to suffer, significant harm.

For an example of good practice see Working with Children’s Services.

More information about the duty of local authorities to protect children in need and children at risk of significant harm, and the way in which other organisations should contribute to safeguarding children can be found in HM Government (2010) Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children.

Details about duties and services to vulnerable adults can be found in Department of Health (2000) No Secrets: Guidance on Developing and Implementing Multi-Agency Policies and Procedures to Protect Vulnerable Adults from Abuse. In Wales the appropriate guidance is Home Office and National Assembly for Wales (2000) In Safe Hands: Implementing Adult Protection Procedures in Wales.

8.10 UK Border Agency

The function of the UKBA is to secure the UK borders and control migration in the UK. It manages border control for the UK, enforcing immigration and customs

8.11 Youth Offending Teams

Youth justice services in the community are provided by Youth Offending Teams (YOTs). Under section 325(6) of the CJA, YOTs have a statutory duty to cooperate in MAPPA. For more information see 2.1.3 Agencies that have a Duty to Cooperate. The primary aim of YOTs is to prevent offending by young people. They are responsible for the supervision of all juvenile offenders (i.e., those aged under the age of 18 years) on community sentences, and during their resettlement into the community following a custodial sentence.

This role, therefore, provides access to information about offenders who may fall into any of the three MAPPA Categories. For Category 2 and Category 3 offenders, the role of YOTs is similar to that of the Probation Service responsibility for adult offenders. For further information about the YOT role in MAPPA, see 7.12.2 Young Offenders or Potentially Dangerous Persons, Youth Justice Board (2006) Multi-Agency Public Protection Arrangements: Guidance for Youth Offending Teams and Youth Justice Board (2005) Managing Risk in the Community, Edition 1.

All YOTs have a duty to cooperate with the RAs in relation to dangerous young people who offend, and young people who sexually abuse.
 Unless a young person is a looked-after child, YOTs retain overall case responsibility at all times for those young people referred under MAPPA. In the case of looked-after children, case responsibility remains with children’s social care (see 8.9 Social Services Authorities), although there should be dual case management with the YOT if a MAPPA referral is required.

There is a YOT in every local authority in England and Wales. YOTs are made up of representatives from the Police Service, the Probation Service, children’s social care, health, education, drugs and alcohol misuse services, and housing officers. Each team has a manager who is responsible for coordinating the work of the youth justice services. The YOTs incorporate representatives from a wide range of services and can respond to the needs of young offenders in a comprehensive way. The team identifies the needs of each young offender by using a national assessment tool called Asset, see 4.3.5 Asset. It identifies the specific problems that make young people offend and measures the risk they pose to others. This enables a YOT to try and prevent further offending by identifying suitable programmes to address the needs of the young person, with the intention of preventing further offending. For further information about YOTs see http://www.yjb.gov.uk/en-gb/
Appendix 1

Abbreviations and Acronyms
## Abbreviations and Acronyms

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<th>Abbreviation</th>
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<tbody>
<tr>
<td>5x5x5</td>
<td>Intelligence Grading Matrix Model</td>
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<tr>
<td>ABE</td>
<td>Achieving Best Evidence</td>
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<tr>
<td>ACC</td>
<td>Assistant Chief Constable</td>
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<td>ACPA</td>
<td>Area Child Protection Committee</td>
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<td>ACPO</td>
<td>Association of Chief Police Officers</td>
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<td>ACPOS</td>
<td>Association of Chief Police Officers Scotland</td>
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<tr>
<td>ANPR</td>
<td>Automatic Number Plate Recognition</td>
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<tr>
<td>ASBO</td>
<td>Anti-Social Behaviour Order</td>
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<tr>
<td>BCU</td>
<td>Basic Command Unit</td>
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<tr>
<td>BIA</td>
<td>Behavioural Investigative Adviser</td>
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<tr>
<td>BTP</td>
<td>British Transport Police</td>
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<tr>
<td>CAB</td>
<td>Central Authorities’ Bureau</td>
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<tr>
<td>CAIU</td>
<td>Child Abuse Investigation Unit</td>
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<tr>
<td>CCTV</td>
<td>Closed Circuit Television</td>
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<tr>
<td>CDRP</td>
<td>Crime and Disorder Reduction Partnership</td>
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<td>CEOP</td>
<td>Child Exploitation and Online Protection Centre</td>
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<td>CHIS</td>
<td>Convert Human Intelligence Source</td>
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<td>CJA</td>
<td>Criminal Justice Act 2003</td>
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<td>CPA</td>
<td>Care Programme Approach</td>
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<td>CRASBO</td>
<td>Criminal Anti-Social Behaviour Order</td>
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<td>CRB</td>
<td>Criminal Records Bureau</td>
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<tr>
<td>CSOG</td>
<td>Community Sex Offender Groupwork</td>
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<td>CSP</td>
<td>Community Safety Partnership</td>
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<td>DAAT</td>
<td>Drug and Alcohol Action Team</td>
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<td>DASOU</td>
<td>Dangerous and Sex Offenders’ Unit</td>
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<td>DAT</td>
<td>Drug Action Team</td>
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<td>DMM</td>
<td>Daily Management Meeting</td>
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<td>DPA</td>
<td>Data Protection Act</td>
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<td>DPMU</td>
<td>Dangerous Persons Management Unit</td>
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<td>DSPD</td>
<td>Dangerous and Severe Personality Disorder</td>
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<td>DSU</td>
<td>Dedicated Source Unit</td>
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<td>DTTO</td>
<td>Drug Treatment and Testing Order</td>
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<tr>
<td>DVLA</td>
<td>Driver and Vehicle Licensing Agency</td>
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<td>DWP</td>
<td>Department for Work and Pensions</td>
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<tr>
<td>ECHR</td>
<td>European Convention on Human Rights</td>
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<td>EEA</td>
<td>European Economic Area</td>
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<td>EHRR</td>
<td>European Human Rights Reports</td>
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<td>EU</td>
<td>European Union</td>
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<td>FOIA</td>
<td>Freedom of Information Act 2000</td>
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<td>FMPO</td>
<td>Forced Marriage Prevention Order</td>
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<td>FTO</td>
<td>Foreign Travel Order</td>
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<td>GP</td>
<td>General Practitioner</td>
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<td>GPMS</td>
<td>Government Protective Marking Scheme</td>
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<tr>
<td>HCR-20</td>
<td>Historical, Clinical and Risk Management Scale</td>
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<tr>
<td>Abbreviation</td>
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<tr>
<td>HMIC</td>
<td>Her Majesty’s Inspectorate of Constabulary</td>
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<td>HMIP</td>
<td>Her Majesty’s Inspectorate of Probation</td>
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<td>HMPS</td>
<td>Her Majesty’s Prison Service</td>
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<td>HMRC</td>
<td>Her Majesty’s Revenue and Customs</td>
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<td>HOLMES 2</td>
<td>Home Office Large Major Enquiry System</td>
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<td>HORT1</td>
<td>Home Office Road Traffic form</td>
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<td>Home Office Warning Index</td>
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<td>HRA</td>
<td>Human Rights Act 1998</td>
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<td>HSE</td>
<td>Health and Safety Executive</td>
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<td>INI</td>
<td>Impact Nominal Index</td>
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<tr>
<td>IPCC</td>
<td>Independent Police Complaints Commission</td>
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<td>IPLDP</td>
<td>Initial Police Learning Development Programme (Probationer Training)</td>
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<td>ISA</td>
<td>Information Sharing Agreement</td>
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<td>IT</td>
<td>Information Technology</td>
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<td>JBOC</td>
<td>Joint Border Operations Centre</td>
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<td>LCJB</td>
<td>Local Criminal Justice Board</td>
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<td>LEA</td>
<td>Local Education Authority</td>
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<td>LIDS</td>
<td>Local Inmate Database System</td>
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<td>LSCB</td>
<td>Local Safeguarding Children Board</td>
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<td>MAPPA</td>
<td>Multi-Agency Public Protection Arrangements</td>
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<td>MAPPP</td>
<td>Multi-Agency Public Protection Panel</td>
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<td>MARAC</td>
<td>Multi-Agency Risk Assessment Conference</td>
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<td>MHA</td>
<td>Mental Health Act 1983</td>
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<td>MO</td>
<td>Modus Operandi</td>
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<td>NCALT</td>
<td>National Centre for Applied Learning Technologies</td>
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<td>NHS</td>
<td>National Health Service</td>
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<td>NIM</td>
<td>National Intelligence Model</td>
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<td>NO</td>
<td>Notification Order</td>
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<td>NOMIS</td>
<td>National Offender Management Information System</td>
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<td>NOMS</td>
<td>National Offender Management Service</td>
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<td>NOMS PPMHG</td>
<td>National Offender Management Service Public Protection Unit</td>
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<td>NOS</td>
<td>National Occupational Standards</td>
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<td>NPIA</td>
<td>National Policing Improvement Agency</td>
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<td>NSPCC</td>
<td>National Society for the Prevention of Cruelty to Children</td>
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<td>OASys</td>
<td>Offender Assessment System</td>
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<td>OMA</td>
<td>Offender Management Act 2007</td>
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<td>PACE</td>
<td>Police and Criminal Evidence Act 1984</td>
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<td>PCL-R</td>
<td>Psychopathy Check List - Revised</td>
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<td>PCRU</td>
<td>Police Central Referral Unit</td>
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<td>PCT</td>
<td>Primary Care Trust</td>
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<tr>
<td>Acronym</td>
<td>Description</td>
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<tr>
<td>PDP</td>
<td>Potentially Dangerous Person</td>
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<td>PII</td>
<td>Public Interest Immunity</td>
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<td>PIMR</td>
<td>Police Internal Management Review</td>
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<td>PINS</td>
<td>Prisoner Intelligence Notification System</td>
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<td>PNC</td>
<td>Police National Computer</td>
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<td>Police National Database</td>
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<td>PoCA</td>
<td>Protection of Children Act 1999</td>
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<td>PoVA</td>
<td>Protection of Vulnerable Adults</td>
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<td>PPO</td>
<td>Prolific and Priority Offenders</td>
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<td>PPU</td>
<td>Public Protection Unit</td>
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<td>RANSG</td>
<td>Responsible Authority National Steering Group</td>
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<td>RM 2000</td>
<td>Risk Matrix 2000</td>
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<td>RRASOR</td>
<td>Rapid Risk Assessment for Sex Offence Recidivism</td>
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<td>RSHO</td>
<td>Risk of Sexual Harm Order</td>
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<td>RSO</td>
<td>Registered Sex Offender</td>
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<td>RTO</td>
<td>Registered Terrorist Offender</td>
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<td>RVO</td>
<td>Registered Violent Offender</td>
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<td>SARA</td>
<td>Spousal Assault Risk Assessment</td>
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<td>Sexual Assault Referral Centre</td>
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<td>Structured Assessment of Risk and Need</td>
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<td>SID</td>
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<td>SIS</td>
<td>Schengen Information System</td>
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<td>Specific, Measurable, Achievable, Realistic, Timely, Evaluation, Review</td>
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<td>SOP</td>
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<td>VOO</td>
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Appendix 2

References


Briefing Document on Identified Good Practice from forces across the UK in relation to investigating, disrupting and bringing to justice travelling sexual offenders [Intranet]. Available from POLKA at http://polka.pnn.police.uk


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